

Francis M. Fletcher, McComb.  
 Harry E. Coil, Mendon.  
 Pearl C. Brown, Middlefield.  
 George L. Sayles, Milan.  
 French C. Stillings, Milford Center.  
 Dewey H. Beck, Monroeville.  
 William G. Corne, Newark.  
 Calvin L. Hartline, Newcomerstown.  
 Harry M. Day, New Richmond.  
 Albert S. Nye, New Washington.  
 Cloyde M. Kieffer, Orrville.  
 Marshall O. Brooke, Peebles.  
 Frank B. McCullough, Plain City.  
 George A. Fisher, Port Clinton.  
 Clarence B. Seymour, Ravenna.  
 Olive Toland, Rayland.  
 Harry W. Hayes, Reynoldsburg.  
 Fred O. Foster, Seville.  
 Alva H. Anderson, Shelby.  
 Harry Oldham, Sidney.  
 Charles M. Sauder, Smithville.  
 Elmer E. Weaver, Sugarcreek.  
 Oral H. Hilborn, Tiro.  
 Raymond M. Swank, Trotwood.  
 Ralph L. Stamm, Versailles.  
 George W. Hassenier, Wapakoneta.  
 Dora A. Kramer, West Alexandria.  
 William E. Reed, West Lafayette.  
 Elva L. Gauch, West Manchester.

## OKLAHOMA

Royal F. Hall, Boise City.  
 Roy M. Muse, Elmore City.  
 Marshall G. Norvell, Marietta.  
 Frank W. Fuller, Ringwood.  
 Otto G. Bound, Ryan.  
 Marion N. Brumley, Selman.  
 William A. Vassar, Tryon.  
 Severe L. Massie, Tyrone.

## OREGON

Alice K. Gallier, Bandon.  
 Elizabeth J. Morgan, Corbett.  
 Fred C. Matches, Dayton.  
 Edward C. Michelsen, Kerry.  
 George W. Johnson, Lakeview.  
 Thomas R. MacMillan, Lebanon.  
 Annie O. Johnson, Odell.  
 Harold R. McIsaac, Parkdale.  
 Ann B. Heydon, Valsetz.  
 Walter E. Zumwalt, Wamic.

## RHODE ISLAND

James H. Riley, Harrisville.  
 Lillian G. Hoxie, Shannock.

## SOUTH CAROLINA

George B. Patrick, Bowman.  
 Roy L. Hurst, Chesterfield.  
 Walter L. Gettys, Clover.  
 Loka W. Rigby, Moneks Corner.  
 Elijah Lee, Paolet.  
 Robert E. Ragsdale, Pelzer.

## TENNESSEE

James G. Jones, Ardmore.  
 John V. Lady, Blountville.  
 Pleas P. Campbell, Calderwood.  
 Bessie J. Clark, Christiana.  
 Joseph R. Lane, Church Hill.  
 Weyman I. Dooly, Conasauga.  
 David H. Hughes, Eagleville.  
 Lavella Bratschi, Erin.  
 Jean Brient, Friendsville.  
 William E. Richardson, jr., Halls.  
 Nona C. Armstrong, Martel.  
 Elmer T. Sparks, McKenzie.  
 Edna Conway, Mosheim.  
 E. Dan Smith, Mountpleasant.  
 Mathew M. Huling, Winchester.

## WITHDRAWAL

*Executive nomination withdrawn from the Senate December 17, 1927*

## POSTMASTER

George T. Taylor to be postmaster at Memphis, Tenn.

## SENATE

MONDAY, December 19, 1927

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

*Out of the deep have I called unto Thee, O Lord; Lord, hear my voice.*

Almighty God, who speakest in a thousand voices to the hearts and minds of men, grant to us that we may be taught of Thee, that with understanding hearts we may faithfully perform the duties of this day.

In all our work make us ever mindful of the welfare and the wants of others, knowing that we are in Thy stead.

Save, we beseech Thee, the valiant sons of this Nation imperiled in the great deep, for Thy paths are in the great waters, and even there shall Thy hand lead them. Enfold in Thine arms of love and mercy their loved ones, and by the sacrament of our sorrowing sympathy bring us all to a deeper knowledge and understanding of the mystery of Thine infinite love.

Through Jesus Christ our Lord. Amen.

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

## CALL OF THE ROLL

Mr. CURTIS. Mr. President, 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	Edwards	Keyes	Robinson, Ind.
Barkley	Ferris	King	Sackett
Bayard	Fess	La Follette	Sheppard
Bingham	Fletcher	McKellar	Shipstead
Black	Frazier	McLean	Shortridge
Blaine	George	McMaster	Smoot
Blease	Gerry	McNary	Steck
Borah	Gillett	Mayfield	Steiwer
Bratton	Glass	Metcalf	Stephens
Brookhart	Goff	Moses	Swanson
Broussard	Gould	Neely	Thomas
Bruce	Greene	Norbeck	Trammell
Capper	Hale	Nye	Tydings
Caraway	Harrison	Oddie	Tyson
Copeland	Hawes	Overman	Wagner
Couzens	Hayden	Phipps	Walsh, Mass.
Curtis	Heffin	Pine	Walsh, Mont.
Dale	Howell	Pittman	Warren
Deneen	Johnson	Ransdell	Watson
Dill	Jones, Wash.	Reed, Mo.	Wheeler
Edge	Kendrick	Robinson, Ark.	Willis

Mr. PHIPPS. My colleague the junior Senator from Colorado [Mr. WATERMAN] is detained on account of illness. I will allow this announcement to stand for the day.

Mr. BRATTON. I desire to announce the necessary absence of my colleague the senior Senator from New Mexico [Mr. JONES] from the Chamber. He is detained by illness. This announcement may stand for the day.

Mr. GEORGE. My colleague the senior Senator from Georgia [Mr. HARRIS] is confined to his home on account of illness. I ask that this announcement may stand for the day.

Mr. HOWELL. The senior Senator from Nebraska [Mr. NORRIS] is detained from the Senate by illness. I ask that this announcement may stand for the day.

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

## INTERNATIONAL CONGRESS OF ENTOMOLOGY (S. DOC. NO. 29)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

*To the Congress of the United States:*

I transmit herewith a report from the Secretary of State inclosing a recommendation from the Secretary of Agriculture that the Congress be requested to adopt a resolution authorizing and requesting the President to invite foreign governments to be represented by delegates at the International Congress of Entomology, to be held in the United States in 1928.

It will be noticed that because of the close relationship between entomology and agriculture, the Department of Agriculture is especially interested in the international aspects of this science, which it considers of very great importance to this country. As it would seem, therefore, that the participation of foreign governments in the congress mentioned would be in the public interest, I recommend to Congress the passage of the joint resolution. No appropriation is requested.

THE WHITE HOUSE, December 19, 1927.

CALVIN COOLIDGE.

## CLAIM OF TWO NETHERLANDS SUBJECTS (S. DOC. NO. 30)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

*To the Congress of the United States:*

I transmit herewith a report regarding two claims presented by the Government of the Netherlands against the Government of the United States for compensation for personal injuries sustained by two Netherlands subjects, Arend Kamp and Francis Gort, while the U. S. S. *Canibus* was loading on May 1, 1919, at Rotterdam.

I recommend that, in order to effect a settlement of these claims in accordance with the recommendation of the Secretary of State, the Congress, as an act of grace and without reference to the question of the legal liability of the United States in the premises, authorize an appropriation in the sum of \$1,000, \$500 of which is to be paid to Mr. Arend Kamp and \$500 to be paid to Mr. Francis Gort.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 19, 1927.

## CLAIM OF KNUD G. FLAKNE

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, relative to the claim of Knud G. Flakne for the sum of \$800, being the value placed by claimant on certain improvements made by him on public lands in the reclaimed Mud Lake bottom, embraced in his homestead entry 014157, Cass Lake series, Minn., which, with the accompanying report, was referred to the Committee on Public Lands and Surveys.

## PETITIONS AND MEMORIALS

Mr. LA FOLLETTE presented memorials signed by 293 citizens of the State of Wisconsin, remonstrating against the passage of legislation providing for compulsory Sunday observance in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. ODDIE. Mr. President, on Thursday last I presented a petition from officials of the State of Nevada, and asked that it be referred to the Committee on Claims, which action was taken. I now request that the Committee on Claims may be discharged from the further consideration of the petition and that it may be referred to the Committee on the Judiciary.

The VICE PRESIDENT. Without objection, the Committee on Claims will be discharged from the further consideration of the petition, and it will be referred to the Committee on the Judiciary.

## BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. GLASS:

A bill (S. 1943) for the relief of the legal representatives of the estate of Henry H. Sibley, deceased (with an accompanying paper); to the Committee on Claims.

By Mr. TRAMMELL:

A bill (S. 1944) to amend subsection (3) of section 1 of the interstate commerce act, as amended; to the Committee on Interstate Commerce.

By Mr. MCKELLAR:

A bill (S. 1945) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended, and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. EDGE:

A bill (S. 1946) relative to the pay of certain retired warrant officers and enlisted men and warrant officers and enlisted men of the reserve forces of the Army, Navy, Marine Corps, and the Coast Guard, fixed under the terms of the Panama Canal act, as amended; to the Committee on Inter-oceanic Canals.

By Mr. PHIPPS:

A bill (S. 1947) granting an increase of pension to Virginia J. Betteys (with accompanying papers); to the Committee on Pensions.

By Mr. DILL:

A bill (S. 1948) to provide for the immediate payment to veterans of the amount of their adjusted-service credit; to the Committee on Finance.

By Mr. FLETCHER:

A bill (S. 1949) to amend the interstate commerce act, as amended; to the Committee on Interstate Commerce.

By Mr. RANSELL:

A bill (S. 1950) for the relief of the legal representatives of the estate of Alphonse Desmare, deceased, and others;

A bill (S. 1951) for the relief of Louise St. Gez, executrix of Auguste Ferré, deceased, surviving partner of Lapene & Ferré;

A bill (S. 1952) for the relief of E. L. F. Auffurth and others; and

A bill (S. 1953) for the relief of the heirs of Susan A. Nicholas; to the Committee on Claims.

By Mr. WALSH of Massachusetts:

A bill (S. 1954) allowing and regulating amateur boxing and sparring matches in the District of Columbia; to the Committee on the District of Columbia.

By Mr. OVERMAN:

A bill (S. 1955) for the relief of Lieut. Charles Thomas Wooten, United States Navy; to the Committee on Naval Affairs.

A bill (S. 1956) for the relief of Levi R. Whitted;

A bill (S. 1957) for the relief of Thomas H. Deal; and

A bill (S. 1958) for the relief of William J. Cocke; to the Committee on Claims.

By Mr. NYE:

A bill (S. 1959) to transfer to the Secretary of the Navy jurisdiction over oil and gas leases issued by the Secretary of the Interior on lands in naval petroleum reserves; to the Committee on Public Lands and Surveys.

By Mr. SHORTRIDGE:

A bill (S. 1960) for the relief of John D. McCaffrey; to the Committee on Claims.

A bill (S. 1961) granting a pension to Frank Hall; to the Committee on Pensions.

By Mr. WILLIS:

A bill (S. 1962) granting a pension to David E. Moody (with accompanying papers); and

A bill (S. 1963) granting an increase of pension to Iscah Brady Rawson (with accompanying papers); to the Committee on Pensions.

By Mr. WHEELER:

A bill (S. 1964) to establish a fish cultural station in the State of Montana as an auxiliary to the Bozeman, Mont., fisheries station; to the Committee on Commerce.

By Mr. STEPHENS:

A bill (S. 1965) to authorize the appointment of a district judge for the northern district of Mississippi; to the Committee on the Judiciary.

By Mr. BROOKHART:

A bill (S. 1966) for the establishment of migratory-bird refuges to furnish in perpetuity homes for migratory birds, the establishment of public shooting grounds to preserve the American system of free shooting, the provision of funds for establishing such areas, and the furnishing of adequate protection for migratory birds, and for other purposes; to the Committee on Agriculture and Forestry.

A bill (S. 1967) granting an increase of pension to Rebecca Latta (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 1968) to authorize the Secretary of Agriculture to pay for the use and occupancy by the Department of Agriculture of the Bieber Building, 1358 B Street SW., Washington, D. C., and for other purposes; to the Committee on Public Buildings and Grounds.

A bill (S. 1969) to promote the development, protection, and utilization of national forest resources, to stabilize the livestock industry, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. SHEPPARD:

A bill (S. 1970) for the relief of Karim Joseph Mery (with accompanying papers); to the Committee on Claims.

By Mr. HALE:

A bill (S. 1971) to provide for the purchase of a site for and the construction of a public building at York, Me.; to the Committee on Public Buildings and Grounds.

A bill (S. 1972) granting an increase of pension to Emma E. Shorey (with accompanying papers); to the Committee on Pensions.

By Mr. ROBINSON of Indiana:

A bill (S. 1973) authorizing an appropriation for construction and installation of permanent buildings, utilities, and appurtenances at Fort Benjamin Harrison, Ind.; to the Committee on Military Affairs.

By Mr. THOMAS:

A bill (S. 1974) granting an increase of pension to Gertrude G. Abernath; to the Committee on Pensions.

By Mr. WAGNER:

A bill (S. 1975) granting a pension to Marion Miller Knoblock; to the Committee on Pensions.

A bill (S. 1976) for the appointment of an additional circuit judge for the second judicial circuit; and

A bill (S. 1977) to provide for the appointment of three additional judges of the District Court of the United States for the Southern District of New York; to the Committee on the Judiciary.

A bill (S. 1978) for the relief of Agfa Raw Film Corporation;

A bill (S. 1979) for the relief of the Union Shipping & Trading Co. (Ltd.);

A bill (S. 1980) to reimburse the Mexican Gulf Oil Co. for cost of repairing certain damages as a result of negligent navigation of the U. S. S. *Halsey*; and

A bill (S. 1981) for the relief of the owner of Dry Dock No. 6; to the Committee on Claims.

By Mr. SHIPSTEAD:

A joint resolution (S. J. Res. 55) for the relief of Henry A. Bellows; to the Committee on Interstate Commerce.

#### LIMITATION TO TWO PRESIDENTIAL TERMS

Mr. DILL. I introduce a joint resolution and ask that it be read.

The joint resolution (S. J. Res. 54) limiting the term of President to eight years was read the first time by its title, and the second time at length, and referred to the Committee on the Judiciary, as follows:

*Resolved, etc.*, That the following amendment be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid as part of the Constitution, viz: At the end of paragraph 4 of Article II, add the words: "No person shall serve as President more than eight years."

#### AGRICULTURAL RELIEF

Mr. SMOOT. Mr. President, I hold in my hand a proposed bill for farmers' relief prepared by former Senator Poin-dexter, together with a prospectus, all of which I ask may be printed as a public document.

Mr. FLETCHER. Mr. President, may I call the Senator's attention to the rule which provides that before any paper shall be printed as a Senate document there must be an estimate of the cost?

Mr. SMOOT. This is within the rule. If the cost is to be over \$100, then, of course, there must be an estimate; but this cost will not be anywhere near that amount.

The PRESIDING OFFICER (Mr. ROBINSON of Arkansas in the chair). Is there objection to the request of the Senator from Utah? The Chair hears none, and it is so ordered.

#### TAX REDUCTION—PERCENTAGE DEPLETION FOR COAL MINES

Mr. WATSON submitted an amendment intended to be proposed by him to House bill 1, the tax reduction bill, which was referred to the Committee on Finance and ordered to be printed.

#### TAX REDUCTION—ESTATE OR INHERITANCE TAXES

Mr. MAYFIELD submitted an amendment intended to be proposed by him to House bill 1, the tax reduction bill, which was referred to the Committee on Finance and ordered to be printed.

#### IMPORTED BROKEN RICE

Mr. RANDELL submitted the following concurrent resolution (S. Con. Res. 4), which was referred to the Committee on Agriculture and Forestry:

*Resolved by the Senate (the House of Representatives concurring)*, That for the purpose of interpreting the meaning of the tariff act of 1922, with respect to imported broken rice, "broken rice" shall include only the class "Brewers' milled rice" as specified in the united standards for milled rice.

#### DAISY P. COULBOURN

Mr. SHORTRIDGE (for Mr. DU PONT) submitted the following resolution (S. Res. 85), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Daisy P. Coulbourn, widow of Joseph R. Coulbourn, late an employee of the Senate under the supervision of the Sergeant at Arms, a sum equal to six months' salary at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

#### HEARINGS BEFORE THE COMMITTEE ON EDUCATION AND LABOR

Mr. COUZENS submitted the following resolution (S. Res. 86), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on Education and Labor, or any subcommittee thereof be, and hereby is, authorized during the Seventieth Congress to send for persons, books, and papers, to administer oaths, and

to employ a stenographer, at a cost not to exceed 25 cents per 100 words, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

#### HEARINGS BEFORE THE COMMITTEE ON IMMIGRATION

Mr. JOHNSON submitted the following resolution (S. Res. 87), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on Immigration, or any subcommittee thereof, be, and hereby is, authorized during the Seventieth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not to exceed 25 cents per 100 words, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

#### HEARINGS BEFORE THE COMMITTEE ON BANKING AND CURRENCY

Mr. NORBECK submitted the following resolution (S. Res. 88), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on Banking and Currency, or any subcommittee thereof, be, and hereby is, authorized during the Seventieth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per 100 words, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

#### FIRST DEFICIENCY APPROPRIATIONS

Mr. WARREN. Mr. President, I have a rather important resolution in my hand relating to a bill which has recently been before us. I send the resolution to the desk and ask to have it read.

The PRESIDING OFFICER. The clerk will read the resolution.

The Chief Clerk read the concurrent resolution (S. Con. Res. 3), as follows:

*Be it resolved by the Senate (the House of Representatives concurring)*, That the Clerk of the House be, and is hereby, authorized and directed in the enrollment of H. R. 5800 (70th Cong., 1st sess.), known as the first deficiency bill, to insert on page 38, in line 9 of the engrossed bill, after the word "attorneys," the following words: "(their heirs or their assignees now of record, as their interest may appear)."

Mr. WARREN. Mr. President, just a word of explanation.

Mr. McKELLAR. Mr. President, will the Senator state what the resolution is for? Why is it submitted?

Mr. WARREN. Mr. President, I was about to state why the passage of this resolution is proposed. It seems that the Comptroller General has raised an objection to the proposed legislation; he does not object to carrying it into effect, but wants to have the provisions so drafted that he can do so.

The Secretary of the Interior has recommended the passage of this resolution. I had a personal interview with the Commissioner of Indian Affairs, who likewise recommends it. The item provides for the payment of money which is overdue, but in order that it may be paid a slight change is required in its phraseology, which is suggested by the Comptroller General. I present a letter from the Commissioner of Indian Affairs in reference to the matter, and I ask that it may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, the letter will be printed in the RECORD.

The letter is as follows:

UNITED STATES DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
Washington, December 19, 1927.

HON. FRANCIS E. WARREN,  
Chairman Committee on Appropriations,  
United States Senate.

MY DEAR SENATOR: Referring to your personal call of this date in which we discussed a concurrent resolution with reference to the enrollment of H. R. 5800, in which it is proposed to have inserted after the word "attorneys" in line 16 of page 37 of original print, as reported, the words "their heirs or their assignees, now of record, as their interest may appear," there would seem to be no reason why this amendment should not be incorporated, and there is no objection to the same so far as this office and the department are concerned.

Sincerely yours,

CHARLES H. BURKE, Commissioner.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution submitted by the Senator from Wyoming?

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

#### POLITICS AND MUSCLE SHOALS

Mr. NYE. Mr. President, I ask unanimous consent that there may be printed in the RECORD an article appearing in the New South, in the issue of July, 1927, written by the senior Senator from Nebraska [Mr. NORRIS] and entitled "Politics and Muscle Shoals."

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

#### POLITICS AND MUSCLE SHOALS—"OUR LOST OPPORTUNITY"

By Senator GEORGE W. NORRIS

Since Adam and Eve were driven from the Garden of Eden there has never been discovered an element in nature with so many possibilities of usefulness and pleasure as electricity. All that is needed to give humanity the full enjoyment of this modern giant is to cheapen its production. If stock manipulation can be eliminated and if financial legerdemain and unconscionable profits can be removed, it is the cheapest source of power and light known to man.

But it possesses the peculiar quality that it must be used the instant it is available. The source of supply must be constant so that it can be utilized at any instant. Another peculiarity is that those who use it do so spasmodically.

It follows that a very large amount of the electricity that is generated goes to waste. Our rivers are not constant in their flow and, therefore, for practical purposes, the only electricity that can be counted on is that amount which can be used at any hour of the day and any day in the year.

The power that can be thus utilized is called primary power. The power which the flowing river will produce for only a portion of the time is called secondary power. Secondary power is of but little value. When a water-power development is contemplated the engineers count only on the primary power.

And yet, in most of our streams, there is much more secondary than primary power. For instance, the great dam at Muscle Shoals constructed by the Government is capable of producing in round numbers about 100,000 primary horsepower. Yet there are seasons when for a portion of the year enough water goes over that great dam to make a million horsepower.

If some way can be devised by which this secondary power can be converted into primary power, we have, for all practical purposes, succeeded in making something out of nothing. If we can afford to construct a dam for the purpose of generating 100,000 horsepower, what must be the revolution in cheapening the current if it were possible to convert all the secondary power into primary power?

We would more than treble the output without materially increasing the cost of production, and electricity that had before cost 2 mills per kilowatt-hour to produce would be produced at a small fraction of that cost.

#### LINKING THE SYSTEMS

No means has been invented by which all of the secondary power can be converted into primary power. However, an approach to that end is not only possible, but is already being put to practical application.

One way of changing secondary to primary power is to build storage dams to hold back the flood waters and release them when the normal flow of the stream is low. This method, while very valuable, is expensive. It often costs as much to build storage dams as it does the generating dam. A more practical way by which this desirable result is brought about is to hook up different generating plants into one great superpower system.

Investigation shows that the high water on one stream does not correspond at times with the high water on another. There may be an oversupply of water on one watershed while the reverse is true on the other side. But if we can combine the secondary power at one dam with the secondary power in another locality where the period of high water comes at a different time, we have thus to a great extent brought about the conversion of secondary power into primary power. Such systems are in utilization in many parts of the world and to a great extent in many sections of the South.

This was demonstrated in 1922 in North Carolina. The flow of the streams had been very materially decreased and a power shortage threatened to stop the street cars, leave a portion of the streets in darkness, and many homes without light.

Directly adjoining this system was a hydroelectric power system in eastern Georgia. This system had enough electricity for its own use, but none to spare. In western Georgia was a similar system, with no surplus electricity. Still west of it came the Alabama Power Co., covering a large portion of the State of Alabama and certain localities in adjoining States, with a system of connected generating plants, both

of water and of steam. This company had enough electricity for its own use, but no more.

Northwest of the Alabama Power system was Muscle Shoals. The Government dam had not then been completed, but the great steam plant there, capable of producing 80,000 horsepower, was in running order.

Under the present condition of scientific knowledge electricity can not be economically carried over a wire more than 300 miles. It was impossible, therefore, to generate electricity at this great steam plant and carry it into North Carolina, 800 miles away. But fires were kindled in the great furnaces at Muscle Shoals and power was fed into the west side of the Alabama Power Co.'s system. The Alabama Power Co. was able, from the eastern side of its system, to give to the western Georgia system an amount of power equal to that which it had received from Muscle Shoals. The western Georgia system relayed the current to the eastern part of the State and the plant there passed it along to North Carolina. The catastrophe was averted.

This practice of relaying electricity can be continued indefinitely. The greater the superpower system thus connected the greater the possibilities of human benefit.

It was shown before the Committee on Agriculture and Forestry of the Senate in connection with one of the hearings on Muscle Shoals that the power generated there, if connected with the power generated by the Alabama Power Co. on the Coosa River, would increase the combined output of primary power of the two streams by more than 100,000 horsepower in excess of what could be produced by the two systems if not connected.

#### MONOPOLY ESSENTIAL

Every city supplied with electricity from a hydroelectric plant uses the current in variant quantities at different hours in the same day. Each city has what is known as the peak load. But this peak load in one city will not correspond in time with the peak load in another city, and if the supplying plants are connected by the simple pushing of a button, thousands of horsepower can be transferred from one locality to another. At the time when Atlanta, Ga., would be short of power Chattanooga, Tenn., might have an oversupply going to waste. Similarly, by the turning of a switch, 100,000 horsepower could be changed from the East, where it was not wanted, to the Middle West, where it was needed.

It follows, therefore, that to get the maximum amount of electricity at the minimum cost it is necessary that all the generating systems should be hooked up together. In other words, to get the full benefits of electricity, it must be controlled and supplied by a monopoly.

Thus far I have said nothing that is in dispute. All that I have said is admitted by all students of the subject. The question then arises: Who shall own and control this monopoly?

A monopoly, privately owned and privately operated, is always obnoxious to a free people. The history of the world shows that human nature is such that men intrusted with the control of a monopoly for private gain naturally bear down with all their power and operate the monopoly for all the traffic will stand. I am not mentioning this in any fault-finding spirit. I am not complaining of the corporations that go into the business for the profit there is in it and who try to get out of it every drop of juice that the lemon contains.

But what about the public? What about those who must pay the bill and those who would like to enjoy the comforts of electricity in their homes? Unless it is cheap the ordinary person can not avail himself of it, and electricity is as necessary in the modern home as running water. I do not believe that a free people will permanently submit to a monopoly that controls a necessity of life. It is not because they have any ill will against those who own the monopoly, but it is because the spirit of independence and freedom that is in every human breast rebels against such control, especially of the natural resources of the country. If we are to permanently remain under the thralldom of a monopoly that controls our necessities, then to a great extent we are slaves.

#### WHO SHALL CONTROL?

What is the raw material of this monopoly? It is the rivers and the brooks that flow from the mountains to the sea. Is it not true that the people own these natural resources and that they, therefore, have title to the unseen power that exists wherever water flows downhill? Water is a necessary monopoly. The raw material already owned by the people ought to be supplied to the people, and we are confronted with the proposition that this property, thus owned, should all be turned over to private corporations for private gain.

In this particular case, who built the mighty dam on the river at Muscle Shoals? Whose money paid for the giant steam power plant located there? Who built the three towns located in that vicinity? Who macadamized the streets? Who owns all of it, and who toiled in order that that great improvement might be made possible? Certainly not those who would lease this property for a song or who would buy it under untruthful representations as to its value. The river has been harnessed. More than \$125,000,000 of taxpayers' money has been expended in the operation. The electricity is being generated,

and yet it seems the people who own it can not get the benefit of the improvement and the investment simply because somebody is afraid that the Government might go into business. Nobody objected when the Government spent its money to harness the property that already belongs to the people, but now, when the proposition is made that this labor-saving improvement should reach the factory and the home without profit to private parties, there goes up a great cry from men who are anxious that the people should not enjoy the comforts and the blessings of their own property unless they pay tribute to the millionaires in Wall Street and elsewhere. For the past several years that this question has been before Congress there has been a continuous fight between those who wanted to save the property of the people for the people and those who wanted to use the property of the people for private gain.

#### CONTROL OF RATES

In order to save to the people of the South the use of their own property, it was proposed in Congress that the Government should make a complete survey of the Tennessee River and all its tributaries, and that there should be built from time to time, during the next 10 or 15 years, a network of dams for the improvement of navigation, the control of flood waters, and the development of electricity. It is only by dealing with a system of this kind as a whole that we can get the maximum amount of benefit from the minimum cost.

The Tennessee River flows through the very heart of the South. In its unimproved state it is not navigable. Properly improved, it would help in the control of the flood waters of the Mississippi River, it would give to the South a system of cheap navigation. It would develop a system of electrical distribution the benefits of which would ultimately reach every factory in the South, every home and every municipality between the Potomac and the Gulf, the Mississippi and the Atlantic. It would have been the key to the entire situation.

While there would have been in the neighborhood of 2,000,000 of horsepower developed it would still have been insufficient to supply the region mentioned, but because of its key situation it would have controlled the rates in every city and on every farm in the South.

The control of these generating dams on the Tennessee River by the people would have enabled the Government to prevent any other system in the entire South from charging exorbitant rates to the consumer. They could have interlocked with all the other systems privately owned, and could have said in every case, "Unless your rates are fair we will refuse to give you the benefit of this necessary connection."

#### NEEDS SOUTH'S SUPPORT

But what happened to this proposition? It lacked only a few votes on one occasion of passing the Senate and, if it had had the united support of the South it would be on the statute books to-day and the time would come when electricity through this great region at 2 cents per kilowatt hour would be a reality.

There is no other great community on the continent better adapted to the application of a great superpower system than the country south of the Potomac and east of the Mississippi. It would mean, in the end, that the coal mines would be added to the system. It would mean that practically every particle of secondary power would be converted into primary power. It would mean a distribution and sale of electrical current equaled nowhere else on the face of the globe, and the South would come into its own.

Not only was there opposition in Congress from many southern representatives, but the business men, the manufacturers, the men of wealth, the governors, the editors and publishers of great southern newspapers, crowded the corridors of committee rooms, raising a hue and cry against any such improvement. All the power of society, of wealth, and of politics and the influence of one of the greatest trusts and monopolies on earth, were used to prevent the people of the South from enjoying this blessing.

The man who was the author of the bill that would have brought about this improvement was denounced all through the South as an enemy to humanity—one who stood in the way of human progress. It was proclaimed on the floor of the Senate that he was a dreamer, an enemy to advancement, a socialist, a bolshevist, and everything else within the category of denunciation. The South itself refused the cup of happiness and contentment that was extended by a friendly hand.

When it was proposed that the Federal Power Commission should not make any additional leases on the Tennessee River and its tributaries until Muscle Shoals was disposed of there came from all over the South an army of her influential citizens, denouncing the bill and asking that this property of the people be turned over to private exploitation. Had the proposition been accepted, the Tennessee River and all its tributaries would, in the first place, have been made completely navigable. That item alone, future generations will realize, would have been of inestimable value.

On behalf of the Power Trust controlled from Wall Street came the representatives of the Southern Manufacturers' Association, the governors of some of the States, some of the Members of the House of Representatives, and some of the Senators, all from the South, all complaining in the same voice and in the same tone with the Power Trust, and through their combined influence the resolution was killed. Many

Senators favorable to the proposition threw up their hands in disgust and said, "If the South doesn't want this blessing, why force it on her?"

#### DAM NO. 3

Thinking men of the South are beginning to wonder now why private parties do not bid for Dam No. 3. This was included in the contemplated Government improvement. Everybody knows that Dam No. 3, standing alone and by itself, would not be a good financial investment, but combined with the scientific development of the Tennessee System it is not only extremely valuable but essential, and for the navigation of the Tennessee River it is absolutely necessary. These power grabbers do not want it, and the South will wait long before private parties, whom many of their representatives love so well, will make a bid upon Dam No. 3, and without Dam No. 3 the proper navigation of the Tennessee River is an impossibility.

But all this, regrettable as it is, is past. Dam No. 2 and other governmental improvements at Muscle Shoals still remain. We can yet save that valuable improvement already owned by the Government with all the machinery already installed. It will not enable the Government to control electric rates over the South as a complete system of development on the Tennessee River would have done, but it is still capable of wielding a wonderful influence. It is still capable of bringing blessings into many southern homes and cheapening the manufacturing establishments. The opportunity that the South had to become the greatest manufacturing portion of our country will never be realized as completely and as fully as it would have been had this great system in the heart of the South been developed and controlled for service rather than for profit. But notwithstanding this, if we still retain Muscle Shoals we can very materially influence the prosperity of all that country.

#### THE TAXATION SHAM

In the main, there were two objections made against the governmental improvements above outlined. One was that the Government would pay no taxes, and if private capital made the improvement taxes would be levied. The other objection was that if the Government made the improvement and retained the property, it would get into politics. Let me take these objections up in their order.

1. The taxation claim is a myth. In the first place, private parties never will develop some of the power sites on the Tennessee River. I believe Dam No. 3 is an instance. They will pick out only the cream and, as far as they are able to control the Federal Power Commission, they will run each plant independent of any other. If the Government had owned it all and developed it all, it would have been done in a scientific, systematic way, and in the location of any dam reference would have been had to the entire system rather than to the power that might be developed at any particular point. Every scientific engineer knows that this is the only way to get the maximum amount of power for the minimum amount of expense, and it follows that if left to "private initiative," that much-beloved phrase of the Power Trust, there never will be the maximum development that ought to take place—hence the amount of the tax that will actually be paid by private parties is very much overestimated.

But in a broader sense, the owners of private utilities are not taxpayers. They are only tax collectors. They push the burden onto the consumer every time, and the man in the home, the man in the factory, pays every cent of the tax. Not only are they simply tax collectors but they charge an enormous rate for this service. They tax the consumer more for collection purposes than the tax itself amounts to. This statement is borne out by the facts in every public utility proposition from the Atlantic to the Pacific.

#### A STRIKING CONTRAST

During the year 1924 the city of Los Angeles was supplied with electricity and with water by the municipality. The city of San Francisco, during the same year, was supplied with electricity and with water by private corporations. These cities were practically the same in population. One was downtrodden with the awful "Government in business" proposition. The other was sitting supreme and happy under the management of private initiative. A comparison between the prices which the consumers in these cities paid is wonderfully illuminating. It was shown before the Committee on Agriculture of the Senate that during that year the people of San Francisco paid for water and electricity a sum that exceeded the amount paid for water and electricity by the people of Los Angeles by more than the entire tax for municipal purposes in Los Angeles. The people of Los Angeles, in that year alone, saved more than \$12,000,000 through the instrumentality of their municipality-owned water and electric plant. While this showing is remarkable, it must be borne in mind that Los Angeles had a very expensive system of water supply. The city brought its water across the mountains for more than 250 miles, while in San Francisco the private companies had no such expense. They supplied the people there with water that was pumped in the immediate vicinity of the city. It must be remembered, also, that Los Angeles was not hooked up with a superpower system. The generation of her electricity is more than double the price that electricity would be throughout the South if a proper superpower system, operated without manipulation and without profit, were installed.

## KEEPING OUT OF POLITICS

2. Would Government operation of such a system as I have above outlined get the entire matter into politics? Let me say first that the entire matter is already in politics. It has always been in politics. Every privately owned public utility in the world is actively engaged in politics. The Power Trust mixes into politics in the election of a board of aldermen in the smallest village in the country. It is in politics in the election of every governor. It is in politics in the election of every Member of the House of Representatives and every Senator. It contributes liberally in every presidential campaign. And it never expends a cent but what it expects to get back, and actually does get back with enormous profit on the investment.

In the recent fight over the Boulder Dam bill in the Senate, it is estimated that the Power Trust spent more than \$200,000. Telegrams came to many Senators by the hundreds and from States that are 2,000 miles away from the site of Boulder Dam. They came from representatives of the Power Trust in little hamlets in Iowa, in Nebraska, in Kansas, and when these men talk about getting the matter into politics they are only afraid that it will get out of politics. From my study of the question, I believe the only way to take the public utility matter out of politics is to take it over by the Government, either of the Nation, the State, or the municipality.

## THE PEOPLE'S MONEY

The bill that was pending in the Senate and which lacked only a few votes of passing had a provision in it which, it was agreed by practically all those who have studied it, would have completely and effectively taken the entire matter out of the domain of the political arena.

What we need, therefore, is to take these matters out of politics. It is a business matter entirely. To take them out of politics we must take them away from those who are themselves in politics clear up to their necks. The Power Trust never sleeps. It has its highly paid attorneys and experts, like an army, covering the entire country. Every municipal body of aldermen, every State legislature, and every Congress, are all imperturbed by these high-salaried men to pull their chestnuts out of the fire. If they paid their own bills—if they met their own expenses, I would not so bitterly complain. But every cent they spend, every time they deceive or bribe a public official, is all collected from the very men whose property they are wrongfully taking away and whom they are attempting to deceive.

In addition to this army, the Power Trust has employed numberless publicity experts. They are men of great ability and who command the highest of salaries. They write newspaper articles and editorials. They write magazine articles, and they write books based upon false theories and deceptive propaganda. Sometimes directly, but more often indirectly, they control the owners and publishers of magazines and newspapers. They spread their literature, based upon half truths, over the country, through the various news agencies, in order to create a public sentiment in favor of their ownership and operation of the people's property. But again they charge up the enormous expense of their deceptive practices and collect it out of the very people whom they have deceived.

## A CANADIAN EXAMPLE

The greatest illustration in the world of a publicly owned and operated superpower system is in existence in the Province of Ontario, Canada. A publicly owned corporation generates and distributes electricity to the municipalities and to many of the farmers of that Province at actual cost. They have been in operation nearly 20 years, and they have shown results that startle the imagination. They have to fight against the same influences that have brought about the defeat of public ownership and distribution of electricity from the Tennessee River.

During the last year more than 80 per cent of the domestic consumers of Ontario paid less than 2 cents per kilowatt-hour for their electricity. More than 80 per cent of the commercial consumers of electricity paid less than 3 cents a kilowatt-hour, and more than 70 per cent of the power users paid less than \$25 per horsepower per year. During the last year the domestic consumers of electricity in the United States paid an average of 7½ cents per kilowatt-hour, and during that same time the domestic consumers of electricity in Ontario, Canada, paid 1.85 cents per kilowatt-hour. If the people in our country had paid the same price during the last year for electricity that was charged by the publicly owned system in Ontario, they would have saved on their electric-light bills more than \$600,000,000.

I hold in my hand as I write the bill of Mrs. J. Cullom, who lives at 250 Victoria Avenue, Toronto, Canada, for electricity for one month in the year 1922. Mrs. Cullom is the wife of a laboring man. Her home is a modest one of eight rooms, and yet for the month mentioned there was consumed in that home 334 kilowatt-hours of electricity. The amount so consumed is startling to every American citizen. The ordinary house of eight rooms in our country will consume, on an average, about 50, and very seldom more than 60, kilowatt-hours in a month. The amount consumed will, of course, depend upon the electrical appliances in the home, and this in turn, for all ordinary people at least, depends in the main upon the price of the electricity. But

Mrs. Cullom had in her home nearly every electrical appliance known to science. She swept the floors by electricity. She cooked all of her meals the year round upon an electric stove. She washed by electricity, she ironed by electricity, she had twice as many electric lights in that eight-room cottage as is usually found in similar cottages in the United States. She heated the water for the kitchen and bath by electricity. In fact, she had in her home what ought to be in the home of every citizen throughout the South. She paid a price that is no more than ought to be paid by every home owner in the South, and no more than would be paid if the natural resources were properly developed and properly managed. Her bill for electricity for that month was \$3.55.

This was not only a great convenience but it was a saving of money. If Mrs. Cullom had lived at that time in the city of Washington, the Capital of our Nation, her bill for the same amount of electricity would have been \$23.18. If Mrs. Cullom had lived in Birmingham, Ala., she would have had to pay more than \$32. If she had lived in Nashville, Tenn., she would have paid in excess of \$40 for this same amount of electricity, and if she had lived in some of the towns of Florida she would have paid in the neighborhood of \$60—but if she had lived in the States named she would have had the blessed satisfaction of knowing that some private corporation connected with the Electric Trust in Wall Street would have been the recipient of a large share of her contribution. This blessing was denied Mrs. Cullom. It is not denied to the great majority of women who live in the sunny South and who have the benefit of "private initiative."

And it must be remembered that in all the Canadian rates I have given there is an amortization fee. That is, there is included in the prices a fee which in 30 years will pay off the entire invested capital. So that the rates are not only paying interest on the money invested in the development, not only paying for the expense of operation and depreciation, but they are likewise paying a fee that in 30 years will leave them with nothing to pay except the expense of maintenance and operation.

In our country, who ever heard of a private utility company amortizing its capital? Instead of reducing the capital on which consumers are expected to pay interest, the clamor and the practice always is to increase it to the limit and to take advantage of every excuse and every opportunity, either fairly or unfairly, to increase capitalization and thus indirectly increase profits.

## CHEAP POWER FOR FARMERS

And the Province of Ontario has not forgotten the farmer. To begin with, it must be admitted that it costs more to get electricity to the farmer than it does to the home in the city. This comes about because of the extra cost of distribution. There may be even less than a dozen farmers to a mile of transmission line, but in the city there are several dozen in every block.

The farmers of Ontario, when they saw what wonderful things were happening in the municipalities in the way of cheap electricity, demanded that they be supplied with this modern element of efficiency, and the Provincial legislature passed a law supplying the system to the farmers. They are getting their electricity at cost—the same as the people of the village and the city. The rural lines are built upon the same theory and the same principle applies to all alike.

The only difference is that the Legislature of Ontario, realizing the additional expense involved in supplying the farmer with electricity and also being anxious, as every legislature in our country is anxious, to relieve the burdens of agriculture, provided by law that for rural lines, owned by farmers, there should be paid out of the treasury one-half of the construction cost of the transmission lines carrying electricity to the farmer organizations. I mention this because some of the propagandists have seized upon this proposition to circulate through the United States the report that the production and distribution of electricity in Canada is subsidized from public funds. At a hearing before the Senate Committee on Agriculture one of the professors of the State University of Tennessee made this assertion. He made it undoubtedly with perfectly honest intentions, and yet he was entirely mistaken in his assertion.

There is no municipal consumer in Ontario that has ever been relieved by a single penny from public funds. The interest on the bonds and the entire cost of the operation have been paid by those who consume electricity. Not one cent has the taxpayer ever paid outside of the exception that I have mentioned, which goes entirely to the benefit of agriculture and which, in my judgment, is justified in order to relieve agriculture of its extra burdens. The only thing the Province does is to lend its credit in the sale of the bonds that are floated for the installation of the various hydroelectric generating plants and the building of transmission lines. And that brings to mind another advantage that a publicly owned system has over the privately owned system—it can borrow its money for nearly half what the private corporation must pay in the way of interest, and thus the actual expense is very materially lessened.

## WHAT FARMS SHOULD BE

I have before me a photograph of the farm home of Mr. B. L. Siple, a Canadian citizen who lives in Ontario. He has 79 acres in his

farm, and at the time I visited him he was milking 17 cows by electricity. He filled his silo by electricity. He ground his feed by electricity. He pumped the water by electricity. Every cow in her stall had a bucket of water within her reach. When she drank the water in the bucket it was automatically filled again. Mr. Siple's barn could be lighted up throughout by the pushing of a button. His house was a beautiful modern cottage, the equal of any in our cities in America. There was running water in the kitchen and in the bathroom. Mrs. Siple cooked the year around on an electric stove. She had an electric fan in the kitchen. She washed her dishes in water that she heated by electricity. The bathroom was supplied with water heated by electricity. She did her washing, ironing, sweeping, all by electricity. In fact, she had practically all of the modern electrical conveniences known to science to-day.

The installation on this farm of this system of electricity had practically saved Mr. Siple the expense of one hired man and it saved his wife the expense of a hired girl. He paid for the entire facilities for the year in which I visited him \$115.49. Like the city man, he paid an amortization fee and also included in this bill an item which, in 30 years, will pay off the entire capital stock, including the construction of the transmission lines.

Who is there under our flag that would not like to see this condition applied to the American farmer? If the South were to avail itself of the opportunities that are within its reach the time would soon be here when every toiler in the fields throughout the South would have the same advantage possessed by this farmer brother in the North.

#### IMPRACTICAL FOR NITRATE

In connection with Muscle Shoals there remains for discussion the question of fertilizer. When the original act providing for the development of Muscle Shoals was passed, there were two provisions contained in it that were mandatory. It was provided that all the improvement made at Government expense at Muscle Shoals should forever be operated by the Government, and that the property should not be sold or leased for operation to private parties. It was likewise provided that in time of peace the power developed on the Tennessee River at the Government dam should be used in the extraction of nitrogen from the atmosphere for the purpose of manufacturing fertilizer for agriculture.

Those who are continually harping against Government operation are always calling attention to that part of the original act which says that in time of peace we shall use the power for the manufacture of fertilizer. They never say anything about that provision of the law which says that the property shall never be sold or leased for operation by private parties.

At the time this law was passed, it was believed by practically everybody that by the use of cheap power we would be able to extract nitrogen from the air at a price that would materially reduce the cost of fertilizer to the farmer.

Originally nitrogen was extracted from the atmosphere by what was known as the arc process. It required a great deal of cheap power. Later on, the cyanamid method was discovered, requiring much less power. That was about the condition of the knowledge possessed in America at the time of the breaking out of the World War. It was known that the Germans had invented an improvement over the cyanamid process, known as the Haber process, but the details were not understood by the American scientists at the time of the construction of the plant at Muscle Shoals. The cyanamid process was well understood. Its possibilities were definitely known, and so the Government provided for a large plant at Muscle Shoals, known as nitrate plant No. 2, capable of extracting 40,000 tons of nitrogen from the atmosphere in a year. Our experts thought that there was a fair possibility of their being able to construct a plant that would extract nitrogen from the air by the Haber process, but they were not certain of it, and so it was decided to construct a nitrate plant somewhat experimental in its nature, known as nitrate plant No. 1, which was designed to extract nitrogen from the atmosphere by means of the Haber process. But our scientific advisers were mistaken as to many of the elements included in the Haber process, and so that plant, as far as the machinery was concerned, was a total loss. The building can be used for other purposes. It is modern, well constructed, and supplied with a steam plant of about 5,000 horsepower which is modern in every way.

When the war ended, scientists soon learned what the Germans knew and which they had greatly improved during the war, and it was then possible to construct a plant along more modern lines. From that day to this, scientific men have improved the Haber process. In every improvement made less and less power was used until at the present time it is definitely known that in the construction of up-to-date plants to extract nitrogen from the air, water power will not be used. Instead of locating a nitrate plant in the vicinity of water power, anyone designing such a plant to-day would locate it with a view of getting cheap coal instead of cheap power. With this knowledge no efficient government or private corporation would think of using water power for the purpose of extracting nitrogen from the air. In every case

coal is used, because it is more profitable to utilize the by-product of coal than it is to use water power for the comparatively small amount of power that is necessary. Private parties in our own country using nitrogen for commercial purposes have, since the war, constructed a number of comparatively large plants for the extraction of nitrogen from the atmosphere, and in no case are they using water power.

Why, therefore, is it that the country has been faced with this wonderful propaganda to deceive the farmers of America by asking them to insist that the Congress shall use Dam No. 2 to get nitrogen from the air? We can use Dam No. 2 and nitrate plant No. 2 and get 40,000 tons of nitrates from the atmosphere every year, but it will be at a cost that, if put into fertilizer, will make it impossible to sell the fertilizer as cheaply as it can be bought to-day upon the market.

There have been two classes that have been instrumental in bringing about this propaganda. One is the political demagogue who wants the farmer's vote and cries aloud that this should be done in the name of American agriculture. The other is a class of people who are either directly or indirectly representatives of the Power Trust. If they can not have the power themselves, they would like to have the Government use it for some unprofitable, unscientific business so as to keep the power out of competition and let them continue their stranglehold which they now have upon the people of the country.

#### WHAT IS THE ANSWER?

Under these circumstances, what is the sensible thing to do? All honest citizens who have studied the subject want to cheapen the price of fertilizer. It is important to every consumer of food, and the importance of it is increasing every day in the year. What we want is to develop a system that will cheapen the production of fertilizer, and when that system is developed throw it open to anybody who wants to go into the business. Therefore the cheapening process can very properly be done by the Government itself. It is a proper governmental function, not for the benefit of the farmer alone but for the benefit of all the consumers of our country. The Government has done wonderfully well in this field up to the present time. Since the war improvements made by our own Government officials in the fixed-nitrogen research laboratory have cut the cost of the production of nitrogen practically in half.

It is quite immaterial whether we take the profit from the sale of water power and use it to improve the manufacture of fertilizer or whether we appropriate the money directly from the Treasury for that purpose. In either case it is the use of governmental funds and is entirely justified. It is not at all inappropriate, since we have conceded this great improvement at Muscle Shoals to be dedicated to agriculture in time of peace, that we should use the money we receive for the building of experimental plants for the manufacture of fertilizer; and when the Government builds these plants it ought to do just the same as a private party would do; that is, build a plant that is the most modern and most efficient known. It would be foolish to go back and use a system that is already outlawed and known to be out of date and inefficient.

#### EXPENSIVE TO SHIP

One of the difficulties with fertilizer is that more than 80 per cent of the contents is simply dirt, used as a mixer, and therefore the freight is one of the big items in the cost. This means that you could not ship fertilizer produced at Muscle Shoals, even if you eliminated the cost entirely, into Missouri or Nebraska and sell it at a reasonable price. The freight alone would make it prohibitive. If by improving the manufacture of fertilizer we can do away with the mixture of worthless material and use the fertilizer in a concentrated form, much of this objection would disappear. There are many other lines besides the reduction of the cost of the nitrate content of fertilizer in which the Government could well experiment with a view of cheapening the process.

None of those who voted against turning Dam No. 2 over to the Power Trust has ever objected to the widest and most liberal program devised to improve and cheapen the cost of fertilizer. In fact, those of us who have thus contended have been the friends of the farmer and have tried, so far in vain, to divide this question into its elemental parts and clear it of the deception and the misunderstanding that many honest people have with reference to it. The delay in experimentation and the cheapening of fertilizer production can be charged directly to those who have foolishly and stubbornly stood in the way of a proper settlement of this Muscle Shoals question. The special interests have been engaged from the very beginning in an untruthful and unfair propaganda to deceive and to fool the American farmer, when, as a matter of fact, they themselves constitute the principal barrier between agriculture and cheap fertilizer.

I believe that the time is not far distant when the American farmer will realize where his interest lies, and when the American consumer will likewise realize that his interest and the interest of the farmer are identical. Let us hope, therefore, that the time will soon come when we can truthfully say to this deceived and misled but honest citizen-ship, "Ye shall know the truth, and the truth will set you free."

ARTICLE ON "PAPER WEIGHTS AND MEMORIES," BY FORMER GOVERNOR HEYWARD, OF SOUTH CAROLINA, AND AN ARTICLE FROM THE WASHINGTON STAR

Mr. BLEASE. Mr. President, I ask leave to have printed in the Record an article by former Gov. Duncan Clinch Heyward, of South Carolina, and an article from yesterday's Washington Star, and at the same time to present to you a paper weight in the form of a railroad train which was sent to me at my request by President Harrison, of the Southern Railway, to be presented to you.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

ARTICLE BY GOVERNOR HEYWARD

I am rich in paper weights which now lie on my desk as I write. That is to say, I have two paper weights which are rich in historic value. One of these weights is very plain and simple, of bottle green glass. For years it was used by Gen. Robert E. Lee, and if it could but speak it would be able to tell many interesting stories. General Lee used it in his tent during the Confederate War to keep the Virginia breezes, blowing over its now famous battle fields, from carrying away his army orders and other papers. After his death the weight was used by his eldest son, Gen. G. W. C. Lee, who, when he retired from the presidency of Washington and Lee University, gave it to me, and on a card wrote its history.

The other paper weight, of gun metal, was kindly sent me only a short time ago by another Virginian, Mr. Fairfax Harrison, president of the Southern Railway. It is a facsimile in miniature of the first engine and train which operated on what at that time—nearly 100 years ago—was the first long railroad line in the world. Though the engine was very small and very crude and the cars likewise, it was the genesis of the great railroad development of the United States. The construction of this railroad and the running of this train was an event in the history of our country second only in importance perhaps to the establishment of the Republic. It should make South Carolinians very proud to remember that every mile of that early railroad lay entirely within the confines of their State, and every dollar with which it was built was subscribed in South Carolina, principally by the city of Charleston.

The Charleston & Hamburg Railroad, as it was first called, began operating a train on Christmas day, 1830, and within three years the entire line of 136 miles from Charleston to Hamburg, on the Savannah River, opposite Augusta, Ga., was completed. It is true that the Baltimore & Ohio Railroad had commenced the construction of its road a short time before the South Carolina railroad began to build, but had built only 6 miles. It made such slow progress that when our road was completed to Hamburg only 70 miles of its line from Baltimore was constructed and in operation.

The little engine of my paper weight, named the "Best Friend," which pulled the first train of cars from Line Street in Charleston, had the distinction of being the first practical locomotive built in this country. It was designed by a Charleston man, E. L. Miller, and built at the West Point Foundry in New York City. Not until 18 months later did the Baltimore & Ohio Railroad have a regular locomotive in operation.

I have seen an old picture of the "Best Friend" pulling this first train on the Charleston & Hamburg Railroad and, with one exception, my paper weight is identical with this picture, and that exception is this: The tender of the "Best Friend" on the paper weight is heaped up with cordwood and carries also three barrels of water for the boiler, whereas in the picture a small cannon and three soldiers with high top hats, one waving a United States flag, ride on the tender. This difference first puzzled me, but I have since learned that January 15, 1831, an excursion trip was made from Charleston, carrying passengers. Of course this was a great occasion, and hence the soldiers, the cannon, and the waving flag.

On the return trip the train must have backed into Charleston, for the railroad had only one engine, and if so, it probably made equally as fast time as when it went forward, for that day it had the wind with it. The old picture shows black smoke pouring out of the smokestack, and the direction the smoke takes and also that of the outstretched flag shows that a strong northwesterly wind was blowing. No doubt the picture represents the little train just as it stood at Line Street on that gala day.

It is very interesting to contrast this little engine of nearly a century ago with one of the great locomotives used on our railroads to-day.

In the facsimile of the "Best Friend" the engineer stands on the front of the engine and controls the valve motion of his engine by hand. Both engineer and fireman are exposed to the weather, for the cab had not then come into use. The fireman is shown standing in front of the upright boiler. Besides feeding fuel into the furnace under the boiler, it was evidently his job to control the steam pressure by an old type safety valve which had a long lever, and by moving this back and forth its weight caused variation in steam to any amount at the time required. The engine transmitted its power to the front wheel by inside connect-

ing rods, and these wheels transmitted the power to the rear wheels by connecting rods very similar to those in use on our present-day locomotives. The "Best Friend" was of such construction and steaming capacity that it was necessary to get a full head of steam on the boiler and run the engine until this was exhausted and then get up another head of steam and start out again. The steam capacity of the boiler had therefore to be carefully considered in making up the schedules of the early trains.

The "Best Friend" carried no cowcatcher. Perhaps one was not necessary, for the cattle in the low country those days were small, scrawny, and very agile, and no doubt could outrun the train. Neither did it carry a bell or whistle. The omission of the latter, I am quite sure, was a mistake, and also a great misfortune to the people of Charleston, for I well recall that when the first railroad was built to Walterboro, my old home, every morning a half hour before leaving time the engineer blew a five-minute blast on his whistle, which not only aroused the citizens but woke them with the happy consciousness that at last they had a railroad. Those of us who daily took the train used to consider this blast of the whistle a most considerate attention on the part of the railroad company, for it removed the necessity of our trying to stay awake for hours to keep the alarm clock from going off and waking up the children.

To the foresight, the energy, and the business ability of the leading men of Charleston is due the credit of undertaking the building of the Charleston & Hamburg Railroad. They were the pioneer railroad builders of the world. Even in those early times they had a great vision. They knew that the Almighty had given them the finest harbor between New York and New Orleans, and they realized that to build up their city and State they must have exports as well as imports; that a commerce which was one-sided could not expand. They saw, too, that Charleston was the natural port which the then increasing products of the West should seek, and through which they should be carried to the markets of the world. The building of this railroad heading toward the sunset was the first step they took to make their dream of Charleston, the chief seaport on the South Atlantic, a reality.

The little town of Hamburg was never their ultimate goal. Their conception was a great system of railroads which should connect the trade of the Ohio River with the great valley of the Tennessee, and thence through the Southern States, and its outlet to Europe through the port of Charleston. This vision of the men of Charleston was soon caught by the people of Georgia, and immediately upon the completion of the South Carolina railroad, the Georgia Railroad, from Augusta to Atlanta, was chartered and soon completed. Other connecting lines of railroad still leading westward toward the Ohio were shortly under construction, and the South was leading all other sections of the country in railroad building, until in 1857 the Memphis & Charleston Railroad was completed, and the dream of Charleston seemed to have come true.

From all accounts there must have been great rejoicing in the city of Charleston when they learned that the last spike in this railroad had been driven. I believe that if ever the staid, dignified citizens of that city might have been disposed to follow the shocking suggestion made several years ago by a newly acquired go-getting secretary of their chamber of commerce that "promptly on the stroke of 12 o'clock they should with one accord rush from their offices and homes, and with a "Hip! Hip! Hurrah!" give three cheers for Charleston, it would have been on that eventful day.

But all the cheering and rejoicing was not confined to Charleston; Memphis also cheered and rejoiced, and insisted that the council of Charleston, and as many of its prominent citizens as could come, should journey by rail to Memphis, and that there should be a great joint celebration. They went—the entire council, headed by the mayor, together with 112 of Charleston's most prominent citizens.

The Charlestonians took with them on this occasion 50 members of the old Phoenix fire company and their famous engine, the "Old Betsy." They carried also two hogshead of water from the Atlantic, which with "Old Betsy" figured prominently in the celebration. A most interesting article in the Sunday News of Charleston, written by William G. Mazyck, gives an account of the royal manner in which the people of Tennessee treated the Charlestonians on their arrival. The whole city turned out to extend a welcome. Thousands came from several States. There was cannon firing galore, and the enthusiasm was unbounded.

There was also a great parade in which the Phoenix fire company held the post of honor, and there was a splendid "dress ball." During the day a unique ceremony was held, in which "Old Betsy" played a conspicuous part. In the presence of thousands a command was given, the Charleston firemen got into action, and "Old Betsy" got busy with the hogsheads of water which they had brought. As an account written at the time says: "Soon the pellucid water of the Atlantic rose from our pipe, like a jet from a fountain, high into mid-air, and fell in sparkling drops, a shower of diamonds, into the bosom of the turbid and majestic Mississippi, amid the deafening shouts of the assembled multitude." Then it was that Mayor Douglas, of Memphis, placed a gold ring on the finger of Mayor Miles, of Charleston, and solemnly pronounced, "What this great people hath joined together let nothing put asunder."



The festivities wound up with a most magnificent banquet, which, judging from the menu, "printed on dainty lace-edged paper," must have taken the guests as long to dispose of as it had taken them to make the trip from Charleston. If such a dinner were given in New York these days, it would cost nearly as much as it cost the Memphis & Charleston Railroad to build its line. And the "Best Friend" started it all.

At that time the hopes of Charleston and the South ran high. They were leading in the industrial development of the Nation, but in four years came secession, and their hopes of industrial supremacy vanished amid the smoke of contending armies. The war ending, the South was prostrate. It was conquered territory and was long treated as such. The years of war had brought, among other things, a startling change in the value of its property. When the war commenced the South owned nearly 40 per cent of the entire value of property in the United States, and five years after the war ended they owned scarcely 15 per cent. It is hard for us to realize to-day that in 1860 the South in the value of its property exceeded New England and the Middle States combined.

But the dream of the bold railroad builders of the old South, their far-seeing plans for the expansion of commerce through their ports, was not destroyed but only retarded by the war and is now year by year being realized. Great railroad systems to-day traverse the South's entire territory, and the products of its fields and mines, together with the greatly increasing output of manufactories, find ready transportation to the markets. The railroad over which the "Best Friend" pulled its little train nearly 100 years ago is now a part of the Southern Railway, one of the greatest railroad systems of these times, and one whose every effort from its organization has been to upbuild that section of our common country whose name it has adopted as its own.

[From the Sunday Star, Washington, D. C., December 18, 1927]

#### CAPITAL SIDE LIGHTS

With the "triangle purchase bill" coming up for consideration in the House to-morrow, which includes authority to acquire the site of the Southern Railway Building, comes a reminder, through the gift of a paper weight to Vice President Dawes, that the pioneer line of the Southern Railway is approaching its centenary. This paper weight was presented by Fairfax Harrison, president of the Southern Railway, with Senator COLE BLAISE making the speech.

It is a gun-metal facsimile in miniature of the first engine and train that operated on what, at that time, nearly 100 years ago, was the first long railroad line in the world. Though the engine was very small and very crude and the cars likewise, it was the genesis of the great railroad development of the United States. The construction of this railroad and the running of this train was an event in the history of our country second only in importance, perhaps, to the establishment of the Republic.

The Charleston & Hamburg Railroad, as it was first called, began operating a train on Christmas Day, 1830, and within three years the entire line of 136 miles, from Charleston to Hamburg, on the Savannah River, opposite Augusta, Ga., was completed. It is true that the Baltimore & Ohio Railroad had commenced the construction of its road a short time before the South Carolina railroad began to build but had built only 6 miles. When the Southern road was completed to Hamburg only 70 miles of its line from Baltimore was constructed and in operation.

The little engine of the paper weight, named the Best Friend, which pulled the first train of cars from Line Street in Charleston, had the distinction of being the first practical locomotive built in this country. It was designed by a Charleston man, E. L. Miller, and built at the West Point Foundry in New York City.

In the facsimile of the Best Friend the engineer stands on the front of the engine and controls the valve motion of his engine by hand. Both engineer and fireman are exposed to the weather, for the cab had not then come into use. The fireman is shown standing in front of the upright boiler. Besides feeding fuel into the furnace under the boiler, it was evidently his job to control the steam pressure by an old-type safety valve which had a long lever, and by moving this back and forth its weight caused variation in steam to any amount at the time required. The engine transmitted its power to the front wheels by inside connecting rods, and these wheels transmitted the power to the rear wheels by connecting rods very similar to those in use on our present-day locomotives. The Best Friend was of such construction and steaming capacity that it was necessary to get a full head of steam on the boiler and run the engine until this was exhausted and then get up another head of steam and start out again. The steam capacity of the boiler had therefore to be carefully considered in making up the schedules of the early trains.

The Best Friend carried no cowcatcher. Perhaps one was not necessary, for the cattle in the low country those days were small, scrawny, and very agile, and no doubt could outrun the train. Neither did it carry a bell or whistle.

#### ALLEGED MEXICAN PROPAGANDA—PERSONAL EXPLANATIONS

Mr. HOWELL. Mr. President, I ask unanimous consent that an open letter by my colleague, the senior Senator from Nebraska [Mr. NORRIS], to William R. Hearst, which I send to the desk, be read by the clerk.

The VICE PRESIDENT. Without objection, the clerk will read as requested.

The Chief Clerk read as follows:

#### AN OPEN LETTER FROM SENATOR NORRIS TO WILLIAM R. HEARST

To William Randolph Hearst:

A fair analysis of the recent articles published in the Hearst papers showing an alleged attempt by Mexican officials to bribe United States Senators and editors of various publications, and an analysis of your testimony before the Senate committee, leads to the inevitable conclusion that you are not only unfair and dishonest but that you are entirely without honor.

These articles show, on their face, a constant attempt to draw conclusions not justified from the articles themselves, and to practice deception upon the American people.

It is not necessary to consider any other evidence in order to reach the fair conclusion that in them you are making an attempt not only to besmirch the character of some of our own officials and journalists but that you are trying to excite an animosity and a hatred on the part of our people against the Mexican Government, which, if your articles and alleged official documents were true, would inevitably lead to war between the two countries.

Your attempt to shield yourself from blame by not publishing the names of the four Senators and the editors alleged to be implicated, when properly analyzed, only shows the maliciousness of your attack and adds to the dishonor of your motive. You publish the alleged official documents with the names omitted and, at the same time, state that you stand ready and willing to deliver the original documents to any Senate committee that may be appointed to make an investigation.

You know that the publication of these charges, with the names omitted, must inevitably lead to the appointment of an investigating committee, and that, therefore, the names which you have concealed were bound to be published and that, in fact, the very withholding of the names added to the curiosity and to the interest of an investigation.

#### WHY THE NAMES WERE OMITTED

You knew, therefore, to begin with, that the action you had taken would bring about the publication of the names and you can not, in ordinary honesty, shield yourself or excuse yourself for the failure to give publicity to the names in the beginning.

Moreover, if these allegations are true, there is no reason why the identity of the individual Senators should be suppressed.

Your testimony shows the reason why you suppressed them. You testified, in part, as follows:

Q. Did you investigate whether money had been actually paid to United States Senators?

A. No, sir; we didn't.

Q. Did you go to the Senators mentioned and ask them?

A. No; we could not without revealing the contents.

Q. Have you any evidence that any Senator received any such money as mentioned here?

A. No. In fact, I do not believe they did receive any money.

Q. Have you ever heard of any evidence to sustain such a charge?

A. No; I do not believe the charge. \* \* \*

Q. Did you consider the liabilities for the libel you might be subjected to?

A. Yes; I guess so.

Q. You had that liability in mind when you did not use the names?

A. Probably.

#### THE HERALD'S HEADLINE

If you wanted to be perfectly honest with these Senators, why did you not state when the articles were published that you had no evidence that any of these Senators were guilty, and that you did not believe any of the charges against them? You gave no such intimation to the country until you were faced with the question on the witness stand. In fact, on December 9, 1927, when the Hearst papers first published this alleged order giving the money to four United States Senators, there was spread clear across the front page of the Washington Herald this remarkable statement:

"\$1,215,000 ORDERED PAID TO FOUR SENATORS BY MEXICO."

You have admitted before the committee that, in your judgment, the Senators were entirely innocent. Why, then, did you permit your papers to publish such misleading and damaging headlines and why were you silent during all the time from December 9 until you appeared on the witness stand on December 15?

#### PROVES LACK OF CONFIDENCE

The real reason why you pursued this course was to save yourself from a libel suit, and the fact that you took this course shows that

you, yourself, did not have confidence in the genuineness of the documents you were publishing, because, if they were genuine, you ran no risk in their publication. Your admission that in taking this course you had in mind the saving of yourself from damages in a libel suit is an admission that you believed, yourself, that these alleged official documents were forgeries.

You must have known what was common knowledge among the newspaper men of the United States that many alleged official documents from Mexico were being offered for sale to all kinds of organizations and to all sorts of publications.

#### COMMON AS BOOTLEGGERS

There is not a newspaper man in the city of Washington but has not known for the past year that it was possible to buy forged documents relating to the Mexican Government.

Peddlers of this kind of merchandise were almost as common as bootleggers.

Dealers in this kind of junk were always trying to take advantage of some feeling that existed between different factions in our country and these document dope dealers had a remedy for every condition. They could supply the Ku-Klux Klan with documents showing that the Catholics had arms and munitions hidden in cellars ready to be brought out to exterminate the Protestants. They were likewise able to supply the Catholics with documents showing various activities of the Ku-Klux Klan in gathering together arms and munitions to be carried into Mexico and there used in a contemplated revolution.

#### HEARTLESS MALICE

To charge you with ignorance of this condition is to ascribe to you a stupidity that would be equaled only by your heartless malice in trying to wreck the good names of officials both in Mexico and in America in order to carry out some scheme of your own.

Your own newspapers about two years ago exposed the fact that our State Department had been offered and had accepted forged Mexican documents. You knew that if your alleged documents were genuine our Department of State would have made a thorough investigation, and that they would not have been rejected by the President of the United States when they were submitted to him, as you say in your testimony they were.

On the 14th day of November, 1927, the Hearst papers, among other things, contained the following reference to the alleged documents:

"The documents which will be published in the American were therefore brought to this country by these officials intimately connected with the Mexican Government and were delivered to the Hearst publications merely because these officials realized that in this manner they would secure the widest publication of the facts contained in these Government files. \* \* \* There is no question of the authenticity of these documents as records of the Government of Mexico."

#### AN ABSOLUTE FALSEHOOD

You were attempting then to deceive the people of the United States. This statement, as shown by your own testimony before the committee, is an absolute falsehood.

You knew when this statement was published that instead of these Mexican officials being moved by some patriotic motive of their own, with a desire to get publication for this alleged corruption in the Mexican Government, that they were, in fact, only influenced by cold cash which you were willing to contribute and which you say in your own testimony you did contribute. Instead of the documents being brought to this country by patriotic Mexican officials, they were sold for cash to your agents.

#### ADMITTED IT TO COMMITTEE

You knew it when this article was published.

You have admitted it on the witness stand. The only object these alleged officials of Mexico had was to make money out of the transaction, and you confess that you paid them between \$15,000 and \$16,000 for their treachery to their own country.

And when the Hearst papers published, in this same article, that there was no question about the authenticity of these documents, every man connected with your publication, including yourself, knew that the statement was false. You knew that there was a question as to their authenticity, and that if you had pursued the ordinary course that any honest man would take before he blackens the fair names of his fellow men, you would have reached the conclusion that they were absolutely false. And yet, on the 20th day of November, 1927, the Hearst papers published, among other things, the following:

"This documentary proof which the American will continue to publish in consecutive form for some days was obtained from the most secret files of the Mexican Government by officials of that Government. These men were firmly opposed to the Bolshevik policy of their Government and patriotically concerned lest this Russian brand of Bolshevism should eventually destroy their country and wreck the peace and happiness of their people. \* \* \* The revelation of the amazing facts contained in the documents, the Mexican officials hope, might result in ultimate good to their country."

#### MOVED ONLY BY MONEY

You knew this statement was false when it was published, and its only object could have been to deceive the American people and to try to convince them of the genuineness of the proof which you were offering.

You knew these papers had been brought to this country, not through any patriotic motive, but that they were sold outright for cash to the Hearst papers, and you had at that time contributed the money to make the payment. You knew that these alleged Mexican officials were moved only by the money which you were so willing to contribute.

#### COULD HAVE QUESTIONED ACCUSED

How easy it would have been for you or one of your numerous hirelings to have ascertained the truth in regard to these documents. In one of them it was alleged, for instance, that Dudley Field Malone, a man known internationally, was the go-between—the cashier, as it were—who received the money from the so-called Mexican traders and delivered it to the four Senators named. How easy it would have been for you or the editor of your New York American to have called Mr. Malone on the telephone. All of your editors knew the high character and standing of Mr. Malone. You could have found out in a few minutes whether this alleged statement regarding him was true, and if he had told you, as he has since testified, that he knew nothing about it, that he had nothing to do with it, you would at once have had positive proof that there was something wrong with these documents, and that no honest man could afford to give it publicity without at least making further investigation.

#### EXCUSE OBVIOUSLY FALSE

Before you published allegations that would blacken the names of United States Senators your representative in Washington could have called upon these Senators and gotten their version of the affair. If they denied, as they have already testified, that they had any connection whatever with this disgraceful business and knew nothing of it, you would again have had notice that any honest man would welcome that there was something wrong with this document which you purchased. And your excuse, given on the witness stand, that it would have given premature publicity to the transaction, is obviously false. You intended to give it publicity. You admitted on the stand that that was the object you had in view. You say in these articles that that was the object which the Mexican officials had in view when these documents were turned over to you.

#### ALL FOES OF INTERFERENCE

The ordinary observer will not cease to take notice that the four Senators mentioned were all prominent in the Senate in their opposition to interference by our Government in the affairs of Mexico. It is rather remarkable that it is only this class of Senators whose reputations are attacked. These men were standing as forcefully as they knew how against a policy in Mexico which you were in favor of.

It is likewise peculiar that Calles, the President of Mexico, would spend his hard cash to bribe Senators who were already advocating noninterference—a policy that he himself was anxious to carry out.

#### MR. CALLES NO IDIOT

We may disagree as to the kind of man Mr. Calles is, but even his enemies have never charged him with being an ignoramus or an idiot. If he were so corrupt and evil-minded as to use Mexican public funds to bribe United States Senators, would it not be reasonable to suppose that his attempt would be made on those Senators who were not already advocating the policy which he, himself, desired to see carried out?

Moreover, what would have been the necessity for his spreading the names of these Senators on the Mexican records? There was no reason why their names should appear there. The order for the payment of the money could just as well have been made without mentioning any names; and yet, if these documents are true, Calles, in his orders, not only mentioned the names and the amounts but the man who should be the go-between for the Senators and the Mexican officials, and he had this all spread upon the official documents of the Mexican Government where every clerk and employee having access to the governmental files would be able to trace the money to its destination—the very thing that he, if you are correct in your charges, was trying to obviate.

#### THE TELEGRAMS

If you had been moved by an honest motive, you would also have called upon Mr. Elias and given him an opportunity to explain. You would have made an attempt to have gotten from him permission to examine the telegrams, of which some of these documents purport to be copies. There is no doubt but that if you had taken this course he would have done what he did before the committee—given permission for the examination of all telegrams that had passed between him and the President of Mexico.

This would have disclosed what has already, in part, been disclosed before the committee—that no such telegrams passed between the par-

ties, and now, since the representative of the telegraph company has testified, at least as to some of these official telegrams, it has been shown that they did not, in fact, exist and that such telegrams as published in the Hearst papers have, as a matter of fact, never been sent or received.

#### DECEIT CONTINUES

Even now, after this disclosure, the Hearst papers are undertaking to deceive the people of the United States as to what really was done before the committee. I have before me as I dictate, to-day's copy of a Hearst paper, the Washington Herald for Sunday, December 18, 1927. On the second page of that paper, referring to testimony taken before the Reed committee, there appears a headline, in large type, as follows: "Where are the Elias telegrams? We destroyed them."

It is true, if you read the fine print below the headline, you will be able to discover that it is a custom of the telegraph company to destroy telegrams after keeping them for one year, and the representative of the telegraph company has given that as a reason for not producing all of the telegrams called for by the committee. The facts are that all the alleged telegrams published within the year, the agent of the company has shown, were never sent. This is manifestly an attempt on the part of the Hearst papers to deceive the people as to what the real facts were.

The person reading the heading and nothing else will get the idea that Elias, the Mexican representative, was the fellow who destroyed the telegrams, and that they can not be produced because the Mexican officials have destroyed them.

#### JUST AN INSTANCE

This is only a demonstration of the unfairness—yes; the venom—that has run through all these articles and that is being continued after the truth is beginning to creep out. It shows a malice that can not exist in a heart that is pure or moved by lofty motives.

What is your motive, Mr. Hearst? You have testified before the committee that you have very valuable properties in Mexico. It is almost common knowledge that you were in favor of the overthrow of the present government. You evidently believed that if a revolution could be started it would mean financial benefit for your investments in Mexico. For the sake of making a few paltry dollars you are willing to blacken the character of honest journalists in your own profession. You were willing to cast suspicion upon the loyalty and the integrity of Members of the United States Senate. You were willing to charge that the President of a friendly Republic is a traitor to his country.

You were willing and apparently anxious to do something that would cause our Government to intervene in Mexico.

#### WILLING TO START A WAR

In other words, for the sake of your financial investments, you were not only willing to ruin the reputation of honest and innocent men but you were willing to plunge our country into war with a friendly neighbor, and thus increase the army of widows and orphans and wounded and crippled soldiers.

Because Members of the United States Senate have not followed the course that you believe they ought to pursue, you were willing to go so far as to ruin their reputations and by falsehoods drive them from public life in disgrace and dishonor. You wanted to show the power of the Hearst papers. You wanted to let it be known that any public official who did not follow your command or your wish would, by such dishonest and disreputable means, be driven from public life. You wanted to put fear into the hearts of men who were seeking public office or who were seeking reelection. You wanted them to know that the Hearst papers would relentlessly pursue to the bitter end those public servants who refused to bend the knee to your unreasonable and disreputable demands. You wanted it known that you could put men out of office at your own sweet will, and that to retain office it was necessary to follow you even to the extent of plunging our country into war.

#### SAME VENOM ALL THE WAY

But what is the use of tracing these articles further? I have given only a few samples. The same venom and the same spirit runs through them from end to end, and if I called attention to all of the inconsistencies and to all of the falsehoods, it would require an article practically as long as your continued story that has been running for many days in your papers.

The record which you have made in this matter is sufficient to place your publications in disrepute in the minds of all honest men, and it demonstrates that the Hearst system of newspapers, spreading like a venomous web to all parts of our country, constitutes the sewer system of American journalism.

GEORGE W. NORRIS.

Mr. ROBINSON of Arkansas. Mr. President, as a member of the special committee of the Senate charged with the duty of investigating the statements referred to in the article just read and the documents upon which those statements were based, I feel it my duty to the Senate, to the Senators whose

names are embraced in some of those documents, and to the public at large to make a brief statement now.

The special committee has not completed its investigation. Immediately after its appointment it began its work, and it has continued its labors diligently up to the present time. The chairman of the committee, the Senator from Pennsylvania [Mr. REED], is absent from the city; and it is not expected that the hearings will be resumed until the 27th instant.

I have no authority to speak for the committee, and I do not assume to express the opinion of any other member of the committee; but I do believe that the opinion of the committee is unanimous as to certain phases of the investigation, and it is with respect to those phases that I claim the attention of the Senate now.

To wait until after the holiday season has passed, and to leave under a cloud the name and fame of Senators who apparently are just as honorable as any Member of this body, would be an act of injustice to which I do not propose to be a party.

One who serves in public office, especially in a high public position, must anticipate that his acts, both private and public, will be under constant scrutiny; and he should prepare himself to receive with resignation condemnation for dishonorable deeds or for corrupt motives. But one who so conducts himself that he has no fear that a careful inspection of his public life will reveal aught deserving of censure is entitled to have his good name safeguarded, his honor respected; and he who is unwilling to do that, whether a Senator or a private citizen, is a coward unworthy of the name of an American.

The evidence in this case discloses conclusively that neither the Senator from Idaho [Mr. BORAH], nor the Senator from Nebraska [Mr. NORRIS], nor the Senator from Wisconsin [Mr. LA FOLLETTE], nor the Senator from Alabama [Mr. HEFLIN] has received one dollar or has been tendered one cent in connection with the purposes referred to in the documents at issue.

All who are concerned in finding the truth concede that these Senators stand uncorrupted and incorruptible. Not only does the testimony show conclusively the fact that I have just stated, but it also discloses that not one of them has ever been approached in any matter in connection with improper considerations respecting Mexican affairs. And as your deputy, your agent, charged with a mission from you, I am proud in this presence to reach out my hand to every one of these four men, to put my arm around each of them, and to say, "I am happy to call you friend."

Hearst's sin is not so much that he inconsiderately published documents involving the names and honor of Senators who were guiltless, but that he fails now through his agencies of publicity to undo in part the wrong that he has done. It takes years to build a reputation that will stand the constant beat of the white light of publicity. One who accomplishes that aim has achieved something worth while, something that is valuable beyond price.

There are sufficient incidents founded in fact to threaten the public confidence in some of the former officers of this Government. Whenever the public believes that the men who serve them are corrupt, that opinion will reflect itself in revolution, in processes of destruction. It is right and proper that they who violate their honor and receive considerations for service, considerations of even a questionable nature, should be exposed and scourged from public life. It is a pity—great God! it is a crying pity—that the great power of the Hearst newspapers has not been employed to the purification of public office where corruption is known to exist. It is a wrong which can not be characterized here that the mighty genius which has amassed millions and acquired control of publicity agencies that reach from limit to limit of this continent should seek to establish its renown by bringing or attempting to bring dishonor upon men who are known to be pure and incorruptible.

Mr. JOHNSON. Mr. President, I am a very humble member of the committee of investigation that is now proceeding in the matter that has just been adverted to. When the resolution was presented by the Senator from Pennsylvania [Mr. REED] no investigation, so far as I was concerned, was either necessary or appropriate in connection with the gentlemen whose names have been mentioned, who are colleagues of ours. I never have believed, and I never would believe, that there was the slightest justification for any suggestion such as had been made respecting any one of those men, and from the instant that investigation commenced I asserted publicly in the investigation what I say now after the conclusion of the testimony respecting them, that there never was a scintilla of evidence to connect any man of the Senators who were named,

or whose names were deleted in the articles, in any way, shape, form, or manner with any of the matters that were published in the various Hearst newspapers.

Not only that, sir, but these gentlemen were sufficiently known to me that I would have staked myself upon every one of them without any investigation at all. We were asked in the first place by the resolution that was presented by the Senator from Pennsylvania to investigate a single phase of the publications that had appeared. That phase was the one relating to the Senators. So well has that been spoken of by the Senator from Arkansas [Mr. ROBINSON] that I will not dilate upon it, but by every witness, from every standpoint, it has been demonstrated beyond the peradventure of doubt that there never was the slightest justification, either directly or indirectly, expressedly or impliedly, for suggesting the name of any one of the Senators who ultimately was named in the various documents produced. There never was, in my opinion, the slightest justification for printing any document which, with names deleted or otherwise, might have reflected upon any Senator of the United States.

So much for that. The committee is unanimous in its finding in that regard; but the committee is now going upon another journey. We have finished so far as these Senators are concerned, and we have reached the conclusion that has been depicted so very well, and much better than I could, by the Senator from Arkansas.

We are now proceeding as if we had the full power—for none has challenged it—to determine what these documents are; and speaking for just one member of that committee, Mr. President, I can say that we will go to the end of that investigation; and we will determine, so far as it exists in human power, just what those documents are, whether or not there is any genuineness to them, or whether or not they are forged and spurious; and, as the evidence shall determine ultimately in that regard, there is not a member of the committee but will unhesitatingly state emphatically the conclusion he shall reach.

Mr. BRUCE. Mr. President, as I, too, am a member of the committee of investigation, if I were to remain silent some invidious inference might well be drawn from the fact that I did remain silent.

I have no disposition to reflect upon Mr. Hearst or upon the Hearst press, if for no other reason because this investigation has not been completed. It is important to bear that fact in mind. How far Mr. Hearst was or was not justified in taking these steps that he did to obtain possession of those documents is a matter, it seems to me, that might much more properly and justly be determined at the conclusion of the pending investigation than now.

I will say, however, that, so far as I am concerned, I have always found it extremely difficult to set any limits to the duty of the press to make public anything and everything that affects the reputation of a public man or the standing of his Government. Suffice to say for the present that if I had any reason to believe that in the secret archives of Mexico or any other country in the world there were documents purporting to fix upon me a charge of corruption, I should not simply be content, but I should be delighted were those documents brought to the light of day while I was still living and was still in a position to face a false accusation instead of after I was dead and my lips were mute and I was no longer able to vindicate my good name.

In my judgment, as you will see from what I shall say in a moment, the publication to the world of the facts which have been elicited from witnesses in the pending investigation will have no effect but that of strengthening the high, irreproachable, unassailable reputations for personal integrity and honor enjoyed by the four Members of this body whose names have been used in connection with the case.

It is never agreeable, I hardly need say, for any public man to have his motives or his character impugned in the press or in any other way, but it is always well for us to remember what the late Emperor Joseph of Austria once observed when some friend of his said to him, "I should not care to be an emperor or a king, because I would be in perpetual danger of being assassinated." "My friend," the Emperor replied, "you forget that assassination is a part of the trade of a king." And so assassination of character can be said to be a part of the trade of a United States Senator or a Member of the House of Representatives, or of any other high Federal official.

Saying that much, I wish to add just a word expressive of my general conclusions with respect to the pending investigation, though I had no idea that there would be any occasion for me to do so this morning.

When Edmund Randolph was accused of corrupt conduct in the early history of our country as the result of what, in my judgment, was one of the basest conspiracies ever formed against an American statesman, and was acquitted by the facts, which were soon brought out, Thomas Jefferson, who was by no means partial to him, said, "I am glad that Randolph has been acquitted. All who knew him had already acquitted him."

That we can all say in the present case, for the testimony that has been taken in the pending investigation in relation to the four Senators simply confirms the confidence in which they have always been held by their brother Senators as respects their standing for personal and public integrity. Personally I differ profoundly with each one of them with regard to many public questions of the highest degree of importance. Indeed, in some respects I think that I differ from them almost more widely than I do from any other Member of the Senate. But I fully concur with all my brother Senators in thinking that they are among the most honorable, upright, and irreproachable Members of this body in point of probity and moral rectitude. They are all honorable men, all unassailably honorable men. They all belong to the category of the honest man, who is said, and truly said, to be the noblest work of God.

Though we have not completed our investigation, we have, I believe, prosecuted it far enough to be justified in declaring that there is not the least likelihood that anything whatever will hereafter be developed in it to tarnish to the slightest extent the stainless reputation for integrity which the four Senators have enjoyed. It is entirely too common a thing for the standing of Members of this body to be attacked in one way or another outside of the Senate. One happy result of the pending investigation will, I am sure, be to furnish another proof that the personal and public uprightness of the Members of this body will compare favorably with that of the Members of any other great legislative body.

Mr. JONES of Washington. Mr. President, if I should say nothing my silence might be misconstrued. I did not know what Senators were involved in this investigation until it began. I have been ready for several days to report, and I felt that the committee should report before the holidays its conclusions and findings with reference to the Senators involved.

I am glad that the other members of the committee have made these statements to-day. I heartily concur in what they have said. There has not been produced a single word of evidence tending in the remotest degree to sustain the inferences or charges in the articles which have been printed. I have been satisfied all the time that there was no truth in them. The evidence shows conclusively that there is no truth in them. I felt that these Senators were entitled, not that it might be necessary, but that they were entitled to the judgment of the committee before the holidays, upon the evidence presented, that there is nothing to show them culpable in the slightest degree.

I am glad to join heartily in the encomiums bestowed upon these four Senators to-day, and to say to the Senate and to the country that there is not a single word in all the evidence taken to cast the slightest suspicion upon them or upon any Senator in this body; but, upon the contrary, the proof is clear and positive that none of these Senators has even been approached directly or indirectly in any way, shape, or form for an improper purpose or object.

#### THE TARIFF

The VICE PRESIDENT. The Chair lays before the Senate a resolution (S. Res. 52) coming over from a previous day.

Mr. MOSES. May we have the resolution read?

The VICE PRESIDENT. The resolution will be read, as requested.

The Chief Clerk read the resolution (S. Res. 52) submitted by Mr. McMASTER on the 15th inst., as follows:

*Resolved*, That the United States Senate favors an immediate lowering of tariff schedules, and tariff legislation, embodying lowered schedules, should be considered and enacted during the present session of Congress; be it further

*Resolved*, That a copy of this resolution be transmitted to the House of Representatives.

Mr. LA FOLLETTE. Mr. President, the junior Senator from South Dakota [Mr. McMASTER] is not now in the Chamber, but previously this morning he indicated in conversation with me that he intended to ask to have the resolution go over without prejudice. I therefore assume to make that request in his behalf in view of his absence.

The VICE PRESIDENT. Without objection, the resolution will go over.

## INVESTIGATION OF PUBLIC-UTILITY CORPORATIONS

The VICE PRESIDENT laid before the Senate the following resolution (S. Res. 83), submitted by Mr. WALSH of Montana, on the 17th instant, coming over from a previous day:

*Resolved*, That a committee of five Members of the Senate be appointed by the President thereof, and be hereby empowered and directed to inquire into and report upon: (1) The growth of the capital assets and capital liabilities of public-utility corporations supplying either electrical energy in the form of power or light, or both, however produced, or gas, natural or artificial, of corporations holding the stocks of such public-utility corporations, and of non-public-utility corporations owned or controlled by or affiliated with such holding companies; (2) the method of issuing, the price realized, or value received, the commissions or bonuses paid or received, and other pertinent facts with respect to the various security issues of all classes of corporations herein named, including the bonds and other evidences of indebtedness thereof, as well as the stocks of the same; (3) the extent to which holding companies or their stockholders control or are financially interested in financial, engineering, construction, and/or management corporations, and the relation, one to the other, of the classes of corporations last named, the holding companies and the public-utility corporations; (4) the services furnished to public-utility corporations by holding companies and/or their associated, affiliated, and/or subsidiary companies, the fees, commissions, bonuses, or other charges made therefor, and the earnings and expenses of such holding companies and their associated, affiliated, and/or subsidiary companies; and (5) the value or detriment to the public of holding companies owning the stock or otherwise controlling such public-utility corporations immediately or remotely, with the extent of such ownership or control, and particularly what legislation, if any, should be enacted by Congress to correct any abuses that may exist in the organization or operation of such holding companies.

The committee is further empowered and directed to inquire and report whether, and to what extent, such corporations or any of the officers thereof or anyone in their behalf or in behalf of any organization of which any such corporation may be a member, through the expenditure of money or through the control of the avenues of publicity have made any, and what effort to influence or control public opinion on account of municipal or public ownership of the means by which power is developed and electrical energy is generated and distributed, or to influence or control elections.

That the said committee is hereby authorized to sit and perform its duties at such times and places as it deems necessary or proper, and to require the attendance of witnesses by subpoenas or otherwise; to require the production of books, papers, and documents; and to employ counsel, experts, and other assistants and stenographers, at a cost not exceeding \$1.25 per printed page. The chairman of the committee, or any member thereof, may administer oaths to witnesses and sign subpoenas for witnesses; and every person duly summoned before said committee, or any subcommittee thereof, who refuses or fails to obey the process of said committee, or appears and refuses to answer questions pertinent to said investigation, shall be punished as prescribed by law. The expenses of said investigation shall be paid from the contingent fund of the Senate on vouchers of the committee or subcommittee signed by the chairman and approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

The committee, or any subcommittee thereof, is authorized to sit during the sessions or the recesses of the Senate, and until otherwise ordered by the Senate.

Mr. MOSES. Mr. President, I move that the resolution be referred to the Committee on Interstate Commerce.

Mr. WALSH of Montana. Mr. President, as I indicated on Saturday, I shall object to that procedure. In the first place, it is entirely unusual. I dare say there is some precedent for sending a resolution of this character to two committees, but I can not now recall any. Perhaps some other Member of the Senate can.

In the second place, as I further indicated on Saturday, I see no occasion whatever for proceeding in that manner.

I took occasion, in submitting a resolution in substantially the same form at the last session, to indicate to the Senate at some length my views concerning the necessity for the inquiry. There may be other reasons not adverted to by me. But the Senate has had some six or seven months to acquaint itself with my own belief as therein expressed. If there is any opposition to the investigation which is suggested by the resolution, Senators may express themselves concerning it. I think the investigation ought to be ordered and I think the resolution should be sent without further delay to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. President, it might perhaps be appropriate at this time to remind the Senate of some of the more important and salient facts to which I invited the attention of the Senate in my address on this subject made last spring. There is now capital going into this industry to the amount of nearly one-half

billion dollars a year. There are securities being issued by these corporations aggregating nearly three times that sum, or \$1,500,000,000. The mergers which are taking place have given rise to widespread concern. As an appendix to my remarks made last spring there was included a table, furnished by the Electrical World, showing the appalling number of mergers and purchases made by the great group of holders of public utilities securities in operating companies. The list for the two years embraces printed pages to the number of something like 30 or 35. Rapidly the operating companies throughout the country are passing into the control of half a dozen great groups through holding companies and other devices. The attention of the country was directed to some of the perils involved in this great movement in a series of articles by Professor Ripley, of Yale, appearing something like a year ago and since published, with additions thereto, in a book by him entitled "Main Street and Wall Street."

Everybody concedes, Mr. President, that there are advantages accruing by this consolidation. Everybody realizes that the needs of the country for further development are growing and constantly increasing, that in a certain way this is a natural growth; but that it is attended by many abuses is conceded upon all hands; and the question arises as to what ought to be done, if anything ought to be done, about the matter. I shall content myself, Mr. President, at this time with simply calling attention to the demand which has come up from the country for the proposed investigation. That it is desirable, if not entirely necessary, is conceded by the industry itself, for which, I think, the Electrical World may be regarded as speaking. It does not object to an investigation; it merely wants an investigation that is not prompted by political motives, conducted by some one who has "a lightning rod" out. Its views concerning the matter are expressed in an editorial, a portion of which I should like to have read by the clerk.

The VICE PRESIDENT. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

Although Congress will not assemble for three months, the air is already rife with rumors of contemplated legislation of interest to the electrical industry. Muscle Shoals and the Colorado River, it may be taken for granted, will come up for discussion, but whether definite action will follow only a rash prophet will predict. What is most to be feared from Washington this session, however, is the threatened investigation of electric light and power companies, and particularly holding companies, by a senatorial committee headed by Senator WALSH of Montana. Not necessarily because of any shortcomings of the electric light and power industry as a whole, for it has an admirable record, but because of the detrimental effect of the publicity on the security market.

Next year is presidential year, and there are many aspirants with lightning rods down their backs seeking to be struck. To such men publicity is like a spring of water to the parched earth. It is unfortunate that investigations of this kind may be started on whims and that the motives back of them are not always above suspicion; but if an investigation is to come, it might as well come now, when the electric light and power industry can best stand it. The findings may be an agreeable surprise or a heavy shock; yet the industry may make up its mind that the inquiry will not seek to advertise the accomplishments of electric public utilities, but, on the contrary, to distort and magnify blameworthy actions of a few to the detriment of many. Any exposures of wrongdoing will be welcome, for the industry can not purge itself too quickly of those who have not its interests, as well as those of its patrons uppermost. How to do this without hurting others, however, is the great problem. Unfortunately this is not likely to give any congressional committee much concern.

Mr. FESS. Mr. President, will the Senator from Montana yield to me a moment?

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

Mr. WALSH of Montana. Yes.

Mr. FESS. A resolution on this subject was introduced at the last session and came to the Committee to Audit and Control the Contingent Expenses of the Senate, of which I was a member. Because that committee did not have any latitude to go into the matter at all, we thought it would be much better if the resolution could be referred to a committee which does have some right to go into the merits of the proposition. I am rather inclined to look upon the resolution of the Senator from Montana with some favor, recognizing, however, that there is a good deal of contingency involved in it. Such a resolution might do some good, but there might be some danger coming out of that sort of an investigation. I did hesitate, however, to report out the resolution to which I have referred without having an opportunity to give any consideration to it

at all. That was the reason I had hoped that the Senator from Montana might ask to have the resolution referred to some other committee than the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. WALSH of Montana. Mr. President, I am endeavoring in a feeble way to supplement what I said last spring by now giving the Committee to Audit and Control the Contingent Expenses of the Senate some reasons why that course ought to be taken.

Mr. President, the fear expressed by the Electrical World in the article which I have mentioned is commented upon in an editorial appearing in the Times, of Hartford, Conn., which seems to think that the investigation is very desirable. I ask that the editorial may be read.

The VICE PRESIDENT. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

[From the Times, Hartford, Conn., November 17, 1927]

THE POWER INQUIRY

The interview which Senator THOMAS F. WALSH of Montana gave Correspondent David Lawrence regarding the proposed electric power investigation is illuminating for the light it sheds on the uncertainty which exists as to just what is going on in the power industry. That uncertainty is shared by pretty nearly all who endeavor to arrive at a sound conclusion in their own minds about the desirability or undesirability of the great number of mergers, consolidations, and holding companies.

Mr. WALSH does not charge that millions have been made illegitimately in the flotation of securities. He would like to know. So would a good many observers. He is not certain whether overcapitalization will keep rates up or dividends down, but he believes inquiry is pertinent. He does not play a lone hand in that particular either.

The Senator discussed the proposal that the electric industry does not object to investigation, but does not want to be subject to a "political inquisition." It has been said before that the industry would like to be investigated by experts. Such experts would doubtless have to be found within the industry itself. They would be far more likely to sympathize with the ambitions and undertakings of the industry than to find fault with its ambitious programs. Experts of any other point of view would not be regarded by the industry as sufficiently qualified. The country might as well have an investigation by Senator WALSH, even if the power people were inclined to brand it political, as to go through a farce destined from the outset to be a whitewash.

Those who think about the power matter at all are thinking in the very terms used by Senator WALSH. Connecticut has been experiencing exactly the sort of manipulation which is under discussion. The public utilities commission at this moment is withholding permission for a merger which if granted will enormously increase the capital structure by which the operations of two local companies are financed. It is expected that dividends will be paid on this additional capital, and there is no place to secure the funds for that purpose except out of the pockets of those who are obliged to buy gas and electricity from the companies in question. This is but a single instance. It has been multiplied many times in Connecticut. The concern which has become the power octopus of this State operates in a score or more of Commonwealths. No one who is not on the inside can tell what are the ramifications of its interlocking and relationship with similar corporations equally large or even larger. No one, comparatively speaking, knows whether this is good or bad, or the extent to which it is bad, if bad at all. Sooner or later the public interest will require that it be determined and that the electric power which is being so manipulated shall be used to let a little light in upon the complicated manipulations which are going on.

The kind of an investigation to which the electrical industry—the Insulls, the Mellons, the U. G. I.'s, and the rest—would submit willingly would not be worth the powder to give it motive force. There is an extreme probability that such an inquiry as Senator WALSH would conduct, if empowered to conduct one, would do far more good in making understandable that which now seems so needlessly and even deliberately bewildering than it possibly could do harm. A Senate inquiry is far less to be frightened at than are the manipulations taking place in the power industry.

Mr. WALSH of Montana. Mr. President, I send to the desk an editorial printed in a newspaper published in another section of the country, the Kansas City Star, and ask that it may be read.

The VICE PRESIDENT. Without objection, the clerk will read.

The Chief Clerk read as follows:

[From the Kansas City Star, Tuesday, July 26, 1927]

TO DIG INTO PUBLIC-UTILITY FINANCING

Near the end of the last session of Congress Senator WALSH of Montana introduced a resolution providing for the investigation of

power, light, and gas companies, with especial reference to the financing, merging, refinancing, and remerging of these public-utility concerns. A few days ago Mr. WALSH announced he would press for this investigation early in the coming session.

Senator WALSH has not indicated a line of investigation beyond the distribution of electricity and gas and the manner of financing the producing and distributing companies. We know something of the extent to which mergers have gone in these fields, how smaller companies have been absorbed and larger ones made, how the larger companies have been merged into supercompanies, and how holding companies have cornered the supercompanies until the flotations of securities has become a maze too great for the average mind to comprehend. Senator WALSH describes these holding company stocks as "staggering in amount."

To read some of these merger stories one gets the impression that the transactions are quite apart from the business of the service companies, being merely the operations of stock brokers, bankers, and promoters for their own aggrandizement. If this is true, and unquestionably it is true to some extent, then the extraneous profits made from these manipulations come from one of two sources—from the consumers, in excessive rates, or from the public for shares that may be of doubtful value unless the pyramiding process goes on, and it can not go on indefinitely.

When the Government authorizes the consolidation of railroads it does not authorize merger on merger, holding company on holding company; it centralizes the operation of the absorbed system and undertakes to make the operation of the lines more serviceable and less costly. The sole purposes are to gain efficiency and economy and in the end cheaper service. Why should power and light and gas companies have without challenge the license to make the public service primarily a stock-jobbing instrument?

Mr. WALSH of Montana. I ask, now, that there may be read a communication which I received from the Illinois Municipal League, together with a resolution adopted by that organization.

The VICE PRESIDENT. Without objection, the Secretary will read.

The Chief Clerk read as follows:

ILLINOIS MUNICIPAL LEAGUE,  
HEADQUARTERS OFFICE,  
Urbana, Ill., November 22, 1927.

HON. THOMAS J. WALSH,

Senate Office Building, Washington, D. C.

MY DEAR SENATOR: The Illinois Municipal League has just finished its fourteenth annual convention, and among the resolutions passed was resolution No. 7, declaring in favor of your resolution proposing a Federal investigation of public-utility financing (see copy of resolution inclosed).

Inclosed is a copy of our convention program. From it you will note that the league has a total membership of 370 municipalities, with a combined population of over 5,000,000 people, or approximately 70 per cent of the population of the State of Illinois.

I would appreciate receiving at least a few extra copies of your resolution and speech on the investigation of public-utility companies. I note from the newspapers you are planning on introducing such a resolution on December 6. Perhaps it will be better to wait until this resolution and speech are printed, rather than to send us the speech and resolution of last February. There was, however, a lot of useful information in your speech of last February, and we should at least have a few extra copies of these if they are available.

With best wishes for your success in this investigation, I remain,  
Cordially yours,

A. D. McLarty, Secretary.

Resolution of the Illinois Municipal League favoring a Federal investigation of the financial structure of public-utility companies

Be it resolved by the Illinois Municipal League in annual convention assembled at Peoria, Ill., on November 18, 1927, That the Illinois Municipal League favors the resolution of Senator THOMAS J. WALSH of Montana proposing a Federal investigation of the financial structure of public-utility companies, with a view to ascertaining the effect of such structure upon the rates of such utilities. We favor such investigation because we believe many Illinois cities are being faced with ever-increasing rates in spite of the efforts of the Illinois Commerce Commission. We believe that due to Federal constitutional protection, our local and State authorities are helpless to protect our inhabitants against unjust and extortionate rates for these great public necessities, and the League of Cities of Illinois welcomes an investigation of this subject by the Federal Government.

Mr. WALSH of Montana. Mr. President, I also ask that there be incorporated in the RECORD a letter addressed to me by Mr. E. B. Stahlman, the editor of the Nashville Banner; and I ask that there be read from it only the initial paragraph.

The VICE PRESIDENT. Without objection, it will be so ordered.

The Chief Clerk read as follows:

NASHVILLE BANNER,  
Nashville, Tenn., November 7, 1927.

Hon. THOMAS J. WALSH,  
Washington, D. C.

MY DEAR SENATOR: I am sending under separate cover several matters bearing upon the power situation in this State and section which I thought might be of interest and use to you. I am very heartily in favor of the investigation into the electrical industry proposed in your resolution, and my paper will earnestly support you in that timely and patriotic service which you will render to the country.

The VICE PRESIDENT. Without objection, the remainder of the letter will be printed in the RECORD.

The remainder of the letter is as follows:

You have rendered the Nation your debtor in the naval reserves oil inquiry; but, important as was that service, it is scarcely comparable to that which your investigation into the power industry opens up. This question is already rapidly coming to the front, and the fight which you will make in behalf of the whole business fabric of the Nation and its political well-being which are directly concerned with the methods of the power magnates will necessarily deepen the public interest in it and the realization of the immense public stake. Let me call your attention in this connection to the editorial headed "The great new issue," which appeared in the Banner of yesterday. You will note in it my earnest indorsement of your course and purposes.

The file of articles bearing upon the recent Appalachian Power Conference held in this State is commended to your careful investigation. That conference, as you will note, was held at Chattanooga. For a long while it was camouflaged as being a spontaneous expression of the people of the South in regard to the development of their water power resources. As a matter of fact, the conference was dominated by the banded power interests of the South. The manifest purpose was to influence Congress and the Federal Power Commission upon the Muscle Shoals question and in behalf of the East Tennessee Development Co.—which is owned upon a 50-50 basis by prominent eastern power capitalists—the development company, as you may recall, being an applicant for permits covering the cream of the power resources of the Tennessee River and its tributaries.

The real selfish nature of this conference was exposed by the Banner in the editorial sent you under the caption, "That Chattanooga power rally." The articles sent to the Banner from its two staff correspondents, which we had on the ground, will show you how the power interests are working in this section. They brought employees and business and political allies from every direction. Owing to the thorough exposure by the Banner of the inner purposes of the so-called conference the resolutions which were adopted just before adjournment did not carry out the initial purpose.

I am sending copy of an address by a member of the Banner editorial staff, who was the only speaker before the Chattanooga conference attacking the program of the power magnates and the validity of the Federal water power act of 1920.

As you will see from other inclosures the Tennessee State Board of Public Utilities has taken action in regard to the conservation of the power resources of the State. I am sending you the orders which the commission has issued in that connection, not because they have an immediate and present bearing upon your inquiry but in order that you may be advised as to the movements in this State touching upon the power question.

I shall endeavor to keep you advised as to developments in this section of possible interest to you.

With assurances of high regard, I am,  
Yours very truly,

E. B. STAHLMAN.

Mr. WALSH of Montana. I ask that there be likewise incorporated in the RECORD an editorial from this paper, the Nashville Banner; and I ask that there be read only the concluding paragraph indicated.

The VICE PRESIDENT. Without objection, it is so ordered. The Chief Clerk read as follows:

The third issue, which is of far-reaching importance, is: Shall the practice of holding companies, constituting the power companies, in pyramiding unjustified exactions from operating companies, be investigated thoroughly under the resolution which Senator WALSH of Montana will introduce in the coming Congress; and shall necessary legislation be enacted to prevent these evil practices or shall the power combine continue to exact from operating companies unjustified contributions which at last become a part of the cost of electric energy sold to consumers?

The Banner favors the Walsh resolution, to the end that all evil practices may be brought to light and all impositions on the public exposed, and that necessary legislation be enacted to put an end to such evils.

The Tennessean has been significantly silent on this issue up to this hour.

There are, of course, other collateral and subordinate questions which should, and the Banner believes will, be handled by the Tennessee commission efficiently and decided in a manner that will best serve the needs of the people of Tennessee.

The VICE PRESIDENT. Without objection, the entire editorial will be printed in the RECORD.

The entire editorial is as follows:

[From the Nashville Banner of November 20, 1927]

THE THREE ISSUES

There are three distinct issues involved in the development and use of the water-power resources of Tennessee.

The first question is this: Is the Federal Government clothed with constitutional authority to make disposition and to control and regulate the utilization of the water-power resources within the boundaries of Tennessee, or is that authority vested in the State government, subject only to the limited jurisdiction of the Federal Government over navigation under the interstate commerce clause of the Federal Constitution?

This issue became acute when a power conference was held at Chattanooga in December, 1925, at which time the power combine filed application with the Federal Water Power Commission for 11 dam sites on the Tennessee River and its tributaries, including Cove Creek Basin, a water-power site of extraordinary value. A demand was made by those in charge of the affairs of the State and by the Nashville Tennessean, backing the power combine, that the Federal Water Power Commission issue permits to the power company which had applied, awarding these 11 water-power sites, utterly disregarding the rights of the State of Tennessee.

A determined drive was made in an effort to compel immediate action by the Federal Government. Official telegrams were sent to the power commission at Washington. Numerous editorials were published demanding immediate action. Propaganda was industriously circulated, and the whole campaign was conducted on an assumption that the legal right to dispose of the water-power resources of this State was vested in the Federal Government, and that the State, through its sovereignty, had no voice in the matter.

The Banner challenged the authority of the Federal Government to thus dispose of the water-power resources within the boundaries of Tennessee. This paper declared that these rights are vested in the State and not in the Federal Government, and that the State alone had authority to permit their development and use to prescribe the conditions therefor.

The Banner has at all times, before and since that conference, maintained the position that the Federal Government was without constitutional authority to dispose of resources belonging to the States.

The Tennessean, with equal directness and diligence, has constantly insisted that the Federal Government should exercise the authority of disposition of these natural resources belonging to the State.

On October 10 and on November 1 the Tennessee Railroad and Public Utilities Commission, through orders which were thoroughly approved by the attorney general of the State, asserted that the right to control and supervise the development and utilization of the power resources within the boundary of Tennessee belongs to the State and not to the Federal Government.

Since the issuance of those orders, which have attracted nation-wide attention, the Tennessean has been silent on the direct issue involved, although it has published editorials still advocating the cause of the power combine.

The Banner continues to maintain the position which it has constantly defended, and is supporting the railroad and public utilities commission in its assertion of the rights of the State and its declaration of an intention to defend, protect, and enforce those rights.

The next issue is: Shall these valuable power resources be awarded to private interests of any kind—power companies, manufacturing companies, or companies of any kind—without monetary consideration, or shall the State of Tennessee be paid for the use of these natural resources belonging to all the people?

This issue has existed and has been pointed for the past few years. The Banner has never equivocated. It has always maintained and still maintains that private investors should not be permitted to take over these resources belonging to the State and use them without compensating the State therefor. The Tennessean, supporting the position of the power combine, has with equal diligence urged that these resources be awarded the power combine without any money consideration whatever.

The Tennessee commission, in its orders of October 10 and November 1, and the attorney general of the State, have taken the position that the State should be rewarded for these resources by those who are permitted to develop and use them.

The Banner has not changed its position and will not change it. This paper insists that whoever is permitted to develop and use the water-power resources within the boundaries of Tennessee must pay to the State annually the reasonable value thereof.

The Tennessean has at all times insisted that these water-power resources should be turned over to the power combine without any monetary consideration.

The third issue, which is of far-reaching importance, is: Shall the practices of holding companies, constituting the power combine, in pyramiding unjustified exactions from operating companies, be investigated thoroughly under the resolution which Senator WALSH of Montana will introduce in the coming Congress, and shall necessary legislation be enacted to prevent these evil practices, or shall the power combine continue to exact from operating companies unjustified contributions which at last become a part of the cost of electric energy sold to consumers?

The Banner favors the Walsh resolution, to the end that all evil practices may be brought to light and all impositions on the public exposed, and that necessary legislation be enacted to put an end to such evils.

The Tennessean has been significantly silent on this issue up to this hour.

There are, of course, other collateral and subordinate questions which should, and the Banner believes will, be handled by the Tennessee commission efficiently, and decided in a manner that will best serve the needs of the people of Tennessee.

Mr. WALSH of Montana. Mr. President, reference was made in the editorial from the Electrical World to the peril to securities issued by these public-utility corporations. In view of that I offer a letter received by me from the president of the National Association of Owners of Railroad Securities. This association is also interested in public-utility securities; and for that reason I offer the letter.

The VICE PRESIDENT. Without objection, the letter will be read.

The Chief Clerk read as follows:

NATIONAL ASSOCIATION OF  
OWNERS OF RAILROAD SECURITIES,  
New York, N. Y., July 28, 1927.

HON. THOMAS J. WALSH,  
Helena, Mont.

DEAR SENATOR WALSH: The Security Owners' Association, which I represent as president, has as its members large mutual insurance companies, mutual savings banks, trust funds, colleges and universities, and many individuals who are not owners of securities.

These security owners are very largely interested in public-utility securities, and, of course, it is essential to take the same point of view as you do with respect to the holding-company situation.

I will be out in the West during the week of the 15th of August, and wonder if it is convenient for me to see you at your home or at some other convenient place during the early part of that week.

I was very much interested in the public attitude which you showed in the last Congress concerning the public utility holding company situation, and should very much, indeed, appreciate an interview with you.

With cordial regards, I am  
Sincerely yours.

MILTON W. HARRISON, *President.*

Mr. WALSH of Montana. I now offer for the RECORD an editorial appearing in the Topeka Daily Capital, a paper published by one of our associates, the junior Senator from Kansas [Mr. CAPPER], entitled "The unregulated power mergers."

The PRESIDING OFFICER (Mr. WILLIS in the chair). Does the Senator ask that it be read?

Mr. WALSH of Montana. I do not ask that it be read.

The PRESIDING OFFICER. Without objection, the editorial will be incorporated in the RECORD.

The editorial is as follows:

#### THE UNREGULATED POWER MERGERS

Ex-Governor Pinchot of Pennsylvania is issuing circulars to the public pointing out the probabilities of control of superpower by a few giant corporations through mergers of plants purchased at prices in excess of their cost or value, in the furious competition to obtain vantage points. But Governor Pinchot sounds like a "voice crying in the wilderness." A generation has risen up that "knows not Joseph," and not much concern is aroused by the man from whom Theodore Roosevelt obtained his policy, once highly thought of, of conservation of natural resources.

Yet it is true that these utilities extending across State lines are not utilities under regulation. The States lose control as they expand, and Congress has enacted no law for their regulation. Governor Pinchot wants a law.

Senator WALSH of Montana is cooperating with Pinchot, but not yet for any bill for regulation of power companies. At this time he proposes merely a resolution for a survey by Congress to determine the facts. This is being opposed by what is described as one of the most powerful lobbies in recent years at Washington.

As manufacturing industries in the United States are now electrified in excess of any others in the world and in some instances up

to 100 per cent, mechanical power provided by several enormous power companies will evidently in the next generation become a greater interest than transportation. Homes also are rapidly becoming electrified, and farms soon will be. This is the greatest present development in the Nation.

In his speech on this subject Senator WALSH this year listed all power mergers for 1925 and 1926, the latter far outnumbering the former. More than a thousand power plants, large and small, were merged into a few immense concerns in 1926.

Senator WALSH raises no objection to this and recognizes consolidation as desirable. What he calls attention to is that the consolidations are going on without regulation. He cites the statements of financial and power magazines that report for last year's mergers alone that while great outlays were made in improvements and development, yet the increased capitalization of the large power units during the year exceeded these outlays and former capitalization of the plants merged by \$2,000,000,000.

Earning power, in short, appears to be in the process of being capitalized at will. Once established, such capitalized structures may fix rates also at will, or corresponding with the apparent investment.

State commissions have not got very far in their attempts at regulation of power companies having interstate lines of service. The president of the Hartford Electric Light Co. last year in hearings before the Connecticut Public Utilities Commission after referring to the undoubted economies to be obtained by mergers nevertheless asked:

"But what is the value of economies to the communities, if in order to effect them it has been necessary to capitalize the savings for years to come and in their capitalized form to donate them either to the former stockholders or to the speculative banker who brought the parties together?"

The Walsh resolution rests, in the author's words, on the irresponsible command of the capitalizing process by the power companies. "Not being public utilities," says Senator WALSH, "the securities issued by them are in most States not subject to control by the local regulatory authorities. But being nation-wide, it may be said, in their activities, Congress may very properly inquire into their organization and their operations with a view to determining whether it may, as well as whether it should, attempt any regulation of the business they conduct, having in mind the interest of the consumer on the one hand and of the investor on the other. That some such study ought to be prosecuted with a view to ridding the industry of abuses quite generally acknowledged to exist, is recognized in business circles."

Governor Pinchot reports from an expert investigation paid for by himself that 41 corporations now control 80 per cent of all electrical energy produced in the United States and have a capitalization of \$10,200,000,000, or about half the valuation of all the railroads in the United States. Of these 41 great power mergers he finds that 29 are controlled by five men and their associates. Such concentration makes for efficiency in service, but what it does to capitalization and rates is another story.

Mr. WALSH of Montana. This editorial refers to a letter addressed to me by ex-Governor Pinchot, of the State of Pennsylvania, which I ask may be read.

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

The Chief Clerk read as follows:

1615 RHODE ISLAND AVENUE,  
Washington, D. C., December 2, 1927.

HON. THOMAS J. WALSH,

United States Senate Office Building, Washington, D. C.

DEAR SENATOR WALSH: You have announced your intention to reintroduce your resolution for an investigation of concentration in the control of electric power. In the event of its passage, and if you so desire, I am prepared to submit facts which, I believe, furnish definite proof of the existence, ownership, and extent of this concentration, together with material on methods of financing stock inflation, and the exploitation of the electric monopoly.

For more than 20 years far-sighted men have called the attention of the American people to the danger to self-government and economic freedom which lies in the growing concentration of electric power in a few hands without adequate public regulation.

In the message in which as governor I laid the giant power plan for the development and regulation of electric power before the Pennsylvania Legislature three years ago I said on this subject:

"There is already advancing with immense rapidity a consolidation of companies engaged in supplying this universal source of power, which has already far transcended State lines and has, in many respects, reached national proportions. The situation which this consolidation clearly foretells is like one in which every source of steam power in America should be under the control of a single monster corporation. In the face of such a concentration of capital and power the States and the Nation can maintain their industrial freedom and ability to govern themselves only through the medium of effective public regulation.



"Nothing like this gigantic monopoly has ever appeared in the history of the world. Nothing has ever been imagined before that even remotely approaches it in the thoroughgoing, intimate, unceasing control it may exercise over the daily life of every human being within the web of its wires. It is immeasurably the greatest industrial fact of our time. If uncontrolled it will be a plague without previous example. If effectively controlled in the public interest it can be made incomparably the greatest material blessing in human history."

At once the electric interests disputed these statements and have continued to dispute them ever since.

During the past year a study of this question has been carried on under my direction by an expert in whose ability and integrity I have full confidence. His report definitely establishes the truth of what I said. It shows that the coming nation-wide electric monopoly is very much further advanced than the propaganda of the electric interests has permitted the public to surmise. The study is not fully completed, but it has gone far enough to establish these facts:

Forty-one corporations control four-fifths of all the electric energy produced in the United States. Out of the 68,732,000,000 kilowatt hours of electricity produced in 1926, these 41 corporations produced 54,713,000,000.

These 41 corporations have a total capitalization of \$10,200,000,000. They monopolize all the sources of electric power for four-fifths of our people. Eighty-five million seven hundred thousand Americans must get electricity from these 41 corporations or go without.

Of these 41 corporations 29, or about three-quarters, are already known to be dominated, owned, or controlled by five men or corporations and their associates. These five dominant electrical interests are the General Electric Co. of New York, Doherty of New York, Morgan of New York, Ryan of New York, and Insull of Chicago. It is altogether probable that most, if not all, of the remaining 12 also will be found to be dominated, owned, or controlled in the same way. But if the five major interests do in fact control only the 29 corporations, still their assets are capitalized at six thousand million dollars (\$5,990,000,000) and they produced in 1926 more than half of all the electricity used in the United States.

The five controlling interests are allied, but not, so far as we know, actually under any single head. But they are tied together, first, by their common interest in maintaining their present power to collect extortionate rates from their customers. The combined electric lobby now in Washington, which represents them all, is proof enough of that.

Secondly, they are tied together by common ownership in certain companies, by common investment interests, by common directors, and doubtless in many other ways not yet disclosed.

These facts are evidence of the prodigiously rapid growth of a nationwide electric monopoly, and they justify abundantly such warnings as are quoted above. Their significance to our people, not only economically and industrially but politically also, is almost beyond exaggeration. They have a direct and most important bearing on the overshadowing issue in America, which is the control of government by monopolists for the purposes of monopoly. In this attack on self-government and economic freedom the electric interests form the head of the spear. It is of the most urgent importance that this fact should be understood.

Sincerely yours,

GIFFORD PINCHOT.

Mr. WALSH of Montana. Mr. President, it will be recalled that some phases of this subject were investigated by the Federal Trade Commission. Their report has been submitted. It is a monumental work, and it will furnish an important basis for the work of this committee. But the investigation contemplated by the resolution is not intended at all to cover the ground traversed by the Federal Trade Commission in its investigation. As will be noted from a reading of the resolution, the inquiry relates particularly to the financing of these transactions, a subject upon which the report of the Federal Trade Commission does not touch.

I merely desire to say in conclusion, Mr. President, that if this investigation shall be ordered by the Senate, and I shall be in any way concerned with it, I shall endeavor to make it constructive rather than critical; I shall endeavor to find out what the facts are, so that the public may know; I shall endeavor to call to the aid of the committee men eminent in economics, who have studied this particular question, as well as the business men who are connected with the industry, and who can speak for it, who can tell of the advantages accruing to the public through this extraordinary movement, and who will be questioned concerning whatever disadvantages there may be attendant upon it; so that if the evils that attend it—and unquestionably there are some—can be averted by legislation, the appropriate legislation may be enacted if it is within the power of the Congress to do so.

I trust this resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate and that the pending motion will be defeated.

Mr. MOSES. Mr. President, I have no desire to delay the vote on this question. I wish only to comment on the widespread interest in this subject, as evidenced by the small attendance in the Chamber during the discussion.

I wish further to state that, inasmuch as I have spent a good deal of my life in writing editorials, I am not affected by either their dogmatic or their didactic character; and as for resolutions passed by various voluntary associations, my wastebasket is daily filled with them, and they leave me cold.

I wish to have this resolution considered by some committee which, in the quiet of the committee room, undisturbed by the dynamic character of the Senator from Montana, may study the merits of the question. The only regret that I have in connection with the present discussion is the implied renunciation by the Senator from Montana of any presidential aspirations on his part, because I am certain his party could go much farther and fare much worse.

Mr. LA FOLLETTE. Mr. President, I hope that the motion made by the Senator from New Hampshire [Mr. Moses] will not prevail. If there is any subject which commands the attention of Congress and the country, it is the alarming acceleration which has taken place in the development of a structure for the purchase and control of the public utility and power enterprises of this country.

Mr. President, the Senator from Montana well stated in a very able address delivered during the last session of Congress the urgent reason for the prosecution of a thoroughgoing investigation. Since that time developments have taken place in the power industry which add weight to the arguments made by him at that time.

There should not be a serious question as to the investigation contemplated by the resolution. If there is to be a question raised, the place for the discussion and the argument is the open floor of the United States Senate and not the quiet of the committee room, so subtly recommended by the Senator from New Hampshire.

Mr. President, we are all aware of the fact that these enormously powerful organizations represented in the public-utility and power business of this country have established here at Washington a lobby through which they propose to prevent the passage of this resolution and other legislation which may come up during this session of Congress affecting the power industry. I for one want to see this discussion and this argument conducted on the floor of the United States Senate and not behind the closed doors of a committee. It is well enough for Senators to suggest that we may move to discharge the committee should its deliberations in the quiet of the committee room take overlong, but that does not bring the direct issue before the Senate. Upon this important issue I believe it is the duty of every Senator to register his vote on the direct question of authorizing this investigation and thus discharge our obligation to the people of this country with regard to this vital problem.

Mr. WHEELER. Mr. President, I sincerely hope that the motion made by the Senator from New Hampshire [Mr. Moses] will not prevail. I am a member of the Committee on Interstate Commerce, but I wish to say that I feel quite sure that if this resolution shall be sent to that committee we would never have an investigation of this problem during this session of Congress. I want it distinctly understood that every man who is voting on this resolution, and who votes to send it to the Committee on Interstate Commerce, is voting against any investigation, as it will undoubtedly be too late to proceed with such an investigation by the time the Interstate Commerce Committee is able to report the resolution. That the subject does need an investigation, and that there is a demand for it, notwithstanding what the Senator from New Hampshire has said, seems to me to be quite evident.

Some years ago in my home State I was called upon to look into a situation which prevailed there, and I found this condition of affairs: One concern had gone out and purchased all of the small power companies in that State, and they had paid something like \$33,000,000 for them. They immediately incorporated into a company, and sold bonds to the extent of \$33,000,000. Then they sold common stock to the extent of \$47,000,000 and preferred stock to the extent of \$10,000,000. In other words, they injected into that company something like \$57,000,000 of what you might call watered stock. When they came to tax the property, it was found that it was taxed for \$33,000,000, but when we went across the aisle to find upon what basis they were charging the people for power, we found the valuation then to be something around \$90,000,000.

This is a subject which affects every housewife in this country and every manufacturer in this country who uses electrical power, and I think it is high time that it should be in-

vestigated. I think this resolution should not be sent to the Committee on Interstate Commerce, but should be sent to the Committee on Audit and Control the Contingent Expenses of the Senate. As I said at the beginning, to send it to the Committee on Interstate Commerce will mean delay, and probably such delay as will make it impossible for the investigation to be carried on.

Why should the matter be taken up and discussed before the Committee on Interstate Commerce, to decide whether or not there should be an investigation? Every man here on this floor either knows that it should be investigated, or he knows that it should not be investigated, and he knows that if it is sent to the Interstate Commerce Committee we will not get a particle more information than each and everyone of us has right here in this body at this time.

I sincerely trust that the motion of the Senator from New Hampshire will not prevail.

Mr. WATSON. Mr. President, I did not expect to take any part whatever in this debate. As the chairman of the Committee on Interstate Commerce, I certainly have no personal desire that this proposition should be sent to that committee for investigation, but I am somewhat surprised that my good friend from Montana [Mr. WHEELER], who himself is a member of the committee, should reflect either upon the honor of the committee or its ability to do its work. I feel quite sure that if the resolution shall be sent to that committee it will be given as prompt attention as the other business of the committee will warrant.

I mean by that that the one thing which is uppermost in the minds of the members of that committee at this time is railroad consolidation. We have had that up for several years; it has been the subject of debate and discussion not only before that committee but throughout the country, and the President is asking that legislation shall be passed. Hearings have been had before our committee time and again, as we all know, and it is a question upon which we can very speedily act and doubtless will do so. Therefore there is nothing in the way of speedy consideration of this resolution.

I think the resolution should go to some committee in order that the limits of authority of the Senate itself to investigate a question of this character should be defined. I am told that there are over 5,000 public-utility corporations in the United States, and that some 4,500 to 4,600 of them do business wholly intrastate, within a town or within a city, with no communication whatever over State lines.

I am wondering whether or not my friend the senior Senator from Montana [Mr. WALSH], who is a very able lawyer, believes that we can investigate into everything concerning any one or all of those public utilities operating wholly within a State, and if not, should not the language of this resolution be limited to those doing an interstate business? I do not think we have any authority to investigate at all except under the commerce clause of the Constitution.

Mr. FESS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Ohio?

Mr. WATSON. I yield.

Mr. FESS. That is the important feature which is disturbing me. If it comes to the Committee to Audit and Control the Contingent Expenses of the Senate, of which I am a member, we have not any authority to make any sort of suggestion in the way of amending the resolution.

Mr. WATSON. I have no desire to have the resolution go to the calendar, which course it would take at 2 o'clock, and I suggest that we vote upon the pending motion.

The PRESIDING OFFICER. The Chair is of opinion, since the Senator from Indiana has mentioned the point, that the resolution would not go to the calendar, because there is no unfinished business.

Mr. WATSON of Indiana. That is a very happy state of affairs.

Mr. WALSH of Montana. Mr. President, I understood that the Senator from Indiana had in a way addressed a question to me.

Mr. WATSON. Yes; I did.

Mr. WALSH of Montana. I beg to say that this question has a double interstate aspect. In the first place, it is not at all true that these companies operate entirely within a single State, even the operating companies. The amount of electrical energy now transmitted from one State to another in the aggregate is very great. It constitutes, however, only about 5 per cent of the total amount generated. As a rule the energy is consumed within the State in which it is generated. But in the case not only of electrical energy, but of gas, the commodity is very often transferred from one State to another, and the Supreme

Court of the United States has decided that in that event neither the State of its origin nor the State of its consumption has any power whatever of regulation.

Mr. WATSON. That is quite true. I am familiar with that decision. May I ask the Senator a question?

Mr. WALSH of Montana. Certainly.

Mr. WATSON. Suppose that in the town in which I live, Rushville, Ind., there be an electric-light company unconnected with any other company which transmits energy over State lines; would the Senator claim that we have the authority to investigate the entire financing of that particular company?

Mr. WALSH of Montana. I do not concede it at all; in fact, I assert the contrary. I do not concede at all that the power of the Senate to investigate a subject is controlled by the question of its power to legislate upon that particular subject. The Senate may very properly institute an inquiry not only to determine whether it is wise to legislate upon a particular subject but also as to whether it has the power to legislate upon that particular subject. Before it can determine that matter it becomes necessary to know just exactly what the facts are.

The fact about the matter, Mr. President, is that these operating companies, single, independent operating companies, are controlled from centers often far beyond the borders of the States in which those operating companies are located, so that really it becomes an interstate problem; and whether it falls within the domain of interstate commerce or not is a question upon which I do not care at the present time to express any opinion. Indeed, I have none formed. I desire to institute an inquiry to find out whether it is possible for the Congress of the United States to legislate so that these abuses may be corrected or whether we are helpless in the matter.

Mr. MOSES. Mr. President—

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from New Hampshire?

Mr. WALSH of Montana. I yield.

Mr. MOSES. A fair corollary to what the Senator from Montana has said with reference to his view of the power of the Senate in matters of investigation is that the Senate could proceed with an investigation for the purpose of satisfying the curiosity of any Senator who could persuade a majority of the Senate to his point of view.

With reference to the Senator's last statement, as to the core of the purpose for which he is pressing here, he can bring that immediately and concretely before the Senate any time that he introduces a bill to carry out and effect the purpose which he states he has in mind.

Mr. WHEELER. Mr. President, I want to correct an impression which the chairman of the Interstate Commerce Committee seems to have, namely, that I wanted to reflect upon the Interstate Commerce Committee. He is entirely in error. My thought about the matter was simply that the Interstate Commerce Committee has before it, or will have before it, radio legislation and possibly investigations into the radio situation. It also has legislation pertaining to the railroads of the country, and I am quite sure that that legislation is going to take a great deal of the time, if not all of the time, of the Committee on Interstate Commerce. It seemed to me just a ridiculous waste of time on the part of the Senate to send this matter to the Interstate Commerce Committee and ask them to decide as to whether or not some other committee should investigate it. I would not reflect upon the Interstate Commerce Committee, nor would I reflect upon the chairman of that committee. I think he would do the best he could to get the hearings just as quickly as possible. But under the circumstances it would be, it seems to me, almost an impossibility.

Mr. KING. Mr. President, in partial reply to one of the observations made by the Senator from Indiana [Mr. WARSON], may I invite his attention to the fact that in many of the so-called intrastate utility companies or organizations or corporations the stocks or bonds are held by corporations engaged in interstate commerce, and more and more the corporations which heretofore operated solely within a State are being absorbed by corporations engaged in interstate commerce or their stocks and bonds are being acquired, if not in toto, at least partially, so that the conduct of their affairs is determined not by local persons, unless they are named as directors by corporations engaged in interstate commerce, but by the larger unit or organization which has its habitat perhaps in one of the great cities of the Union.

It does seem to me that we ought to pass the resolution because of the well-known situation in regard to public utilities, and particularly power corporations, in the United States. If it does go to a committee, it seems to me that it should go to the Committee on the Judiciary.

If legislation is required, I believe it will be legislation supplemental to the Clayton Act or the Sherman antitrust law, and obviously any legislation dealing with the important question of trusts or combinations in restraint of trade would emanate from the Committee on the Judiciary. If there is any disposition—though I hope there will not be—to refer the resolution to a committee, I shall ask for a vote upon its reference to the Committee on the Judiciary rather than to the Committee on Interstate Commerce.

Mr. FESS. Mr. President, the suggestion of the Senator from Utah is along the line of the interest that I have in the resolution. A similar resolution was presented at the last session and the Senator from Montana [Mr. WALSH] made a very elaborate address, graphically illustrated by charts on the wall of the Chamber. It was of interest to all of us, and I think he made a strong case. The resolution came to the Committee to Audit and Control the Contingent Expenses of the Senate, which is purely a formal committee and has no right whatever in the way of going into the merits of a proposal, but simply to put into operation the machinery after the policy has been established either by the Senate or by another committee.

I would hesitate to vote upon a measure where we could not go into the merits of it, but which involved so much. I am not particular whether it goes to the Judiciary Committee or to the Interstate Commerce Committee or any other committee which has power to go into the merits of it. It does not matter at all. I would vote for it to go to either committee. I happen to be a member of the Interstate Commerce Committee, but I am also a member of the Committee to Audit and Control the Contingent Expenses of the Senate. I hope that it will not go to the latter committee for the reason that it involves so much, and we have absolutely no authority in that committee to inquire into anything except to vote "yes" or "no." In order to cure that weakness in that committee—

Mr. WALSH of Montana. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Montana?

Mr. FESS. I yield.

Mr. WALSH of Montana. The requirement that the resolution shall go to the Committee to Audit and Control is statutory. Congress has enacted a law to the effect that it must go to that committee. Will the Senator from Ohio give us his view as to what that statute means?

Mr. FESS. Where there is any money to be drawn out of the contingent fund of the Senate the resolution comes to our committee, but the proper procedure would be that the policy of the subject should not be considered in our committee. The last two paragraphs of the Senator's resolution would be appropriate to go to the Committee to Audit and Control the Contingent Expenses of the Senate. That is the usual procedure. But there is the major portion of the resolution which is the establishment of a policy involving millions upon millions of dollars, upon which we can not express even an opinion.

It has been suggested by the Senator from Washington [Mr. JONES] that when any resolution involving a policy of this sort is offered, it ought to go to the committee which has jurisdiction of the policy.

Mr. WALSH of Montana. But the Senator has not answered my question. I want to know what his view is concerning what duty devolves upon the Committee to Audit and Control when such a resolution goes to it.

Mr. FESS. The duty is to vote "yes" or "no."

Mr. WALSH of Montana. Exactly; but upon what consideration?

Mr. FESS. No consideration at all. We can not go into that.

Mr. WALSH of Montana. That is to say, the law says that it must go to that committee, and that committee does not inquire into the thing at all, but simply votes "yes" or "no."

Mr. FESS. That is upon a matter where expenditures are required and which can not be voted in any other way except by this committee. The question of expenditure does not enter into my idea at all here. I am ready to vote on that at any time. The question here is the policy in reference to concentration and control, and it seems to me that ought not to go to a committee which has absolutely no authority to go into any question of merit. If it would come from the Committee on the Judiciary or the Interstate Commerce Committee recommending such a policy, then the expenditure feature of the resolution would come to our Committee to Audit and Control, and we are ready to vote on that at any time.

I recognize that there is a desire to expedite the matter, and knowing that our committee could not spend any time on it, but it would have to vote either "yes" or "no," there would be less time wasted if it came to our committee; but what can

a member of a committee of this body do when he sits upon a question of this kind, voting blindly, without any authority to investigate? Would he be justified in voting to report it out? On the other hand, it is easy for the committee to vote such a resolution down, but that would not be quite fair. Then the Senate would move to discharge the committee from the further consideration of the resolution and bring it at once to the floor of the Senate. The regular way would be to refer this resolution to some committee that has the power to go into its merits. Then if an expenditure is required, it should be sent to the Committee to Audit and Control the Contingent Expenses of the Senate. By following such a course there could be no jeopardy anywhere, so far as I can see.

Mr. KING. Mr. President, will the Senator from Ohio permit a question?

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

Mr. FESS. I yield.

Mr. KING. As I understand the position of the Senator, it is if the resolution shall be referred to one of the standing committees, and that committee reports favorably upon it, and the resolution is then referred to the Committee to Audit and Control the Contingent Expenses of the Senate, the latter committee have no alternative but must report the resolution back favorably?

Mr. FESS. No; it may report back favorably or unfavorably.

Mr. KING. The Senator thinks, then, that the Committee to Audit and Control would have the opportunity to reverse the action of the other committee which reported to the Senate favorably?

Mr. FESS. It is quite evident if a committee which has the power to go into the merits, as would the Judiciary Committee, should report back favorably that the Committee to Audit and Control the Contingent Expenses of the Senate would not hesitate at all in giving authority for the expenditure of the money.

Mr. KING. Let me ask the Senator this question: Suppose the Committee on the Judiciary—I mention that committee because the Senator from Ohio named it—upon full investigation should report out this resolution favorably and it should then be referred to the Committee to Audit and Control the Contingent Expenses of the Senate; does the Senator believe that his committee would have the right to negative the action of the Committee on the Judiciary which had investigated the resolution fully and had reported it favorably?

Mr. FESS. I presume the committee has the right to do whatever it sees fit to do, and then the Senate may correct any error it may make; but it seems to me I would be perfectly justified in saying that if another committee had made such a report the Committee to Audit and Control the Contingent Expenses of the Senate would indorse it by voting out the resolution at once.

Mr. KING. My opinion, if it is worth anything to the Senator—and it may not be—is that the Committee to Audit and Control the Contingent Expenses of the Senate would have a mere perfunctory duty to perform, and it would be its duty immediately to report the resolution back to the Senate.

Mr. FESS. If the Senator will permit me, that is the difficulty with our committee all the time; it has a mere perfunctory duty to perform.

Mr. KING. I think there is a good deal of truth in what the Senator states; and I should like to ask him another question.

If this resolution or any other resolution should be referred to one of the standing committees and upon investigation such committee should report it back favorably and the resolution should then go to the Committee to Audit and Control the Contingent Expenses of the Senate, and the duty of the latter committee would then be merely to report back favorably—if that premise be correct—then if the Senate decides to refer the resolution to the Committee to Audit and Control the Contingent Expenses of the Senate against the motion to refer it to a standing committee, is not the result just the same as if it had gone to the standing committee, for the reason that the Senate has expressed itself in favor of the resolution and in favor of the Committee on Contingent Expenses of the Senate reporting it back favorably?

Mr. FESS. That is what I am trying to express, and I hope that the practice of the Senate will be that whenever a matter comes up involving a controversial question it will not be submitted to our committee, which has no latitude at all, but will go to a standing committee; then let that committee determine what shall be done, and the Committee to Audit and Control the Contingent Expenses of the Senate will then perform its perfunctory duty.

Mr. KING. I have had occasion heretofore to refer to what I deem to be a rather paradoxical or incongruous situa-

tion with respect to the Committee to Audit and Control the Contingent Expenses of the Senate. I think that the Senate either ought to approve of a resolution before it goes to the Committee to Audit and Control the Contingent Expenses of the Senate or that a standing committee of the Senate ought to approve it.

Mr. FESS. That is my idea.

Mr. KING. So that the work of the Committee to Audit and Control the Contingent Expenses of the Senate would be one of bookkeeping rather than of investigation.

Mr. FESS. That is my idea very well stated.

The PRESIDING OFFICER. The question is on the motion of the Senator from New Hampshire [Mr. MOSES].

Mr. MOSES. 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	Edwards	Keyes	Sackett
Barkley	Ferris	King	Sheppard
Bayard	Fess	La Follette	Shipstead
Bingham	Fletcher	McKellar	Shortridge
Black	Frazier	McLean	Simmons
Blaine	Gerry	McMaster	Smoot
Bleas	Gillett	McNary	Steck
Borah	Glass	Mayfield	Stelwer
Bratton	Goff	Metcalf	Swanson
Brookhart	Gould	Moses	Thomas
Broussard	Greene	Neely	Tydings
Bruce	Hale	Norbeck	Tyson
Capper	Harrison	Nye	Wagner
Copeland	Hawes	Oddie	Walsh, Mass.
Couzens	Hayden	Overman	Walsh, Mont.
Curtis	Hellin	Phipps	Warren
Dale	Howell	Pine	Watson
Deneen	Johnson	Pittman	Wheeler
Dill	Jones, Wash.	Ransdell	Willis
Edge	Kendrick	Robinson, Ind.	

The VICE PRESIDENT. Seventy-nine Senators having answered to their names, a quorum is present. The question is on the motion of the Senator from New Hampshire [Mr. MOSES] to refer the resolution submitted by the Senator from Montana [Mr. WALSH] to the Committee on Interstate Commerce.

Mr. MOSES and Mr. LA FOLLETTE asked for the yeas and nays.

The yeas and nays were ordered, and the legislative 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], who is absent on account of illness. Being unable to obtain a transfer of that pair, I withhold my vote.

Mr. HARRISON (when his name was called). For to-day and to-morrow I have a pair with the junior Senator from Colorado [Mr. WATERMAN]. As he is not present, I am not at liberty to vote. If permitted to vote, I should vote "nay."

Mr. ROBINSON of Arkansas (when his name was called). I am paired with the Senator from Kansas [Mr. CURTIS], and therefore withhold my vote.

Mr. WATSON (when his name was called). I have a pair with the senior Senator from South Carolina [Mr. SMITH]. I have a telegram from him, in which he says that he desires to be paired in favor of referring the Walsh resolution to the Interstate Commerce Committee. As that is the way I intend to vote, I feel free to vote, and vote "yea."

The roll call was concluded.

Mr. HOWELL. The senior Senator from Nebraska [Mr. NORRIS] is detained at home by illness.

Mr. BAYARD. I have a general pair with the Senator from Pennsylvania [Mr. REED]. He is not present, but I am informed that if present he would vote as I intend to vote. Therefore I feel at liberty to vote on this question, and vote "yea."

Mr. GERRY. I wish to announce the following pairs:

The Senator from Georgia [Mr. HARRIS] with the Senator from Minnesota [Mr. SCHALL]; and

The Senator from New Mexico [Mr. JONES] with the Senator from Idaho [Mr. GOODING].

The result was announced—yeas 40, nays 36, as follows:

YEAS—40

Bayard	Goff	Metcalf	Simmons
Bingham	Gould	Moses	Smoot
Broussard	Greene	Oddie	Steck
Dale	Hale	Overman	Stelwer
Deneen	Hawes	Phipps	Thomas
Edge	Jones, Wash.	Pine	Tydings
Edwards	Keyes	Ransdell	Tyson
Fess	McLean	Robinson, Ind.	Warren
Gillett	McNary	Sackett	Watson
Glass	Mayfield	Shortridge	Willis

NAYS—36

Ashurst	Blaine	Bratton	Capper
Barkley	Bleas	Brookhart	Copeland
Black	Borah	Bruce	Couzens

Dill	Howell	McMaster	Shipstead
Ferris	Johnson	Neely	Swanson
Frazier	Kendrick	Norbeck	Wagner
Gerry	King	Nye	Walsh, Mass.
Hayden	La Follette	Pittman	Walsh, Mont.
Hellin	McKellar	Sheppard	Wheeler

NOT VOTING—18

Caraway	Gooding	Reed, Mo.	Stephens
Curtis	Harris	Reed, Pa.	Trammell
du Pont	Harrison	Robinson, Ark.	Waterman
Fletcher	Jones, N. Mex.	Schall	
George	Norris	Smith	

So the resolution was referred to the Committee on Interstate Commerce.

FIRST DEFICIENCY APPROPRIATIONS

A message from the House of Representatives, by Mr. Haltigan, one of its reading clerks, announced that the House had passed a concurrent resolution (H. Con. Res. 11) authorizing a correction in the enrollment of House bill 5800, the first deficiency appropriation bill, in which the concurrence of the Senate was requested.

Mr. JONES of Washington. The concurrent resolution which has just come from the House is the same as one which the Senate passed a short time ago. I also understand that it is quite important that it should be passed to-day, so that the clerks may begin the enrollment of the bill. As the Senator from Wyoming [Mr. WARREN] is not here at this moment, and I am sure would like to have it passed at once, I ask for its immediate consideration.

The PRESIDING OFFICER (Mr. WILLIS in the chair). The Chair lays before the Senate a concurrent resolution from the House of Representatives, which will be read.

The concurrent resolution was read, considered by unanimous consent, and agreed to, as follows:

*Resolved by the House of Representatives (the Senate concurring), That the Clerk of the House be, and he hereby is, authorized and directed in the enrollment of H. R. 5800 (70th Cong., 1st sess.), known as the first deficiency bill, to insert, on page 38, in line 9 of the engrossed bill, after the word "attorneys," the following words: "(their heirs or their assignees now of record, as their interest may appear)."*

G. TOM TAYLOR

Mr. McKELLAR. Mr. President, I ask unanimous consent for the immediate consideration of Senate Resolution 80.

Mr. MOSES. Let it be read.

The VICE PRESIDENT. The Senator from Tennessee asks unanimous consent for the present consideration of a resolution, which will be read for the information of the Senate.

The legislative clerk read Senate Resolution 80, submitted by Mr. McKELLAR on the 17th instant, as follows:

Whereas in 1921 an examination was held by the Civil Service Commission at Memphis, Tenn., for postmaster at that place; and

Whereas G. Tom Taylor, then claiming to be a resident of Memphis, made application and took the examination, but the Civil Service Commission declined to certify him as one of the eligibles; and

Whereas in 1925 another civil-service examination was held in Memphis for postmaster in that place, and the said G. Tom Taylor again became an applicant and again was refused a place on the list of three eligibles; and

Whereas no appointment was made for about a year after said 1925 examination, because apparently it was not desired by the political powers that any one of the three eligibles should be appointed postmaster; and

Whereas the political powers finally induced Mr. Bugg, the third man on the list of eligibles, to withdraw his name; and

Whereas the Civil Service Commission again refused to certify the said G. Tom Taylor, but did have a reexamination made into his application and qualifications; and

Whereas the report of the examiners in 1921, in 1925, and in 1926 all showed that the character and reputation of said G. Tom Taylor unfitted him for postmaster at Memphis, and held he was not qualified for postmaster by reason of not possessing the proper character and fitness; and

Whereas, notwithstanding these facts and findings of its own examiners, the Civil Service Commission on or about the 1st of June, 1927, placed the said G. Tom Taylor on the list of eligibles by a majority vote; and

Whereas the said G. Tom Taylor was at once appointed acting postmaster and took charge of the office; and

Whereas his name was sent in to the Senate for confirmation early in December, 1927; and

Whereas opposition appearing to the confirmation of G. Tom Taylor his nomination has been withdrawn; and

Whereas the said G. Tom Taylor has been continued an acting postmaster at Memphis, notwithstanding his lack of qualifications and fitness as required by the civil service laws: Now therefore be it

*Resolved*, That the Committee on Civil Service be, and it is hereby, authorized, ordered, and directed to send for persons and papers and report at the earliest possible day its findings on the following questions:

First. What were the facts as ascertained by the Civil Service Commission as to the character and qualifications and fitness of the said G. Tom Taylor to be postmaster in Memphis?

Second. What reasons actuated the Civil Service Commission in disregarding the findings of its own examiners and in certifying the said G. Tom Taylor as eligible for postmaster at Memphis, notwithstanding his lack of qualifications and fitness as found by the examiners?

Third. That the said committee is authorized to report any other pertinent facts concerning the eligibility of the said G. Tom Taylor for postmaster or as to the action of the Civil Service Commission, or any member thereof, in certifying the said G. Tom Taylor as eligible for postmaster at Memphis.

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

Mr. MOSES. Mr. President, there are some recitals in the whereases about which I am not at all certain and upon which I would not want the Senate to go on record immediately. Therefore I will ask the Senator to let the resolution go over until I have had time to make some inquiries and confer with him.

Mr. McKELLAR. I shall be very glad to have that done. I will say to the Senator that we can take it up to-morrow.

Mr. MOSES. I will make every effort to get the information between now and to-morrow.

Mr. McKELLAR. Very well; we will let it go over, then. Will there be any other session of the Senate before the holidays?

Mr. MOSES. Oh, yes.

Mr. McKELLAR. Then we will take it up on Wednesday.

Mr. MOSES. Very well.

#### REPORTS OF PUBLIC UTILITIES

Mr. CAPPER. Mr. President, I call up the order offered on a previous day for the printing of the annual reports of the public utilities of the District of Columbia in accordance with the practice heretofore followed.

Mr. KING. Mr. President, I objected to that order the other day. I have no objection to it now.

The VICE PRESIDENT. The clerk will read the order.

The order was read and agreed to, as follows:

*Ordered*, That the annual reports of the following-named public utility companies in the District of Columbia, for the year ending December 31, 1926, heretofore transmitted to the Senate, be printed as a Senate document:

Capital Traction Co., Chesapeake & Potomac Telephone Co., Georgetown Barge, Dock, Elevator & Railway Co., Potomac Electric Power Co., Washington Gas Light Co., Georgetown Gas Light Co., Washington Railway & Electric Co., City and Suburban Railway of Washington, Georgetown & Tennallytown Railway Co., and Washington Interurban Railroad Co.

#### MESSAGE FROM THE HOUSE—ENROLLED JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Haltigan, one of its reading clerks, announced that the Speaker of the House had affixed his signature to the enrolled joint resolution (H. J. Res. 92) authorizing the payment of salaries of the officers and employees of Congress for December, 1927, on the 20th day of that month, and it was thereupon signed by the Vice President.

#### EXECUTIVE SESSION

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

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened.

#### ADJOURNMENT UNTIL WEDNESDAY

Mr. CURTIS. I move that the Senate adjourn until Wednesday at 12 o'clock.

The motion was agreed to, and (at 2 o'clock and 48 minutes p. m.) the Senate adjourned until Wednesday, December 21, 1927, at 12 o'clock meridian.

#### NOMINATIONS

*Executive nominations received by the Senate December 19, 1927*

##### MEMBER OF THE INTERSTATE COMMERCE COMMISSION

John Jacob Esch, of Wisconsin, to be a member of the Interstate Commerce Commission for a term of seven years, expiring December 31, 1934.

#### CONFIRMATIONS

*Executive nominations confirmed by the Senate December 19, 1927*

##### DIPLOMATIC AND CONSULAR SERVICE

##### MINISTER RESIDENT AND CONSUL GENERAL TO ETHIOPIA

Addison E. Southard, of Kentucky.

##### FOREIGN SERVICE OFFICERS, CLASS I

William Dawson.

Claude I. Dawson.

##### MEMBERS FEDERAL BOARD FOR VOCATIONAL EDUCATION

Claude M. Henry.

Edward T. Franks.

##### MEMBER UNITED STATES EMPLOYEES' COMPENSATION COMMISSION

Mrs. Bessie Parker Brueggeman.

##### DEPARTMENT OF COMMERCE

##### COMMISSIONER OF NAVIGATION

Arthur J. Tyrer.

##### STEAMBOAT INSPECTION SERVICE

John L. Crone and Harry Layfield to be supervising inspectors.

##### UNITED STATES PATENT OFFICE

Eugene Landers to be examiner in chief.

##### UNITED STATES DISTRICT JUDGES

William C. Coleman to be United States district judge, district of Maryland.

Edward J. Moinet to be United States district judge, eastern district of Michigan.

Frederick H. Bryant to be United States district judge, northern district of New York.

Frank J. Coleman to be United States district judge, southern district of New York.

##### FIRST JUDGE, CIRCUIT COURT, FIRST CIRCUIT OF HAWAII

Alva Edgar Steadman to be first judge, circuit court, first circuit of Hawaii.

##### COAST GUARD

Frederick C. Billard to be commandant.

Quincy B. Newman to be commander (engineering).

Robert B. Adams to be engineer in chief (for four years).

##### COAST AND GEODETIC SURVEY

##### AIDES

George William Lovesee.

John Malcolm Baker, jr.

Lawrence Pinkerton Sowles.

Edwin Caleb Baum.

##### JUNIOR HYDROGRAPHIC AND GEODETIC ENGINEERS

Francis Bartholomew Quinn.

George Riley Shelton.

Bennett Green Jones.

Ira Taylor Sanders.

Ector Brooks Latham, jr.

Charles Roland Bush, jr.

John Bowie, jr.

Edward Robert McCarthy.

##### HYDROGRAPHIC AND GEODETIC ENGINEERS

Augustus Peter Ratti.

Cornelius Daniel Meaney.

##### COAST GUARD

##### LIEUTENANTS

Carl H. Hilton.

Emette B. Smith.

Joseph S. Rosenthal.

Frank D. Higbee.

Frank M. Meals.

Ben C. Wilcox.

John W. Kelliher.

##### ENSIGNS

Clarence F. Edge.

Alexander L. Ford.

William T. Schellhous.

Stephen H. Evans.

Harold S. Maude.

John A. Glynn.

Donald E. McKay.

John E. Fairbank.

Vernon E. Day.

Joseph A. Kerrins.

Leslie B. Tollaksen.

William W. Scott.

John L. Steinmetz.

Eward H. Thiele.

Stanley C. Linholm.

Reginald H. French.

Fred P. Vetterick.

John W. Ryssy.

George M. Phannemiller.

John J. Purcell.

George F. Hicks.

Richard L. Burke.

California C. McMillan to be commander (engineering).

Albert C. Norman to be captain (engineering).

Theodore G. Lewton to be captain (engineering).

Herbert F. Walsh to be ensign (temporary).

George W. David to be commander (engineering).

Joseph E. Stika to be lieutenant commander.

Ray W. Dierlan to be lieutenant (temporary).

Frank H. Nelson to be lieutenant (temporary).

Kenneth L. Young to be lieutenant (temporary).

Paul E. Purdy to be lieutenant (junior grade) (temporary).

Louis A. Round, jr., to be ensign (temporary).  
 William H. Shea to be commander.  
 Arthur G. Morrill to be lieutenant (junior grade).  
 Nathaniel S. Fulford, jr., to be ensign.  
 Richard L. Horne to be ensign.  
 Clinton P. Kendall to be lieutenant commander (engineering).  
 Rutherford B. Lank, jr., to be constructor.  
 Dale R. Simonson to be constructor.  
 Harold S. Berdine to be lieutenant (junior grade).  
 Eugene Blake, jr., to be captain.  
 Chester H. Jones to be commander.  
 Harry C. Howe to be lieutenant (junior grade) (temporary).  
 Donald D. Hesler to be ensign (temporary).  
 Charles H. Bartlett to be ensign (temporary).  
 Robert S. Jackson to be ensign (temporary).  
 Phillip H. Scott to be captain.  
 William F. Towle to be commander.  
 Frederick G. Eastman to be ensign (temporary).  
 Charles L. Duke to be lieutenant (junior grade) (temporary).  
 Kenneth S. Davis to be ensign (temporary).

#### APPOINTMENTS IN THE ARMY

##### OFFICERS' RESERVE CORPS

###### To be general officers

Edward Lawrence Logan to be major general, reserve, Massachusetts National Guard.  
 Morris Benham Payne to be major general, reserve, Connecticut National Guard.  
 Elmore Farrington Austin to be brigadier general, reserve, New York National Guard.  
 Erland Frederick Fish to be brigadier general, reserve, Massachusetts National Guard.  
 Irving Andrews Fish to be brigadier general, reserve, Wisconsin National Guard.  
 Dudley Jackson Hard to be brigadier general, reserve, Ohio National Guard.  
 Erle Davis Luce to be brigadier general, reserve, Minnesota National Guard.  
 William Swan McLean, jr., to be brigadier general, reserve, Pennsylvania National Guard.  
 George Francis O'Connell to be brigadier general, reserve, Wisconsin National Guard.  
 Allison Owen to be brigadier general, reserve, Louisiana National Guard.  
 John James Phelan to be brigadier general, reserve, New York National Guard.  
 Albert Lyman Cox to be a brigadier general, reserve.  
 George Edmund de Schweinitz to be brigadier general, Auxiliary Reserve.  
 William Barclay Parsons to be brigadier general, Auxiliary Reserve.  
 Henry Lewis Stimson to be brigadier general, Auxiliary Reserve.  
 Clinton Goodloe Edgar to be brigadier general, Signal Corps Reserve.

##### REGULAR ARMY

###### To be general officers

Thomas Quinton Donaldson to be major general.  
 Henry Davis Todd, jr., to be major general.  
 Abraham Grant Lott to be brigadier general, Cavalry.  
 Charles Roscoe Howland to be brigadier general, Infantry.  
 Fred Thaddeus Austin to be Chief of Field Artillery.  
 George Sabin Gibbs to be Chief Signal Officer.  
 Edmund Pepperell Easterbrook to be Chief of Chaplains.

##### PROMOTIONS IN THE ARMY

##### GENERAL OFFICERS

###### To be major generals

Richmond Pearson Davis.  
 Edwin Branch Winans.  
 Joseph Dugald Leitch.

###### To be brigadier generals

George Columbus Barnhardt. James Haynes Reeves.  
 Meriwether Lewis Walker. Walter Cowen Short.  
 George Hairston Jamerson. Frank Sherwood Cocheu.  
 Henry James Hatch. Otho Bane Rosenbaum.  
 Ralph Henry Van Deman.

##### ADJUTANT GENERAL'S DEPARTMENT

Lutz Wahl to be The Adjutant General.  
 Charles Higbee Bridges to be Assistant The Adjutant General.

##### INSPECTOR GENERAL'S DEPARTMENT

William Cannon Rivers to be Inspector General.

##### QUARTERMASTER CORPS

William Edward Horton to be assistant to the Quartermaster General.

##### ORDNANCE DEPARTMENT

Samuel Hof to be assistant to the Chief of Ordnance.

##### AIR CORPS

James Edmond Fehét to be Chief of the Air Corps.

##### CORPS OF ENGINEERS

###### To be second lieutenants

Hans William Holmer.	George Townsend Derby.
Harold Albert Kurstedt.	Max Sherred Johnson.
Edward Grow Daly.	Lee Bird Washbourne.
Donald Chamberlin Hawkins.	John Robert Crume, jr.
Theodore Addison Weyher.	Charles Albert Harrington.
Robert Hammiel Naylor.	Charles H. McNutt.
Paul Dunn Charles Berrigan.	Herman Walter Schull, jr.
Henry Gordon Douglas.	Garrison Holt Davidson.
Joseph Winston Cox, jr.	William Henderson Minter.

##### SIGNAL CORPS

###### To be second lieutenants

Elmer Blair Garland.	Charles Brundy Brown.
Alvin Louis Pachynski.	James Wilson.
Fred Wallace Kunesch.	George Lucien Richon.
James Wilson Green, jr.	Julius Theodore Flock.
William Perry Pence.	

##### CAVALRY

###### To be second lieutenants

John Leonard Hines, jr.	Charles Pennoyer Bixel.
Loren Davis Pegg.	Howard Auguste Kelly Per-
Woodbury Megrew Burgess.	rilliat.
Manuel José Asensio.	Thomas Frank Trapolino.
Alexander Macomb Miller, jr.	Henri Anthony Luebbermann.
William Hamilton Hunter.	Francis Scoon Gardner.
Thomas John Hall Trapnell.	Leander LaChance Doan.
Raymond Wiley Curtis.	Theodore Kalakuka.
Edward Pont Mechling.	Henry Magruder Zeller, jr.
Robert Graham Lowe.	

##### FIELD ARTILLERY

###### To be second lieutenants

George Woodburne Mc-	Daniel Phipps Miller.
Gregor, jr.	Samuel James Simonton.
Cecil Winfield Land.	Alex Norwood Williams, jr.
Frederic Joseph Brown.	Jeremiah Paul Holland.
Maurice Francis Daly.	John Mills Sterling.
Gerald Francis Lillard.	Mark Kincaid Lewis, jr.
Francis Cecil Foster.	James Francis Collins.
Laurence Sherman Kuter.	Herbert Bryant Kirkpatrick.
Fox Brandreth Conner.	Harold James Coyle.
Thomas Morgan Watling-	Forester Hampton Sinclair.
ton, jr.	Harold Stanley Isaacson.
Reynolds Condon.	Willis Webb Wheelchel.
Edward Gilbert Farrand.	Arthur Edwin Solem.
Mason Fred Stober.	Charlie Wesner.
Benjamin Whitehouse.	Meredith Donald Masters.
Thomas Kessler McManus.	Lewis Hinchman Ham.
Charles Richard Hutchison.	Milton Merrill Towner.
Stanley Burton Bonner.	Robert Curtis White.
John Milton Burdge, jr.	Joseph Ganahl, jr.
Bertram Arthur Holtzworth.	John Marion Moore.
Frederick Andrew Granholm.	Stuart Wood.

##### COAST ARTILLERY CORPS

###### To be second lieutenants

Julian Montgomery West.	Harry Forrest Townsend.
Frederick Everett Day.	Virgil Miles Kimm.
Edwin William Chamberlain.	Aloysius Joseph Lepping.
Harry Oliver Paxson.	Lawrence Edward Shaw.
Henry Joseph Hoeffler.	Matthew Kemp Deichelmann.
George Fenton Peirce.	Nathan Alton McLamb.
Parmer Wiley Edwards.	Frank Thomas Ostenberg.
William Lewis McNamee.	John Kochevar.
John Raymond Lovell.	Joy Thomas Wrean.
Everett Charles Dunham.	John Joseph Holst.
James Douglas Curtis.	Guy Ernest Thrans.
Joseph Coleman Timberlake.	Arthur Roth.
Olaf Heigesen Kyster.	John Thomas Hopper.
Orrin Leigh Grover.	

## INFANTRY

*To be second lieutenants*

Robert Kirby Perrine.  
Francis Elliot Howard.  
Kenneth Earl Thiebaud.  
Willard Burton Carlock.  
George McCoy, jr.  
George Edward Martin.  
Robert Griffith Turner.  
Edward James Francis Giavin.  
Joseph Howard Gilbreth.  
Horace Alvord Quinn.  
Lee Roy Williams.  
Edward Davis McLaughlin.  
James Virgil Thompson.  
Paul Edwin Schewe.  
Walter Morris Johnson.  
Albert Harvey Dickerson.  
Orville Melvin Hewitt.  
Arthur Layton Cobb.  
William Jordan Verbeck.  
Fay Roscoe Uphengrove.  
William Jefferson Glasgow, jr.  
Charles Bertody Stone, 3d.  
George Esnip, 2d.  
Ruby Elderidge Hunter.  
Ernest Godfrey Schmidt.  
Ernest Benjamin Gray.  
Douglas Campbell.  
William Joseph Phelan.  
Carl Sherman Graybeal.  
David Morgan Hackman.  
Ralph Wise Zwicker.  
Woodson Finch Hocker.  
James Albemarle Harron.  
William Edgar Thomas.  
Cyril Edward Williams.  
Arthur Milner Burghdoff, jr.  
Joseph Woitkiewicz Vincent.  
Robert Martin Wohlforth.  
Vachel Davis Whatley, jr.  
George Edward Levings.  
Harry Ellery McKinney.  
Carl Elliott Lundquist.  
Antulio Segarra.  
Bernard Cecil Rose.  
Guy Stanley Meloy, jr.

George Van Horn Moseley, jr.  
Roy William Axup.  
John Walker Kirby.  
Forrest Anthony Hornisher.  
Raymond Earle Bell.  
Dudley George Strickler.  
Dana Powers McGown.  
Charles Boal Ewing.  
Felix Alex Todd, jr.  
Barney Avant Daughtry.  
John Ogden Kilgore.  
Phillip DeWitt Ginder.  
Ralph Edwin Doty.  
Howell Hopson Jordan.  
Robert Frederick Sink.  
Elmer Matthew Webb, jr.  
John Prame Kaylor.  
Christian Gotthard Nelson.  
Martin Joseph Morin.  
Gilbert McKee Allen, jr.  
Calvin Louis Whittle.  
George Emericus Bender.  
Jack Henry Griffith.  
Robert Campbell Aloe.  
Montgomery McKee.  
David Stuart Loughborough.  
Nelson Irving Fooks.  
Malcolm Frederick Bauer.  
Lawton Butler.  
Marion Huggins.  
Frederick Funston, jr.  
Martin Moses.  
Robert John West, jr.  
Edgar Daniel Stark.  
David Drew Hedekin.  
James William Smyly, jr.  
Raymund Gregory Stanton.  
Neil Bosworth Harding.  
Jesse Floyd Dressler.  
Willis Small Matthews.  
Robert Lewis Easton.  
Henry Malone Bailey.  
Fred Leroy Thorpe.  
William Rapiet Francis Bleakney.

## AIR CORPS

*To be second lieutenants*

Earl Clinton Robbins.  
Andrew Joseph Kerwin Malone.  
Russell Keillor.  
Charles Clifford Coppin, jr.  
Mark Darrow Stephen Steensen.  
Ernest Harold Lawson.  
John Edward Bodle.  
William Harold Doolittle.  
Russell Scott.  
Burton Murdock Hovey, jr.  
Richard Eastman Cobb.  
Alexander Everett Cabana.  
Dale Davis Fisher.  
Henry Weisbrod Dorr.  
Irvin Alberta Woodring.  
Carlisle Iverson Ferris.  
Elwood Richard Quesada.  
Willard Roland Wolfenbarger.  
James Arthur Ellison.  
Harold Henry Hunt to be second lieutenant, Field Artillery.  
Joseph Lawrence Dark to be second lieutenant, Infantry.  
Henry Rosser Angell to be second lieutenant, Air Corps.  
Frank Keith Park to be second lieutenant, Air Corps.  
Paul Leamon Woodruff to be second lieutenant, Air Corps.  
Walter William Gross to be second lieutenant, Air Corps.  
Joseph George Felber to be second lieutenant, Infantry.  
Otto Clyde George to be second lieutenant, Air Corps.  
Harold Arthur Wheaton to be second lieutenant, Air Corps.  
John H. Jones to be second lieutenant, Air Corps.  
Gilbert Lorenzo Tefft to be second lieutenant, Air Corps.  
Vera H. Wiseman to be second lieutenant, Infantry.  
Morris Miller Bauer to be second lieutenant, Corps of Engineers.

Hoyt Leroy Prindle.  
James Franklin Walsh.  
George Richard Geer.  
Forrest Lynne Neville.  
Donald Wright Benner.  
John Quincy Adams.  
Harry John Flatequal.  
Herman Franklin Woolard.  
Lawrence Henry Douthit.  
George Robert Acheson.  
Harry Prime Bissell.  
Keith Roscoe.  
Frank Hamlet Robinson.  
Waldine Winston Messmore.  
Herbert Melvin Newstrom.  
Allen Ralph Springer.  
Franklin Calhoun Wolfe.  
Ford Larimore Fair.  
Ivan Maurice Palmer.  
Harold Frederick Brown.  
Joseph Gerard Hopkins.

Rex Ivar Heinlein, jr., to be second lieutenant, Corps of Engineers.

Frank Alfred Lightfoot to be second lieutenant, Field Artillery.

John Richmond Pitman, jr., to be second lieutenant, Field Artillery.

George Selman to be second lieutenant, Infantry.

Earl Clarence Bergquist to be second lieutenant, Infantry.

Richard Chase to be second lieutenant, Infantry.

Albert Neil Hickey to be second lieutenant, Infantry.

Ronald Irving Pride to be second lieutenant, Field Artillery.

Royce Alison Drake to be second lieutenant, Cavalry.

Paul Alfred Disney to be second lieutenant, Cavalry.

Leo William Desrosiers to be second lieutenant, Air Corps.

Gordon Philip Saville to be second lieutenant, Air Corps.

Charles Bernard Overacker, jr., to be second lieutenant, Air Corps.

George Henry Macnair to be second lieutenant, Air Corps.

William Barwig Blaufuss to be second lieutenant, Air Corps.

Louis Howard Foote to be second lieutenant, Corps of Engineers.

## MEDICAL CORPS

*To be first lieutenants*

Donald Carl Snyder.  
Rawley Ernest Chambers.  
Stanton Knowlton Livingston.  
Thomas Fort Bridges.  
Fletcher Emory Ammons.  
Lester Maris Dyke.  
William Berry Wilson.  
Henry Bennett Lavery.  
Harold LeRoy Stewart.  
Arthur John Redland.  
William Foster Burdick.  
James Bathurst Smith, jr.  
William Lenoir Wilson.  
Carlton Duncan Goodiel.  
Frank Wilburn Messer.  
William Mahlon James.  
August Wesley Spittler.  
Robert Francis Bradish.  
Jacob Charles Harshbarger.  
Horace Page Marvin.

Kenneth Gilbert Smith.  
Ralph Matthews Sloan.  
Leonard Dudley Heaton.  
William Hubert Seale.  
Marion Whitmell Ransone.  
William Riney Craig.  
Thomas William Ellsworth Christmas.  
Edward Herman Theis.  
Harold Willard Glatly.  
James Pope Gill, jr.  
Francis Elbert Council.  
John Presly Bachman.  
John Buist Chester.  
George Barnard Moore, jr.  
John Winchester Rich.  
Thomas Brown Murphy.  
Huston J. Bantom.  
Hervey Burson Porter.

## DENTAL CORPS

*To be first lieutenants*

Kenneth Pearce Fulton.  
Harold George Ott.  
Leland Stanford Mabry.

## VETERINARY CORPS

*To be second lieutenants*

Charles Stunkard Greer.  
John Lloyd Owens.

## PHILIPPINE SCOUTS

Bienvenido Mobo Alba to be second lieutenant.

## APPOINTMENTS BY TRANSFER AND PROMOTIONS IN THE ARMY

## APPOINTMENTS BY TRANSFER

*Adjutant General's Department*

William White Dick to be captain, Infantry.  
William Elbridge Chickering to be captain, Infantry.  
Perry Cole Ragan to be captain, Infantry.

*Judge Advocate General's Department*

Lee Stephen Tillotson to be major, Infantry.  
Joel Franklin Watson to be captain, Quartermaster Corps.

*Quartermaster Corps*

Thomas Waples Barnard to be captain, Infantry.  
Irwin Samuel Dierking to be captain, Infantry.  
James Courtney Browne to be first lieutenant, Cavalry.  
Robert Brice Johnston to be first lieutenant, Infantry.

*Finance Department*

Horatio Grant Coykendall to be captain, Infantry.  
Arthur James Perry to be captain, Infantry.  
Lemuel Edwin Edwards to be first lieutenant, Quartermaster Corps.

John Fidelis Connell to be first lieutenant, Quartermaster Corps.

*Corps of Engineers*

Warren Nourse Underwood to be second lieutenant, Coast Artillery Corps.

Herbert William Ehrgott to be second lieutenant, Field Artillery.

*Ordnance Department*

Frank Fenton Reed to be captain, Coast Artillery Corps.  
Garland Thomas Rowland to be first lieutenant, Infantry.  
Harold Mark Reedall to be first lieutenant, Infantry.

*Signal Corps*

Hamner Huston to be major, Infantry.  
Gordon Cogswell Irwin to be captain, Infantry.  
Mark Rhoads to be first lieutenant, Cavalry.  
Percival Adams Wakeman to be first lieutenant, Infantry.  
William Holmes Wenstrom to be first lieutenant, Cavalry.

*Cavalry*

Thomas Grafton Hanson, jr., to be captain, Quartermaster Corps.  
John O'Day Murtaugh to be second lieutenant, Infantry.  
Prentice Edward Yeomans to be second lieutenant, Air Corps.

*Field Artillery*

Edward White Wildrick to be major, Coast Artillery Corps.  
Albert Charles Stanford to be captain, Signal Corps.  
Ernest Thomas Hayes to be first lieutenant, Infantry.  
Roswell Boyle Hart to be first lieutenant, Infantry.  
Sherman Vitus Hasbrouck to be first lieutenant, Infantry.  
Esher Claffin Burkart to be first lieutenant, Cavalry.  
Wilbur Ray Pierce to be second lieutenant, Infantry.  
William Augustus Davis Thomas to be second lieutenant, Coast Artillery Corps.  
James Robert Lindsay, jr., to be second lieutenant, Infantry.  
Thomas Clagett Wood to be second lieutenant, Infantry.  
Arthur Bliss to be second lieutenant, Infantry.  
John Llewellyn Lewis to be second lieutenant, Infantry.  
Donald Dunford to be second lieutenant, Infantry.  
Julian Henry Baumann to be second lieutenant, Infantry.  
William Murlin Creasy, jr., to be second lieutenant, Air Corps.  
John Prichard Woodbridge to be second lieutenant, Air Corps.  
Gregg Miller Lindsay to be second lieutenant, Air Corps.

*Coast Artillery Corps*

Willard Karle Richards to be major, Ordnance Department.  
Albert Dewitt Chipman to be captain, Cavalry.  
Russell Thomas George to be captain, Cavalry.  
Jesse Knox Freeman to be captain, Infantry.  
Auston Monroe Wilson, jr., to be first lieutenant, Field Artillery.  
John Mitchell England to be second lieutenant, Field Artillery.  
Frederick Cruger Pyne to be second lieutenant, Field Artillery.  
John Frederic Powell to be second lieutenant, Field Artillery.  
William Frederick Niethamer to be second lieutenant, Infantry.  
Holger Nelson Toftoy to be second lieutenant, Air Corps.  
Charles Winchell McGeehan to be second lieutenant, Air Corps.  
Henry Lee Hughes to be second lieutenant, Air Corps.  
Paul August Jaccard to be second lieutenant, Air Corps.  
Paul Burnham Nelson to be second lieutenant, Air Corps.

*Infantry*

David Lamme Stone to be colonel, Quartermaster Corps.  
John Southworth Upham to be lieutenant colonel, Adjutant General's Department.  
Joseph James O'Hare to be major, Coast Artillery Corps.  
Josiah Ross to be second lieutenant, Air Corps.

*Air Corps*

Randolph Piersol Williams to be first lieutenant, Signal Corps.  
Ralph Francis Stearley to be first lieutenant, Cavalry.  
Charles Dawson McAllister to be first lieutenant, Field Artillery.  
James Milliken Bevans to be first lieutenant, Field Artillery.  
Donald Fowler Fritch to be first lieutenant, Field Artillery.  
Herbert William Anderson to be second lieutenant, Coast Artillery.  
George Hinkle Steel to be second lieutenant, Field Artillery.  
William Ewing Baker to be second lieutenant, Infantry.

## BY PROMOTION

Harris Pendleton, jr., to be colonel, Infantry.  
Howard Gilman Davids to be colonel, Infantry.  
Ernest Van Dyke Murphy to be colonel, Infantry.  
Hilden Olin to be colonel, Finance Department.  
Albert Watson Foreman to be colonel, Infantry.  
Perrin Lindsey Smith to be colonel, Finance Department.  
Harry Lawrence Cooper to be colonel, Infantry.  
William Stanley Sinclair to be colonel, Infantry.  
Charles Louis Willard to be colonel, Quartermaster Corps.  
Arthur Pitt Watts to be colonel, Infantry.  
William Arthur Carleton to be colonel, Infantry.  
Lochlin Washington Caffey to be colonel, Infantry.

William Saunders Faulkner to be colonel, Infantry.  
Ernest H. Agnew to be colonel, Quartermaster Corps.  
Robert Oakes Ragsdale to be colonel, Infantry.  
Austin Allen Parker to be colonel, Infantry.  
Fred Van Schaick Chamberlin to be colonel, Infantry.  
Aubrey Lippincott to be colonel, Cavalry.  
Robert Christian Humber to be colonel, Infantry.  
George Luther Hicks to be colonel, Adjutant General's Department.

Parker Hitt to be colonel, Infantry.  
Dennis Patrick Quinlan to be colonel, Judge Advocate General's Department.

Kyle Rucker to be colonel, Judge Advocate General's Department.

Lynn Sawyer Edwards to be colonel, Coast Artillery Corps.  
Hugh Kirkpatrick Taylor to be colonel, Coast Artillery Corps.  
William Henry Noble to be colonel, Quartermaster Corps.  
Douglas McCaskey to be colonel, Cavalry.  
Freeborn Page Holcomb to be colonel, Finance Department.  
Clenard McLaughlin to be colonel, Infantry.  
Edward Beall Mitchell to be colonel, Infantry.  
James Henry Como to be colonel, Quartermaster Corps.  
Harol Dever Coburn to be colonel, Infantry.  
Allen James Greer to be colonel, Field Artillery.  
Robert Whitfield to be colonel, Adjutant General's Department.

James Andrew Mars to be lieutenant colonel, Air Corps.  
Robert Morgan Lyon to be lieutenant colonel, Infantry.  
William Mechling Colvin to be lieutenant colonel, Coast Artillery Corps.

Benjamin Edwards Gray to be lieutenant colonel, Infantry.  
Elvid Hunt to be lieutenant colonel, Infantry.  
Dorsey Read Rodney to be lieutenant colonel, Cavalry.  
Alexander Mortimer Milton to be lieutenant colonel, Cavalry.  
Campbell Blackshear Hodges to be lieutenant colonel, Infantry.

Jacob Winfield Scott Wuest to be lieutenant colonel, Air Corps.

Max Bruce Garber to be lieutenant colonel, Infantry.  
Corbit Strickland Hoffman to be lieutenant colonel, Infantry.  
Stephen Wilson Winfree to be lieutenant colonel, Cavalry.  
Arthur Emmett Ahrends to be lieutenant colonel, Infantry.  
Charles Franklin Severson to be lieutenant colonel, Infantry.  
Harry Surgisson Grier to be lieutenant colonel, Infantry.  
Charles Beatty Moore to be lieutenant colonel, Infantry.  
Clark Lynn to be lieutenant colonel, Adjutant General's Department.

Cornelius Stockmar Bendel to be lieutenant colonel, Infantry.  
Ben Frazer Ristine to be lieutenant colonel, Infantry.  
Albert Gilmor to be lieutenant colonel, Coast Artillery Corps.  
Stuart Ainslee Howard to be lieutenant colonel, Adjutant General's Department.

John Francis Franklin to be lieutenant colonel, Infantry.  
Roland Wallace Boughton to be lieutenant colonel, Infantry.  
Irving Monroe Madison to be lieutenant colonel, Infantry.  
Ellery Farmer to be lieutenant colonel, Infantry.  
Everett Newton Bowman to be lieutenant colonel, Infantry.  
Homer Neill Preston to be lieutenant colonel, Infantry.  
Edward Aloysius Brown to be lieutenant colonel, Adjutant General's Department.

William Franklin Harrell to be lieutenant colonel, Infantry.  
George Edgar Nelson to be lieutenant colonel, Field Artillery.  
Jesse Duncan Elliott to be lieutenant colonel, Infantry.  
Edward Himmelwright Tarbutton to be lieutenant colonel, Quartermaster Corps.

Carroll Borden Hodges to be lieutenant colonel, Infantry.  
Daniel Murray Cheston, jr., to be lieutenant colonel, Infantry.  
James Madison Churchill to be lieutenant colonel, Infantry.  
Luther Rice James to be lieutenant colonel, Infantry.  
Andrew Davis Chaffin to be lieutenant colonel, Infantry.  
Frederick Wegener Boschen to be lieutenant colonel, Finance Department.

Louis Farrell to be lieutenant colonel, Infantry.  
Charles Otto Schudt to be lieutenant colonel, Coast Artillery Corps.

Emmett Addis to be lieutenant colonel, Cavalry.  
Harry Lazelle King to be lieutenant colonel, Cavalry.  
William Franklin Robinson, jr., to be lieutenant colonel, Infantry.

John James Burleigh to be lieutenant colonel, Infantry.  
Arthur Gerald Hixson to be lieutenant colonel, Cavalry.  
Augustine Aloysius Hofmann to be lieutenant colonel, Infantry.

James Blyth to be lieutenant colonel, Infantry.  
Edwin Gunner to be lieutenant colonel, Quartermaster Corps.



Resolve Potter Palmer to be lieutenant colonel, Adjutant General's Department.

Edward Eugene McCammon to be lieutenant colonel, Infantry.

Paul Calkins Potter to be lieutenant colonel, Infantry.

Albert Thurston Rich to be lieutenant colonel, Quartermaster Corps.

David Perry Wood to be lieutenant colonel, Infantry.

Charles Bean Amory, jr., to be lieutenant colonel, Cavalry.

William Earl Chambers to be major, Infantry.

Joseph Merit Tully to be major, Cavalry.

James deBarth Walbach to be major, Coast Artillery Corps.

Warner William Carr to be major, Infantry.

Hugh Mitchell, to be major, Signal Corps.

Robert LeGrow Walsh to be major, Air Corps.

Richard Mar Levy to be major, Coast Artillery Corps.

Thomas Lyle Martin to be major, Infantry.

Geoffrey Prescott Baldwin to be major, Infantry.

Kenneth Macomb Halpine to be major, Infantry.

George Sidney Andrew to be major, Cavalry.

Roland Paget Slugg to be major, Field Artillery.

Ellicott Hewes Freeland to be major, Coast Artillery Corps.

Spencer Albert Townsend to be major, Cavalry.

Richard Clark Birmingham to be major, Infantry.

Felix Rossiter McLean to be major, Infantry.

James Cornelius Ruddell to be major, Coast Artillery Corps.

Thomas Green Peyton to be major, Cavalry.

Joseph Hamilton Grant to be major, Infantry.

Arthur Monroe Ellis to be major, Infantry.

Maurice Levi Miller to be major, Infantry.

Junius Henry Houghton to be major, Air Corps.

Abram Vorhees Rinearson, jr., to be major, Coast Artillery Corps.

Benjamin Anthony Yancey to be major, Infantry.

William George Patterson to be major, Coast Artillery Corps.

Douglas Jenkins Page to be major, Field Artillery.

James Nephew Caperton to be major, Cavalry.

Charles Compton Smith to be major, Cavalry.

Harrison Herman to be major, Cavalry.

Frank Clark Scofield to be major, Coast Artillery Corps.

George Joseph Newgarden, jr., to be major, Infantry.

John David Miley to be major, Infantry.

John Forest Goodman to be major, Infantry.

Ferdinand Francis Gallagher to be major, Coast Artillery Corps.

Barrington Lockhart Flanigen to be major, Coast Artillery Corps.

Robert Kenneth Whitson to be major, Infantry.

Otto Frederick Lange to be major, Infantry.

Harlan Leslie Mumma to be major, Infantry.

Alexander Mathias Weyand to be major, Infantry.

Walter David Mangan to be major, Field Artillery.

Henry Parker Blanks to be major, Infantry.

Carl Archibald Bishop to be major, Infantry.

Ansel Griggs Wineman to be major, Field Artillery.

James Ellis Slack to be major, Cavalry.

Marvin Randolph Baer to be major, Infantry.

Marvin Conrad Heyser to be major, Field Artillery.

Harold Preston Kayser to be major, Infantry.

Basil Dennis Spalding to be major, Infantry.

Sidney Guthrie Brady to be major, Field Artillery.

Robert Sherman Barr to be major, Ordnance Department.

Joseph Herzer to be major, Coast Artillery Corps.

George Lea Febiger to be major, Infantry.

George A. Pollin to be major, Field Artillery.

Claud Edward Stadtman to be major, Infantry.

Erwin Cobia West Davis to be major, Field Artillery.

Clarence Ralph Huebner to be major, Infantry.

Frederick McCabe to be major, Infantry.

Irving Howard Engleman to be major, Infantry.

William M. Cravens to be major, Coast Artillery Corps.

Frederick Joseph de Rohan to be major, Infantry.

Frederick Schoenfeld to be major, Quartermaster Corps.

William McCaskey Chapman to be captain, Infantry.

Norman McNeill to be captain, Infantry.

Glen Henry Anderson to be captain, Infantry.

Bryant Edward Moore to be captain, Infantry.

Leo Vincent Warner to be captain, Field Artillery.

Alston Deas to be captain, Infantry.

Henry William Bobrink to be captain, Quartermaster Corps.

Onslow Sherburne Rolfe to be captain, Infantry.

Henry Perkins Gantt to be captain, Field Artillery.

Jesse Brooke Matlack to be captain, Field Artillery.

Parry Weaver Lewis to be captain, Coast Artillery Corps.

Edward Wrenne Timberlake to be captain, Coast Artillery Corps.

William Wallace Jenna to be captain, Infantry.

William Richard Fleming to be captain, Infantry.

Francis Porter Simpson to be captain, Infantry.

Arthur Paul Thayer to be major, Cavalry.

Emile George De Coen to be major, Field Artillery.

John Boone Martin to be major, Coast Artillery Corps.

Paul Joseph McDonnell to be major, Infantry.

Eustis Leland Poland to be major, Infantry.

Paul Hathaway to be major, Infantry.

Hardin Cleveland Sweeney to be major, Infantry.

Eugene Manuel Landrum to be major, Adjutant General's Department.

Frank Glenister Ringland to be major, Cavalry.

John Barber Harper to be major, Finance Department.

Edwin Charles Mead to be major, Coast Artillery Corps.

William Fenton Lee to be major, Infantry.

George Worthen Teachout to be major, Infantry.

Harry Cooper Barnes, jr., to be captain, Coast Artillery Corps.

Robert John Hoffman to be captain, Infantry.

Clare Wallace Woodward to be captain, Infantry.

John Stevenson Mallory to be captain, Field Artillery.

Frederick Dent Sharp to be captain, Field Artillery.

William Sydney Barrett to be captain, Chemical Warfare Service.

Paul Ryan Goode to be captain, Infantry.

Harry Niles Rising to be captain, Ordnance Department.

Henry Cornelius Demuth to be captain, Field Artillery.

Lowell Meeker Riley to be captain, Field Artillery.

Emil Krause to be captain, Infantry.

Robert Lynn Bacon to be captain, Infantry.

Jacob House Edwin to be captain, Air Corps.

Charles Purvis Arthur to be captain, Infantry.

James Jackson Hea to be captain, Infantry.

Carlisle Britannia Wilson to be captain, Infantry.

Harold Lewis Milan to be captain, Infantry.

Horace Harding to be captain, Field Artillery.

Fred Ernest Davis to be captain, Quartermaster Corps.

George Darryll Gamble to be captain, Quartermaster Corps.

Edmund Graham West to be captain, Quartermaster Corps.

Joseph Idus Lambert to be captain, Cavalry.

Clarence Nelson Iry to be captain, Corps of Engineers.

Joseph Worth Timmons, jr., to be captain, Quartermaster Corps.

Hugh Whitt to be captain, Finance Department.

Charles Frederick Wilson to be captain, Quartermaster Corps.

Ray Aloysious Dunn to be captain, Air Corps.

Irwin Wilson Guth to be captain, Quartermaster Corps.

Crawford McMann Kellogg to be captain, Chemical Warfare Service.

William Frank Johnson to be captain, Infantry.

Frank Dennison Wheeler to be captain, Quartermaster Corps.

Herbert Allen Gardner to be captain, Quartermaster Corps.

Albert Lobitz to be captain, Quartermaster Corps.

Simon Jacobson to be captain, Quartermaster Corps.

Edward William Lachmiller to be captain, Quartermaster Corps.

Talmage Phillips to be captain, Quartermaster Corps.

John Paul Tillman to be captain, Quartermaster Corps.

George Wilbur McEntire to be captain, Air Corps.

John Newport Greene to be captain, Cavalry.

Charles Harrison Brammell to be captain, Field Artillery.

Frank Arthur Mertz to be captain, Quartermaster Corps.

Asa Jeremiah Etheridge to be captain, Air Corps.

Earl Spiker Schofield to be captain, Air Corps.

Henry James Conner to be captain, Quartermaster Corps.

Arthur Emel Simonin to be captain, Air Corps.

Frank O'Driscoll Hunter to be captain, Air Corps.

Harold Huston George to be captain, Air Corps.

Alden Harry Waitt to be captain, Chemical Warfare Service.

Sterling Chifton Robertson to be captain, Infantry.

Charles Walton Cameron to be captain, Quartermaster Corps.

Arthur Edwin Danielson to be captain, Quartermaster Corps.

Paul Lindsay Beard to be captain, Quartermaster Corps.

Joseph Lawrence Aman to be captain, Ordnance Department.

Walter Jay Reed to be captain, Air Corps.

St. Clair Streett to be captain, Air Corps.

Ronald Trevor Adams to be captain, Field Artillery.

Andrew Jackson Nichols to be captain, Infantry.

Archie Donald Cameron to be captain, Infantry.

John Conrad Christophel to be captain, Quartermaster Corps.

Roger Shaw McCullough to be captain, Air Corps.

Frank Morrell to be captain, Quartermaster Corps.

Peter Shemonsky to be captain, Quartermaster Corps.

William Hunt Roach to be captain, Quartermaster Corps.

Carl Bierwirth Searing to be captain, Infantry.

- Robert Lake Miller to be captain, Quartermaster Corps.  
 Ralph Eli Fleischer to be captain, Quartermaster Corps.  
 Robert Oliver White to be captain, Quartermaster Corps.  
 William Foelsing to be captain, Quartermaster Corps.  
 Charles William Dietz to be captain, Quartermaster Corps.  
 Walter Lane Shearman to be captain, Quartermaster Corps.  
 Roy Marsh McCutchen to be captain, Corps of Engineers.  
 Aubrey Hoodenpyl Bond to be captain, Corps of Engineers.  
 Hubert Walter Collins to be captain, Corps of Engineers.  
 Frank Bowman Hastie to be captain, Corps of Engineers.  
 Bennett Hart Bowley, jr., to be captain, Corps of Engineers.  
 Robert Dorrance Ingalls to be captain, Corps of Engineers.  
 Walter Lyman Medding to be captain, Corps of Engineers.  
 Albert Carl Lieber, jr., to be captain, Corps of Engineers.  
 George Jacob Nold to be captain, Corps of Engineers.  
 Samuel Howes Baker to be captain, Quartermaster Corps.  
 Elisha Kenneth Henson to be captain, Quartermaster Corps.  
 John Isham Moore to be captain, Air Corps.  
 Lloyd Milton Garner to be captain, Quartermaster Corps.  
 Vance Lawton Richmond to be captain, Infantry.  
 Earle Trask Louck to be captain, Infantry.  
 Harris Markham Findlay to be captain, Field Artillery.  
 Russell Crayden Winchester to be captain, Cavalry.  
 George Hunter Passmore to be captain, Infantry.  
 James Stevenson Rodwell to be captain, Cavalry.  
 George Orenthus Allen Daughtry to be captain, Cavalry.  
 Kirk Broaddus to be captain, Cavalry.  
 Newton Gale Bush to be captain, Infantry.  
 Paolo Hoffoss Sperati to be captain, Infantry.  
 LeRoy Welling Nichols to be captain, Infantry.  
 Charles Martin Chamberlain, jr., to be captain, Infantry.  
 LeRoy Allen Whittaker to be captain, Coast Artillery Corps.  
 Harry Barnes Sepulveda to be captain, Infantry.  
 Samuel Charles Skemp to be captain, Air Corps.  
 John Robert Hubbard to be captain, Quartermaster Corps.  
 Robert Gale Breen to be captain, Air Corps.  
 George Abe Woody to be captain, Ordnance Department.  
 Thomas Kenneth Vincent to be captain, Ordnance Department.  
 Samuel Littler Metcalf to be captain, Infantry.  
 Geoffrey Maurice O'Connell to be captain, Coast Artillery Corps.  
 Frank Wilbur Halsey to be captain, Infantry.  
 Kirby Green to be captain, Infantry.  
 Myron Joseph Conway to be captain, Infantry.  
 Hollis Benjamin Hoyt to be captain, Infantry.  
 Arthur Foster Gilmore to be captain, Coast Artillery Corps.  
 John August Otto to be captain, Infantry.  
 Joseph Burton Sweet to be captain, Infantry.  
 William Quintillus Jeffords, jr., to be captain, Coast Artillery Corps.  
 Garland Cuzorte Black to be captain, Signal Corps.  
 George Anthony Patrick to be captain, Coast Artillery Corps.  
 Joseph Andral Nichols to be captain, Infantry.  
 Leon Lightner Kotzebue to be captain, Infantry.  
 Walter Christian Thee to be captain, Quartermaster Corps.  
 George Work Marvin to be first lieutenant, Corps of Engineers.  
 Charles Joseph Barrett, jr., to be first lieutenant, Field Artillery.  
 Otto Spaulding Tinkel to be first lieutenant, Corps of Engineers.  
 Maxwell Davenport Taylor to be first lieutenant, Field Artillery.  
 Henry James Woodbury to be first lieutenant, Corps of Engineers.  
 Louis Jacob Rumaggi to be first lieutenant, Corps of Engineers.  
 Edmund Clayton Lynch to be first lieutenant, Air Corps.  
 Francis Jennings Wilson to be first lieutenant, Corps of Engineers.  
 Alfred August Kessler, jr., to be first lieutenant, Air Corps.  
 Paschal Neilson Strong, jr., to be first lieutenant, Corps of Engineers.  
 Cortlandt Van Rensselaer Schuyler to be first lieutenant, Coast Artillery Corps.  
 Lawrence Coy Leonard to be first lieutenant, Ordnance Department.  
 Mervin Eugene Gross to be first lieutenant, Air Corps.  
 Robert Wayne Raynsford to be first lieutenant, Signal Corps.  
 LeRoy Judson Stewart to be first lieutenant, Field Artillery.  
 Edward Shelley Gibson to be first lieutenant, Infantry.  
 John Francis Uncles to be first lieutenant, Field Artillery.  
 Giles Richard Carpenter to be first lieutenant, Field Artillery.  
 David James Crawford to be first lieutenant, Field Artillery.  
 William Field Sadler to be first lieutenant, Coast Artillery Corps.  
 Earl Foster Thompson to be first lieutenant, Cavalry.  
 Charles Newsom Branham to be first lieutenant, Coast Artillery Corps.  
 Francis Borgia Kane to be first lieutenant, Coast Artillery Corps.  
 William Stevens Lawton to be first lieutenant, Coast Artillery Corps.  
 Albert Svihra to be first lieutenant, Field Artillery.  
 Slator Marcellus Miller to be first lieutenant, Coast Artillery Corps.  
 Granger Anderson to be first lieutenant, Coast Artillery Corps.  
 Alfred Eugene Kastner to be first lieutenant, Field Artillery.  
 Edwin Paul Crandell to be first lieutenant, Cavalry.  
 Mark McClure to be first lieutenant, Field Artillery.  
 Benjamin Wiley Chidlaw to be first lieutenant, Air Corps.  
 Myron Leedy to be first lieutenant, Ordnance Department.  
 Alba Carlton Spalding to be first lieutenant, Coast Artillery Corps.  
 Robert Landon Taylor to be first lieutenant, Field Artillery Corps.  
 Stephen Cecil Lombard to be first lieutenant, Field Artillery Corps.  
 Howard Gillespie Davidson to be first lieutenant, Air Corps.  
 Fred James Woods to be first lieutenant, Coast Artillery Corps.  
 Kenneth Francis Pughe to be first lieutenant, Infantry.  
 Robert Smith McClenaghan to be first lieutenant, Field Artillery.  
 Francis Xavier Mulvihill to be first lieutenant, Infantry.  
 Charles Hancock Reed to be first lieutenant, Cavalry.  
 Walter Russell Hensey, jr., to be first lieutenant, Field Artillery.  
 Orval Ray Cook to be first lieutenant, Air Corps.  
 Perry McCoy Smith to be first lieutenant, Coast Artillery Corps.  
 James Wrathall Spry to be first lieutenant, Air Corps.  
 Gordon Sherman Armes to be first lieutenant, Cavalry.  
 Frederick William Hein to be first lieutenant, Infantry.  
 Raymond Balliet Bosserman to be first lieutenant, Cavalry.  
 Charles Rufus Smith to be first lieutenant, Infantry.  
 Harold Alfred Meyer to be first lieutenant, Infantry.  
 Robert Earle Blair to be first lieutenant, Infantry.  
 Harold Thomas Molloy to be first lieutenant, Field Artillery.  
 James Dunne O'Connell to be first lieutenant, Infantry.  
 Gilman Clifford Mudgett to be first lieutenant, Cavalry.  
 Leonard Edwin Stephens to be first lieutenant, Infantry.  
 Numa Augustin Watson to be first lieutenant, Infantry.  
 Wesley Woodworth Yale to be first lieutenant, Cavalry.  
 Robert Wilkins Douglass, jr., to be first lieutenant, Air Corps.  
 Oscar Louis Beal to be first lieutenant, Infantry.  
 Oliver Wendell Hughes to be first lieutenant, Infantry.  
 Robert Vincent Murphy to be first lieutenant, Infantry.  
 Aloysius Eugene O'Flaherty, jr., to be first lieutenant, Infantry.  
 Melville Fuller Grant to be first lieutenant, Infantry.  
 James Edward Rees to be first lieutenant, Infantry.  
 James Robinson Pierce to be first lieutenant, Infantry.  
 Lemuel Mathewson to be first lieutenant, Field Artillery.  
 George Harold Carmouche to be first lieutenant, Infantry.  
 Thomas Varon Webb to be first lieutenant, Infantry.  
 George Edward Mitchell, jr., to be first lieutenant, Field Artillery.  
 William Henry Schildroth to be first lieutenant, Infantry.  
 George Arthur Taylor to be first lieutenant, Infantry.  
 Alfred Lawrence Price to be first lieutenant, Field Artillery.  
 Frank Llewellyn Beadle to be first lieutenant, Corps of Engineers.  
 Gilbert Hayden to be first lieutenant, Signal Corps.  
 Francis Eugene Cothran to be first lieutenant, Corps of Engineers.  
 Thomas Herbert Maddocks to be first lieutenant, Signal Corps.  
 Charles Perry Holweger to be first lieutenant, Field Artillery.  
 David Marion Fowler to be first lieutenant, Infantry.  
 Edward Arthur Kleinman to be first lieutenant, Coast Artillery Corps.  
 Blackshear Morrison Bryan, jr., to be first lieutenant, Field Artillery.  
 John Lawson Ballantyne to be first lieutenant, Cavalry.  
 Hilbert Milton Wittkop to be first lieutenant, Air Corps.

Donald Quitman Harris to be first lieutenant, Field Artillery.  
 John Percy Kennedy, jr., to be first lieutenant, Field Artillery.  
 Townsend Griffiss to be first lieutenant, Air Corps.  
 William Andrew Wedemeyer to be first lieutenant, Field Artillery.  
 Edwin Carlo Greiner to be first lieutenant, Cavalry.  
 Philip Howard Raymond to be first lieutenant, Coast Artillery Corps.  
 Oliver Perry Newman to be first lieutenant, Infantry.  
 Roscoe Gorea MacDonald to be first lieutenant, Infantry.  
 John Hughes Stodter to be first lieutenant, Cavalry.  
 Thomas Edward Lewis to be first lieutenant, Field Artillery.  
 Stewart Tiffany Vincent to be first lieutenant, Infantry.  
 Paul Henry Mahoney to be first lieutenant, Infantry.  
 James Clyde Fry to be first lieutenant, Infantry.  
 Austin Folger Gilmartin to be first lieutenant, Infantry.  
 Elbert Kelly to be first lieutenant, Infantry.  
 Orestes Cleveland to be first lieutenant, Infantry.  
 James Harrison Dickie to be first lieutenant, Field Artillery.  
 Charles Llewellyn Gorman to be first lieutenant, Quartermaster Corps.  
 Joseph Perry Catta to be first lieutenant, Infantry.  
 Albert Carroll Morgan to be first lieutenant, Infantry.  
 Perley Bernard Sancomb to be first lieutenant, Cavalry.  
 John LaValle Graves to be first lieutenant, Field Artillery.  
 Herbert William Kruger to be first lieutenant, Field Artillery.  
 William Earl Watters to be first lieutenant, Field Artillery.  
 Leo Henry Dawson to be first lieutenant, Air Corps.  
 Milton John Smith to be first lieutenant, Air Corps.  
 Carl Budd Wahle to be first lieutenant, Coast Artillery Corps.  
 Leonard Loyd Hilliard to be first lieutenant, Infantry.  
 Lester Vocke to be first lieutenant, Field Artillery.  
 James Fish, 3d, to be first lieutenant, Infantry.  
 John Leon Dicks to be first lieutenant, Infantry.  
 Lester Mavity Rouch to be first lieutenant, Field Artillery.  
 John Owen Colonna to be first lieutenant, Corps of Engineers.  
 Herman William Fairbrother to be first lieutenant, Infantry.  
 Grover Cleveland Kinney to be first lieutenant, Infantry.  
 Thomas Edward Meyer to be first lieutenant, Field Artillery.  
 Thomas Jefferson Randolph to be first lieutenant, Cavalry.  
 Harry Edwin Magnuson to be first lieutenant, Coast Artillery Corps.  
 LaRoy Sanders Graham to be first lieutenant, Infantry.  
 Francis Lavelle Ready to be first lieutenant, Cavalry.  
 David Hottenstein to be first lieutenant, Coast Artillery Corps.  
 George John Kelley to be first lieutenant, Coast Artillery Corps.  
 Ray Brooks Floyd to be first lieutenant, Infantry.  
 Ray Eugene Marshall to be first lieutenant, Infantry.  
 George Cabell Carrington to be first lieutenant, Infantry.  
 Harland Fremont Burgess to be first lieutenant, Infantry.  
 Karl Clifford Frank to be first lieutenant, Coast Artillery Corps.  
 Clyde Anderson Burcham to be first lieutenant, Cavalry.  
 Walter Raymond Miller to be first lieutenant, Infantry.  
 Randall James Hogan to be first lieutenant, Ordnance Department.  
 Robert Nicholas Young to be first lieutenant, Infantry.  
 James Frederick Phillips to be first lieutenant, Corps of Engineers.  
 Douglas Valentine Johnson to be first lieutenant, Field Artillery.  
 Frederick Williams Watrous to be first lieutenant, Field Artillery.  
 Charles Elford Smith to be first lieutenant, Infantry.  
 Raymond Edward Culbertson to be first lieutenant, Air Corps.  
 Maynard Harper Carter to be first lieutenant, Infantry.  
 LeGrande Albert Diller to be first lieutenant, Infantry.  
 Robert Parker Hollis to be first lieutenant, Field Artillery.  
 Isaac Davis White to be first lieutenant, Cavalry.  
 Louis Edward Roemer to be first lieutenant, Infantry.  
 Max Hesner Gooler to be first lieutenant, Infantry.  
 Joseph Howard Harper to be first lieutenant, Infantry.  
 Emerald Foster Sloan to be first lieutenant, Infantry.  
 Newton Farragut McCurdy to be first lieutenant, Cavalry.  
 John Julius Dubbelde, jr., to be first lieutenant, Infantry.  
 Joe Ford Simmons to be first lieutenant, Coast Artillery Corps.  
 Clarence Turner Hulet to be first lieutenant, Infantry.  
 Daniel Powell Poteet to be first lieutenant, Field Artillery.  
 Ord Gariche Chrisman to be first lieutenant, Infantry.  
 Gerson Kirkland Heiss to be first lieutenant, Ordnance Department.  
 Ransom George Amlong to be first lieutenant, Quartermaster Corps.  
 Paul Lawrence Martin to be first lieutenant, Field Artillery.

Walter Howard DeLange to be first lieutenant, Field Artillery.  
 Robert Kelsey Haskell to be first lieutenant, Field Artillery.  
 Ralph Adel Snavely to be first lieutenant, Air Corps.  
 Claude Armenius Thorp to be first lieutenant, Cavalry.  
 Rowland Reid Street to be first lieutenant, Infantry.  
 John Marquiss Whistler to be first lieutenant, Field Artillery.  
 James Howard Lunsley to be first lieutenant, Field Artillery.  
 William Henry Drummond to be first lieutenant, Field Artillery.  
 Viking Torsten Ohrbom to be first lieutenant, Infantry.  
 Glen Trice Lampton to be first lieutenant, Air Corps.  
 Howard Miller Fey to be first lieutenant, Air Corps.  
 Robert Boyd Williams to be first lieutenant, Air Corps.  
 Francis Rarick Johnson to be first lieutenant, Corps of Engineers.  
 Glenn Hunter Palmer to be first lieutenant, Signal Corps.  
 Royal Bertrand Lord to be first lieutenant, Corps of Engineers.  
 Kenner Fisher Hertford to be first lieutenant, Corps of Engineers.  
 Steven Livesay Conner to be first lieutenant, Corps of Engineers.  
 Miles Reber to be first lieutenant, Corps of Engineers.  
 Charles West Stewart, jr., to be first lieutenant, Corps of Engineers.  
 William Francis Merwin Longwell to be first lieutenant, Corps of Engineers.  
 John Rutherford Noyes to be first lieutenant, Corps of Engineers.  
 Lyle Rosenberg to be first lieutenant, Corps of Engineers.  
 William Randolph Winslow to be first lieutenant, Corps of Engineers.  
 William Newton Leaf to be first lieutenant, Corps of Engineers.  
 David Morris Dunne, jr., to be first lieutenant, Corps of Engineers.  
 Frank McAdams Albrecht to be first lieutenant, Corps of Engineers.  
 Theodore Morrison Clarence Osborne to be first lieutenant, Corps of Engineers.  
 Ralph Arnold Tudor to be first lieutenant, Corps of Engineers.  
 Robert Farnsworth Hallock to be first lieutenant, Field Artillery.  
 Stuart Alfred Beckley to be first lieutenant, Field Artillery.  
 Harold David Kehm to be first lieutenant, Field Artillery.

#### Philippine Scouts

Rafael Larrosa Garcia to be major, Philippine Scouts.

#### REGULAR ARMY

##### MEDICAL CORPS

##### To be colonels

Jay Ralph Shook.	Kent Nelson.
Henry Halcolm Rutherford.	Peter Conover Field.
Ernest Lewis Ruffner.	Herbert Goss Shaw.
Patrick Henry McAndrew.	Louis Brechemin, jr.
George Macy Ekwurzel.	Clement Colfax Whitecomb.
Carroll Deforest Buck.	Cosam Julian Bartlett.
John Howard Allen.	Reuben Boyd Miller.
Robert Urie Patterson.	James Frank Hall.
Roger Brooke.	Raymond Franklin Metcalfe.
Wallace De Witt.	Perry Lee Boyer.
Matthew Augustus DeLaney.	James Matthew Phalen.
Paul Stacy Halloran.	

##### To be lieutenant colonels

Guy Victor Rukke.	Ray Woodman Bryan.
Henry Church Pillsbury.	William Hadley Richardson.
Edgar King.	William Kay Bartlett.

##### To be captains

Otis Blaine Schreuder.	Prentice Lauri Moore.
Edward John Kallus.	John Paul Russell.
Arthur David Hawkins.	John Morris Hargreaves.
Howland Allan Gibson.	Don Longfellow.
Paul Ashland Brickey.	Ray Hamilton Skaggs.
Berna Thomas Bowers.	William Frank DeWitt.
Leon Lloyd Gardner.	

#### DENTAL CORPS

##### To be captains

James Melvin Epperly.	Marvin Edward Kennebeck.
James Harvey Pence.	Hugh David Phillips.
Everitte Favor Arnold.	Walter Edwin Chase.

## VETERINARY CORPS

*To be colonel*

Jules Henry Uri.

*To be majors*

Jacob Edward Behney. Jean Rossman Underwood.  
 William Henry Houston. Raymond Alexander Kelsner.  
 Clell Bricker Perkins. Clifford Caswell Whitney.  
 Horace Samuel Eakins. Christian William Greenlee.  
 Isaac Owen Gladish. Harold Edward Egan.  
 Jesse Daniel Derrick.

*To be captain*

Frank Marion Lee.

*To be first lieutenants*

Herbert Morris Cox.  
 Laurence Robert Bower.

## MEDICAL ADMINISTRATIVE CORPS

*To be captains*

Thomas Grimsley Hester.  
 John Dennis Foley.

## CHAPLAINS

William Richard Arnold.  
 Alexander Daniel Sutherland.

## APPOINTMENTS AND PROMOTIONS IN THE NAVY

Rear Admiral Charles F. Hughes, to be Chief of Naval Operations in the Department of the Navy.  
 Capt. William D. Leahy, to be Chief of the Bureau of Ordnance in the Department of the Navy.

## TO BE REAR ADMIRALS

Edward H. Campbell. Frank H. Brumby.  
 Walter S. Crosley. Harris Laning.  
 Frank B. Upham. Henry V. Butler.  
 Ridley McLean. James J. Raby.  
 David F. Sellers. William H. Standley.  
 Joseph M. Reeves.

## TO BE CAPTAINS

John S. Abbott. Ormond L. Cox.  
 Nathan W. Post. Royal E. Ingersoll.  
 Roscoe F. Dillen. Herbert F. Leary.  
 Herbert H. Michael. Chester W. Nimitz.  
 Allen B. Reed. Reuben B. Coffey.  
 Christopher R. P. Rodgers. Joseph V. Ogan.  
 Lewis Coxe. Albert T. Church.  
 Cleon W. Mauldin. John N. Ferguson.  
 Isaac C. Johnson, jr. Arthur C. Stott.  
 David W. Bagley. William S. McClintic.  
 Fred H. Poteet. Byron McCandless.  
 George M. Baum. Roscoe C. MacFall.  
 Richard P. McCullough. Edmund S. Root.  
 Max M. Frucht. Arthur B. Cook.  
 Charles S. Joyce. George C. Pegram.

## TO BE COMMANDERS

Edmund S. R. Brandt. Thomas E. Van Metre.  
 James D. Maloney. John H. S. Dessez.  
 Alan G. Kirk. Stuart S. Brown.  
 Granville B. Hoey. Comfort B. Platt.  
 Francis W. Scanland. Sherman S. Kennedy.  
 Joel W. Bunkley. Chauncey A. Lucas.  
 Max B. DeMott. Charles H. Morrison.  
 Ernest J. Blankenship. Paul H. Rice.  
 Harold C. Train. Robert G. Coman.  
 Wallace L. Lind. Holbrook Gibson.  
 Lee P. Johnson. Charles E. Reordan.  
 Monroe Kelly. Howard H. J. Benson.  
 Marion C. Robertson. Hugo W. Koehler.  
 Leo L. Lindley. George N. Reeves, jr.  
 Edward C. Ragnet. Virgil J. Dixon.  
 Charles C. Davis. James B. Glennon.  
 Robert R. Paunack. Franklin Van Valkenburgh.  
 Frank D. Manock. Vance D. Chapline.  
 Williams C. Wickham. Frank A. Braisted.  
 Freeland A. Daubin. Raleigh C. Williams.  
 Hugh V. McCabe. Thalbert N. Alford.  
 Claude S. Gillette. Eugene M. Woodson.  
 William C. Faus. Wilbur J. Carver.

## TO BE LIEUTENANT COMMANDERS

Carroll W. Hamill. John H. Carson.  
 Lyman K. Swenson. Robert B. Carney.  
 Thorvald A. Solberg. Arthur W. Radford.  
 Edward P. Sauer. William D. Thomas.

George F. Martin.  
 Bernard F. Jenkins.  
 Boyd R. Alexander.  
 Edwin S. Earnhardt.  
 John E. Williams.  
 Jesse L. Kenworthy, jr.  
 Webster M. Thompson.  
 Albert E. Schrader.  
 Louis R. Vail.  
 Paul S. Goen.  
 Harry V. Baugh.  
 Dennis L. Ryan.  
 Andrew D. Mayer.  
 Charles G. Halpine.  
 Charles T. Joy.  
 Walter W. Webb.  
 Nelson N. Gates.  
 Henry L. Phelps.  
 Arnold H. Bateman.  
 John E. Reinburg.  
 John A. Terhune.  
 Charles J. Wheeler.  
 Theodore T. Patterson.  
 George P. Brewster.  
 Samuel P. Ginder.  
 Henry B. Broadfoot.  
 Adolph J. Merkt.  
 Van H. Ragsdale.  
 John Wilkes.  
 Robert J. Walker.  
 Robert B. Twining.  
 Homer L. Grosskopf.  
 William P. Bacon.  
 Wilbur W. Feineman.  
 Bruce P. Flood.  
 Oscar W. Erickson.  
 Fred D. Kirtland.  
 James M. Steele.  
 Arthur D. Burhans.  
 Thomas D. Warner.  
 Paul W. Rutledge.  
 T. DeWitt Carr.  
 Charles P. Cecil.  
 Calvin T. Durgin.  
 Humbert W. Zirolli.  
 James A. Scott.  
 William E. Miller.  
 George F. Chapline.  
 William J. Forrestel.  
 John S. Roberts.

## TO BE LIEUTENANTS

Rowland D. Hill, jr.  
 Amariah B. Cartwright.  
 William J. Medusky.  
 Glenn F. DeGrave.  
 Frederick H. Ottaway.  
 William G. Buch.  
 Herbert V. Perron.  
 John E. Pixton.  
 Ralph B. Hunt.  
 William B. Jackson, jr.  
 Kinloch N. Gardner.  
 Harry A. Guthrie.  
 William S. G. Davis.  
 Sydney S. Bunting.  
 Arnold E. True.  
 Grover B. H. Hall.  
 Linfield L. Hunt.  
 Sterling T. Cloughley.  
 Wayne A. McDowell.  
 William B. McHugh.  
 Rodger W. Simpson.  
 Frederick D. Kime.  
 Roy M. Signer.  
 Harry A. Brandenburger.  
 Rufus G. Thayer.  
 John G. Burrow.  
 William F. Ramsey.  
 Donald R. Tallman.  
 Eugene P. Sherman.  
 Benjamin L. Halley.  
 Gerald D. Linke.  
 Malcolm E. Selby.  
 William F. Fitzgerald, jr.  
 Thomas J. Kelly.  
 Bruce Settle.  
 James C. Pollock.  
 John J. Curley.  
 Harold W. Eaton.  
 Harold E. McCarthy.  
 Morton C. Hutchinson, jr.  
 Paul E. Roswall.  
 William W. Juvenal.  
 Wilson D. Leggett, jr.  
 Delamer L. Jones.  
 William G. Lalor.  
 William W. Cone.  
 Elmon B. Guernsey.  
 John P. Womble, jr.  
 Bryan C. Harper.  
 Ralph O. Myers.  
 Samuel W. Du Bois.  
 Paul E. Howard.  
 George S. Young.  
 Thomas F. Darden, jr.  
 Ralph R. Stogsdall, jr.  
 Alexander S. Edward.  
 Paul J. Register.  
 Joseph C. Hubbard.  
 DeLong Mills.  
 Forrest H. Wells.  
 William L. Drybread.  
 Dashiell L. Madeire.  
 Silas B. Moore.  
 Nicholas B. Van Bergen.  
 Joe E. Rucker.  
 George D. Martin.

Boynton L. Braun.  
 Everett E. Pettee.  
 Walter S. Dufton.  
 Carl H. Sanders.  
 Paul E. Howell.  
 Fort H. Callahan.  
 Herbert W. Taylor, jr.  
 Carl S. Drischler.  
 Charles F. M. S. Quinby.  
 Walter R. Jones.  
 Parke G. Young.  
 Elmer A. Tarbutton.  
 William G. Fewel.  
 John H. Willis.  
 Byron H. Hanlon.  
 Carl H. Bushnell.  
 William E. Makosky.  
 Laurence A. Abercrombie.  
 Harry L. Bixby.  
 Irving D. Wiltsie.  
 Elwood D. Poole.  
 Frank R. Talbot.  
 Joseph C. Cronin.  
 Wyatt Craig.  
 Keith R. Belch.  
 William G. Forbes.  
 Walfrid Myquist.  
 Rogers S. Ranshousen.  
 George D. Lyon.  
 Herbert A. Tellman.  
 Charles O. Glisson.  
 Everard M. Heim.  
 Edmund Kirby-Smith, jr.  
 James S. Freeman.  
 George C. Miller.  
 Stephen B. Cooke.  
 William V. Hamilton.  
 George H. Lyttle.  
 Dewey G. Porter.  
 Wakeman B. Thorp.  
 Charles W. Gray, jr.  
 Charles W. Roland.  
 George C. Crawford.  
 Robert W. Berry.  
 Lorenzo S. Sabin, jr.  
 William S. Price.  
 Joseph A. Connolly.  
 August J. Detzer, jr.  
 William R. Cooke, jr.  
 Donald T. Giles.  
 Charles H. Judson.  
 Donald F. Smith.  
 Charles F. Macklin, jr.  
 Campbell D. Emory.  
 Ralston B. Vanzant.  
 Jasper T. Acuff.  
 Francis J. Firth.  
 Hugh Peters.  
 Arthur H. McCollum.  
 Lawrence E. Divoll.  
 Lawrence C. Grannis.  
 John F. Madden.  
 Bernard J. Skahill.  
 Louis G. McGlone.  
 Melville E. Eaton.  
 Edmund C. Mahoney.  
 Angus M. Cohan.  
 Geoffrey E. Sage.  
 Harold A. Carlisle.  
 Delwyn Hyatt.  
 Herman Barter.  
 Clarence E. Aldrich.  
 Charles F. Greber.  
 George L. Russell.  
 John S. Crenshaw.  
 Lawrence F. Connolly.  
 Walter B. Pendleton.  
 Leo B. Farrell.  
 Charles J. Marshall.

## TO BE LIEUTENANT (JUNIOR GRADE)

Carlisle H. Thompson.  
 Farrington, L. Barr.  
 Frederick Moosbrugger.  
 Samuel P. Comly, jr.  
 Matthew L. Kelly.

Walter S. Keller.  
 William C. Gray.  
 Peter M. Money.  
 Frederick I. Entwistle.  
 Walter F. Weidner.  
 Burtnett K. Culver.  
 Lamar M. Wise.  
 John J. Lenhart.  
 Clinton A. Misson.  
 John A. Upshur.  
 Thomas L. Lewis.  
 Justin H. Dickins.  
 Thomas A. Parfitt.  
 William D. Johnson, jr.  
 Joseph R. Barbaro.  
 John W. Rice.  
 Walter G. Schindler.  
 William A. Griswold.  
 Howard N. Coulter.  
 George G. Herring, jr.  
 Edward P. Moore.  
 Morris J. Westfall.  
 Donald L. Erwin.  
 Marion C. Thompson.  
 Elmer P. Abernethy.  
 Edward C. Ewen.  
 Eugene B. Oliver.  
 John E. Reznor.  
 Ernest H. Webb.  
 Ward C. Gilbert.  
 Edward I. McQuiston.  
 Frederick S. Steinbauer.  
 Robert E. Canty.  
 Thomas M. Dell, jr.  
 Casper H. Hicks.  
 Julius A. McNamar.  
 Joel Newsom.  
 Apollo Soucek.  
 Ralph E. Hanson.  
 Thomas Lee McCann.  
 Willard R. Gaines.  
 Leslie K. Pollard.  
 Charles R. Lamdin.  
 Charles S. Alexander.  
 Horace L. De Rivera.  
 Philip G. Nichols.  
 Alex M. Loker.  
 Robert E. Jaspersen.  
 Walter J. Lee.  
 Daniel A. Frost.  
 James V. Carney.  
 Donald F. Smith.  
 Wiley N. Hand.  
 William D. Hoover.  
 Edwin M. Crouch.  
 John M. Campbell, jr.  
 Oral R. Swigart.  
 Walter P. Ramsey, jr.  
 Buell F. Brandt.  
 Lester R. Reiter.  
 Robert G. Willis.  
 Harold A. Houser.  
 Leo J. McGowan.  
 Julius L. Thompson.  
 John P. Heath.  
 Francis J. Bridget.  
 Robert F. Hickey.  
 Theodore R. Wirth.  
 James A. Roberts, jr.  
 James H. McWilliams.  
 Charles R. Brown.  
 Lowden Jessup, jr.  
 Myron E. Thomas.  
 Jennings Courts.  
 John M. Hoskins.  
 Joseph P. Rockwell.  
 Lionel L. Rowe.  
 Floyd F. Ferris.

Irvin T. Duke.  
 Truman J. Hedding.  
 Chester C. Wood.  
 Clarence E. Ekstrom.  
 William G. Fisher.

John A. Hayes.  
 Edmund A. Cunningham.  
 Rufus E. Rose, jr.  
 Orville F. Gregor.  
 Lee R. Herring.  
 Charles W. Wilkins.  
 Eugene C. Rook.  
 Robert L. Campbell, jr.  
 Claude B. Reese.  
 William N. Mansfield.  
 George C. Towner.  
 William A. Hickey.  
 Ralph E. Wilson.  
 Louis W. Nuesse.  
 Thomas H. Dyer.  
 Merle A. Sawyer.  
 Leo A. Bachman.  
 William M. Cole.  
 William F. Simmons.  
 Clifford A. Fines.  
 Edward W. Rawlins.  
 James W. Smith.  
 Elmer E. Yeomans.  
 Edward F. Crowe.  
 Elmer E. Berthold.  
 William G. Michelet.  
 Francis J. Grandfield.  
 Wallace M. Beakley.  
 Hallsted L. Hopping.  
 Maurice M. Bradley.  
 Joseph H. Garvin.  
 Lester K. Rice.  
 Stephen G. Barchet.  
 William P. Tammany.  
 Shirley Y. Cutler.  
 William C. France.  
 Rae E. Arison.  
 Bob O. Mathews.  
 Ephraim R. McLean, jr.  
 Walter V. R. Vieweg.  
 Richard F. Stout.  
 Willford M. Hyman.  
 Bernard L. Austin.  
 Joseph M. P. Wright.  
 Albert Handly.  
 Norman W. Ellis.  
 John T. Shannon.  
 Joseph E. Wolowsky.  
 James R. Pahl.  
 Paul K. Bryant.  
 William J. Longfellow.  
 George W. Patterson, jr.  
 Donald B. Bennett.  
 Joseph A. Callaghan.  
 James D. Lovejoy.  
 Howard L. Collins.  
 James S. Laidlaw.  
 Adrian M. Hurst.  
 John W. C. Brand.  
 William V. Davis, jr.  
 John N. Opie, 3d.  
 Ezra M. Ellis.  
 Aurelius B. Vosseller.  
 William J. Mitchell.  
 John R. Ruhsenberger.  
 John F. Addoms.  
 Gordon M. Stoddard.  
 Harold H. Tiemroth.  
 Marcel E. A. Gouin.  
 Emory W. Stephens.  
 Donald F. McLean.  
 Howell C. Fish.  
 Alfred J. Bolton.  
 John M. Kennaday.  
 Philip M. Boltz.  
 Thomas H. Templeton.  
 Edwin R. Wilkinson.  
 Roger E. Perry.  
 Sumner K. MacLean.  
 William D. Brown.  
 Paul Graf.  
 Warren D. Wilkin.  
 Forrest R. Bunker.  
 Virginius R. Roane.  
 William B. Bailey.  
 Henry C. Daniel.

Sherman E. Burroughs, jr.  
 Jere D. Hyde.  
 Joseph P. Thew.  
 John P. Cromwell.  
 Daniel J. McCallum.  
 Herrmann G. Page.  
 Forrest Close.  
 Herbert R. Ballinger.  
 Frank W. MacDonald.  
 Hammond J. Dugan.  
 Herman Sall.  
 Charles A. Legg.  
 Herbert K. Gates.  
 Solomon F. Oden.  
 Thomas J. Kirkland, jr.  
 Myron S. Teller.  
 Tillman T. Dantzler.  
 Robert O. Minter.  
 Crutchfield Adair.  
 Bertrand D. Quinn.  
 Stephen R. Bedford.  
 George W. Evans, jr.  
 John D. Hayes.  
 Max Schreiner.  
 Harold P. Smith.  
 Arthur W. Bass.  
 Wayne N. Gamet.  
 Everett W. Abdill.  
 Paul L. F. Weaver.  
 Willis E. Cleaves.  
 Theodore J. Shultz.  
 Edwin T. Layton.  
 Roger D. Phillips.  
 Thomas A. Turner, jr.  
 Robert C. Sutliff.  
 Adolph H. Oswald.  
 Frederick R. Furth.  
 Robert L. Swart.  
 Frank C. Layne.  
 Eugene C. Burchett.  
 George W. Stott.  
 Thomas A. Hucksins.  
 George A. Sinclair.  
 Dale Harris.  
 Kenneth Earl.  
 James B. Ricketts.  
 John A. Marsh.  
 LeRoi B. Blaylock.  
 Samuel E. Latimer.  
 Harold B. Miller.  
 Austen V. Magly.  
 Robert G. Lockhart.  
 Thomas C. Ragan.  
 Preston V. Mercer.  
 Robert Goldthwaite.  
 Jose M. Cabanillas.  
 Carl E. Cullen.  
 Audley L. Warburton.  
 Colby G. Rucker.  
 Jack B. Williams.  
 James R. Dancy.  
 Robert S. Carr.  
 Warren W. Harvey.  
 Harold R. Demarest.  
 Francis M. Hook.  
 William W. Weeden, jr.  
 Samuel M. Bailey.  
 Elton C. Parker.  
 Roy D. Williams.  
 Ethelbert Watts.  
 Lawrence J. McPeake.  
 William H. Duvall.  
 Howell Armor.  
 John C. Harris.  
 Minor C. Heine.  
 Donald J. Ramsey.  
 Henry E. Richter.  
 Frank E. Deam.  
 Richard J. Bourke, jr.  
 Leon W. Johnson.  
 Charles H. Callaway.  
 Howard V. Hopkins.  
 Herbert P. Sheldon.  
 Neill Phillips.  
 Harry Burris.  
 Richard C. Webb, jr.

Walter M. Graesser.  
Joseph S. Lillard.  
Arthur D. Barnes.  
John A. Holbrook.  
William B. Thompson.  
Richard S. Moss.  
William R. McCaleb.  
Archibald G. W. McFadden.  
Joseph I. Taylor, jr.  
Harrison B. Southworth.  
George C. Montgomery.  
Joseph F. Johnson.  
Thomas E. Fraser.  
Thomas S. Cameron.  
Russell J. Bellerby.  
Charles W. Oexle.  
Edwin J. Taylor, jr.  
Dewey H. Collins.  
Wallis F. Petersen.  
Frank H. Ball.  
William A. Evans, jr.  
George M. Brydon, jr.  
Frank R. Davis.  
Charles E. McDonald.  
William S. Hays.  
Max C. Storms.  
Richard F. Johnson, jr.  
Charles B. Cross, jr.  
Dennis L. Francis.  
John S. Holtzclaw.  
Henry W. Goodall.  
Louis B. Edwards.  
Charles A. Ferriter.  
Harry B. Temple.  
William L. Erdmann.  
Clyde J. Nesser.  
Wilfred E. Lankenau.  
John M. Sweeney.  
John C. Waldron.  
Frederick J. Ilsemann.  
Arthur M. Townsend.  
Raymond R. Waller.  
George Edmund Peterson.  
Richard S. Baron.  
Cameron M. Winslow, jr.  
Elijah W. Irish.  
Burton L. Doggett.  
Ralph T. McDaniel.  
Charles C. McDonald.  
Robert E. Sayre.  
Arnold R. Kline.  
William V. Deutermann.  
Leslie H. Hawkinson.  
Lloyd H. Thomas.  
Edgar T. Neale.  
Ted C. Marshall.  
Ira H. Nunn.  
Louis Roedel.  
Erskine A. Seay.

Joseph W. Fowler.  
John K. Hyatt.  
John H. Morrill.  
James H. McIntosh.  
Elliott W. Shanklin.  
Albert N. Perkins.  
Hugh B. McLean.  
John E. Spahn.  
Chester E. Carroll.  
Rufus C. Young, jr.  
Louis H. Gwinn.  
Edgar L. Witmer.  
John B. Rooney.  
Frederick J. Bell.  
Hampton M. Ericsson.  
Harrell W. Hall.  
Brainerd N. Bock.  
Lewis E. Coley.  
John C. Daniel.  
Joseph J. Woodward.  
Joseph W. Adams, jr.  
Henry T. Read.  
Robert S. Bertschy.  
Thomas J. Ball.  
Hugh J. Martin.  
George C. King.  
Clarence L. Winecoff.  
Charles J. Stuart.  
Joseph A. Farrell, jr.  
Arthur B. Leverett.  
Stockton B. Colt, jr.  
Bernard T. Zelenka.  
Bromfield B. Nichol.  
Walter C. Dey.  
Eugene T. Seaward.  
John T. Warren.  
Joshua C. Shively.  
Fitzhugh L. Rhea.  
Francis H. Gardner.  
John F. Cooke.  
James C. Landstreet.  
Edward F. Gallagher.  
Joseph M. Worthington.  
Ralph V. Baldwin.  
Elliott M. Moore.  
Arthur B. Dickie.  
Sidney King.  
Robley W. Clark.  
Burnice L. Rutt.  
Charles L. Lee.  
Robert H. G. Johnson.  
George Edward Peterson.  
Noble W. Abrahams.  
Robert W. Larson.  
William A. Kanakanui.  
Arthur C. Wood.  
Theodor C. Linthicum.  
James F. McDonough.  
Ralph E. Mills.

## TO BE ENSIGNS

Ferol D. Overfelt.  
Philip W. Snyder.  
Walter H. Albach.  
Robert A. Hinners.  
Allan L. Dunning.  
Herbert J. Pfingstag.  
John W. Bays.  
Herbert M. Neuhaus.  
Herbert C. Zitzewitz.  
Robert D. Conrad.  
Joseph F. Jelley, jr.  
Thomas L. Davey.  
Lawrence R. Daspit.  
Samuel H. Crittenden, jr.  
Kenneth A. Knowles.  
Richard Wagner.  
Paul D. Miles.  
Leonard S. Mewhinney.  
Warner R. Edsall.  
Clifford S. Cooper.  
William P. Chilton.  
William M. Nation.  
William H. Organ.  
William T. McGarry.

Selman S. Bowling.  
Earl B. Patterson.  
Cornelius S. Seabring.  
Edwin R. Van Sickle.  
William C. Bryson.  
Wallace B. Mechling.  
Henry H. Caldwell.  
Ernest W. Lamons.  
Cecil T. Caufield.  
Joseph R. Hamley.  
Joseph S. Detwiler.  
Charles M. Tooke.  
Melvyn H. McCoy.  
James H. Hogg.  
Paul H. Ramsey.  
Henry T. Koonce.  
George W. Anderson, jr.  
Warren F. Graf.  
John E. Faigle.  
Albert B. Scoles.  
David W. Tolson.  
Jack S. Holtwick, jr.  
Harold F. Traua.  
Eliot Olsen.

Wesley H. Randig.  
John C. Bernet.  
John W. Slayden.  
Welton D. Rowley.  
Shirley S. Miller.  
Francis C. Manville.  
Allen M. Zollars.  
James V. Rigby.  
James E. Cohn.  
Jacob C. Schwab.  
Richard H. Phillips.  
Joseph N. Murphy.  
John C. Broach.  
Leroy V. Housinger.  
Charles M. Heberton.  
Archibald D. Hunter.  
David B. Overfield.  
Charles E. Clutts.  
Hunt V. Martin.  
Alan B. Sutherland, jr.  
Harold S. Harnly.  
Ralph Hickox.  
Arthur E. Loeser.  
William H. Leahy.  
Robert H. Rice.  
James A. Lucier.  
Van Leo Wanselow.  
Bloomfield M. Cornell.  
Harlan M. Thorpe.  
James F. Benson.  
John B. Smyth.  
Charles C. Pyne.  
Carl F. Stillman.  
Benjamin E. Moore, jr.  
Leonard C. Chamberlin.  
Delbert F. Williamson.  
George B. Tuggle.  
Harold L. Tallman.  
James A. Haley, jr.  
Thomas J. Hamilton.  
Henry B. Stanley.  
Frederick L. Litty, jr.  
Halle C. Allan, jr.  
Frederic A. Berry, jr.  
Theodore C. Fauntz.  
Loren A. Morris.  
Earl K. Swearingen.  
Carl J. Pfingstag.  
Harry J. Ward.  
David B. Young.  
Roger F. Scott.  
Frederick Funke, jr.  
Herbert F. Eckberg.  
William C. Specht.  
Frederic F. Agens.  
Carl W. Flesher.  
James A. Jordan.  
John W. White.  
Miles H. Hubbard.  
George L. Heath.  
John C. Zahm.  
Harry R. Horney.  
Robert C. Winters.  
Daniel T. Eddy.  
Charles D. Griffin.  
Rawson Bennett, 2d.  
Sylvius Gazze.  
Thomas L. Mayo.  
Howard W. Taylor.  
Eldon C. Mayer.  
James J. McKinstry.  
Harold M. Briggs.  
Perry K. Jeanes.  
Seymour A. Johnson.  
Carl R. Midtlyng.  
Wellington A. Hammond.  
Lester J. Geiger.  
Hubert G. Wall.  
Martin P. Hottel.  
Fritz Gleim, jr.  
Andrew H. Bergeson.  
Raymond J. Moore.  
Jere H. Stofflet.  
Robert C. Brixner.

Otis C. Gregg.  
Christian H. Duborg.  
James R. McCormick.  
Lannie Conn.  
Paul W. Card.  
Clifford L. Wickman.  
Jack F. Bowling, jr.  
William R. Sands, jr.  
William E. Ferrall.  
Martin J. Lawrence.  
Samuel G. Mitchell.  
Jack Maginnis.  
Edward H. Eckelmeyer, jr.  
Edward M. Condra, jr.  
Brooke Schumm.  
Carroll F. Johnson.  
John W. Malley.  
Jack H. Lewis.  
Richard W. Smith.  
George K. Fraser.  
Carl L. Steiner.  
Hilfort C. Owen.  
Kenton E. Price.  
Arthur S. Born.  
Allen Smith.  
Thomas B. Klakring.  
William Loveland.  
Alexander M. Kowalzyk, jr.  
John L. Ewing, jr.  
Timothy F. Donohue.  
James M. Roberts.  
Alden D. Schwarz.  
James G. Holloway, jr.  
Jesse Blackwell.  
Vernon Dortch.  
Robert S. Quackenbush, jr.  
Edmund T. Napier, jr.  
Walter H. Price.  
Marin R. Stone.  
Daniel J. Weintraub.  
George B. Gilbertson.  
Robert L. Densford.  
Leland R. Lampman.  
Jack P. Monroe.  
Herbert L. Hoerner.  
Edward K. Shanahan.  
Noble W. Lowrie.  
Charles P. Hill, jr.  
Lee W. Parke.  
Harry F. Bauer.  
John F. Henkel.  
Harry E. Day.  
Argyll E. Buckley.  
Gill M. Richardson.  
Joseph T. Hazen.  
Leon J. Barbot.  
Charles B. Beasley.  
John T. Corwin.  
Clayton R. Dudley.  
Edward N. Teall, jr.  
Joseph W. Kern.  
Richard D. Zern.  
John L. De Tar.  
John A. Edwards.  
Leonard W. Bailey.  
Robert B. Alderman.  
Myron T. Evans.  
Thomas L. Greene.  
Charles J. Zondorak.  
William L. Knickerbocker.  
James A. Pritchard.  
Tyrrell D. Jacobs.  
James L. Shank.  
Emmanuel T. Goyette.  
George B. Coale.  
John F. Hines, jr.  
Howard W. Gordon, jr.  
Paul R. Drouilhet.  
Peter K. Wells.  
Eugene E. Davis.  
Creed C. Burlingame.  
Robert H. Speck.  
Arthur K. Ehle.  
Henry R. Dozier.

James W. Blanchard.  
 William Y. C. Humes, jr.  
 Philip C. Olin.  
 Arthur C. W. Baskin.  
 George L. Hansen.  
 Richard B. Levin.  
 Frank Turner.  
 Ulysses S. G. Sharp, jr.  
 Robert A. Johnson.  
 Eugene E. Lindsey.  
 Phillip A. Tague, jr.  
 Roy Scott.  
 Leo W. Nilon.  
 Robie E. Palmer.  
 Wayne T. Stukey.  
 George M. B. Smith.  
 Monro M. Riker.  
 James S. Willis.  
 Louis P. Fairlamb.  
 Abram H. Afong, jr.  
 Robert Brodie, jr.  
 Frederic S. Habecker.  
 Robert F. Martin.  
 Wm. T. Romizer.  
 Farar B. C. Martin.  
 Randolph B. Boyer.  
 John T. Dimon.  
 Paul L. High.  
 Gregory A. Ladd.  
 Hysell P. Cooper.  
 Phillip S. Griffith.  
 Howell J. Dyson.  
 John W. Schmidt.  
 Robert M. Barnes.  
 Harold T. Deutermann.  
 Harold P. Richards.  
 Charles L. Melson.  
 Edwin W. Herron.  
 Thomas O. Oberrender, jr.  
 Harold A. Henry.  
 Wendell G. Osborn.  
 Arnold W. McKechnie.  
 Howard C. Adams.  
 Ross R. Kellerman.  
 Harold M. Zemmer.  
 Paul S. Depew.  
 Robert I. F. Fravel.  
 Hugh A. R. Keiran.  
 Theodore O. Dahl.  
 Liles W. Creighton.  
 David C. White.  
 Harry R. England.  
 Lawrence M. Jensen.  
 Gerald R. Dyson.  
 Joe W. Boulware.  
 Emmett J. Sullivan.  
 Charles K. Bergin.  
 Robert E. Dixon.  
 Richard C. Collins.  
 Edward S. Addison.  
 George G. Mead.  
 George D. Sullivan.  
 John C. Woelfel.  
 Willard A. Saunders.  
 Blinn Van Mater.  
 Loring O. Shook.  
 Theodore S. Dukeshire.  
 Tom C. King.  
 George D. Dickey.  
 Wm. F. Royall.  
 Thomas B. Neblett.  
 Newlin Neuhauser.  
 Thomas M. Dykers.  
 Lewis J. Sheaffer.  
 Arthur G. Bruner.  
 Floyd C. Camp.  
 William H. Ashford, jr.  
 Mitchell D. Matthews.  
 Clarence E. Coffin, jr.  
 Frank Bruner.  
 Frederick C. Marggraff, jr.  
 Eugene B. McKinney.  
 Thomas J. Flynn.  
 Harold R. Sheehan.  
 Alfred R. Truslow, jr.

Selden G. Hooper.  
 Walter C. Winn.  
 William C. Jennings.  
 Frank T. Corbin.  
 Milton A. Nation.  
 John M. Madison.  
 John Eldridge, jr.  
 Edmund E. Garcia.  
 Harry H. McIlhenny.  
 Albert R. Heckey.  
 Edwin B. Robinson.  
 James W. Lucas, jr.  
 Lucius H. Chappell, jr.  
 John E. Fitzgibbon.  
 Levi J. Knight, jr.  
 Joseph J. Carey.  
 Wayne R. Loud.  
 Louis T. Malone.  
 John R. Waterman.  
 Eugene F. McDaniel.  
 Louis H. Hunte.  
 Courtney Shands.  
 Monroe B. Duffill.  
 George Knuepfer.  
 Stanley E. Judson.  
 Herbert D. Riley.  
 Charles K. Hewins.  
 Jules F. Schumacher.  
 Gordon S. Ashley.  
 Chesley M. Hardison.  
 Morton S. Cressy, jr.  
 Thomas H. Massie.  
 David J. Walsh.  
 Leonard B. Southerland.  
 Theodore G. Schirmeyer.  
 Frank Virden.  
 William R. D. Nickelson, jr.  
 Myron W. Graybill.  
 Emile R. Winterhaler.  
 Francis S. Kirk.  
 Robert J. Foley.  
 Ernest Blake.  
 William H. Cuzner.  
 Harry L. Hicks.  
 David B. Coleman.  
 Henry J. Armstrong, jr.  
 Maurice E. Goudge.  
 Charles L. Freeman.  
 Peery L. Stinson.  
 Frank M. Hammitt.  
 William S. Harris.  
 Carl M. Dalton.  
 Edward P. Hagan.  
 Robert T. Symes.  
 Claren E. Duke.  
 William H. Potts.  
 William H. Brockman, jr.  
 Edward D. Lindell.  
 Roland F. Pryce.  
 Henry T. Jarrell.  
 Eugene L. Lugibihl.  
 Edwin K. Ponvert.  
 Robert V. Hull.  
 Adoniram J. Hill.  
 Dick R. Downer.  
 Edward J. Drew.  
 Robert K. Brown.  
 Francis W. McCann.  
 Arthur D. Marks.  
 Julian D. Greer.  
 Albert E. Fitzwilliam.  
 Nathaniel T. Roberts.  
 Ernest J. Sabol.  
 Marshall L. Smith.  
 William R. Caruthers.  
 Joseph B. Danhoff.  
 Joe Taylor.  
 Joseph A. Corwin.  
 Spalding Trafton, jr.  
 Cyrus T. Clendening.  
 Renwick S. Calderhead.  
 Philip H. Ross.  
 Lee F. Keys.  
 John G. McLaughry.

Philip B. Tankard.  
 Bosquet N. Wey.  
 William R. Ignatius.  
 Howard A. Yeager.  
 James W. Hager.  
 Arthur H. Taylor.  
 Charles J. Skelly.  
 William E. Kaitner.  
 Bernard M. Gates.  
 Howard E. Purdy.  
 George A. Lewis.  
 Leonidas W. Pancoast.  
 Doyle G. Donaho.  
 Alan R. Montgomery.  
 William A. Deam.  
 Alvin Robinson.  
 William E. Balfrey.  
 Harry J. Hardwick.  
 Malen Durski.  
 Harry M. Denty.  
 Joshua W. Cooper.  
 Francis E. Cromwell.  
 Michael P. Russillo.  
 John Bailey.  
 Granville A. Moore.  
 Gus B. Lofberg, jr.  
 Clinton S. Rounds.  
 Robert B. Morgan, jr.  
 Joseph B. Maher.  
 Robert N. Downes.  
 Edward P. Southwick.  
 Richard E. Fenton.  
 Gordon S. Everett.  
 Veryl F. Frye.  
 John C. Atkeson.  
 Byron C. Gwinn.  
 Elmer G. Cooper.  
 James J. McRoberts.  
 John E. Clark.  
 Marion M. Byrd.  
 Ray A. Mitchell.  
 Harry D. Hale.  
 Harry R. Hummer, jr.  
 Jack O. Wheat.  
 Oddie W. Anderson.  
 William A. Sutherland, jr.  
 Thomas C. Green.  
 John O. R. Coll.  
 John S. Thach.  
 Francis R. Jones.  
 Henry M. Marshall.  
 John A. Milburn.  
 Lester B. Mye.  
 Joseph A. Flynn.  
 Milton T. Dayton.  
 Julius F. Way.  
 James K. Averill.  
 Curtis A. Myers.  
 Albert B. Mayfield, jr.  
 George A. Lange.  
 Albert J. Devany.  
 Clarence E. Cortner.  
 Glenn W. Legwen, jr.  
 William O. Burch, jr.

## TO BE MEDICAL DIRECTORS

William Seaman.  
 James S. Woodward.  
 Samuel S. Rodman.  
 John B. Mears.  
 Thomas W. Ralson.

Curtis B. Munger.  
 Ausey H. Robnett.  
 James M. Minter.  
 Edward U. Reed.  
 Reynolds Hayden.

## TO BE MEDICAL INSPECTORS

Sankey Bacon.  
 George A. Riker.  
 Harry E. Jenkins.

John F. Riordan.  
 Walter C. Espach.

## TO BE SURGEONS

George D. Thompson.  
 Albert G. Wenzell.  
 Norman Roberts.  
 Edward L. McDermott.  
 Wendell P. Blake.  
 Roger D. Mackey.  
 Paul P. Maher.

Carl J. Robertson.  
 Warren E. Bradbury.  
 Eustace H. Prescott.  
 Lea B. Sartin.  
 Maurice S. Mathis.  
 James B. Moloney.  
 Charles P. Archambeault.

William W. Hall.  
Herbet L. Barbour.  
Rex H. White.

## TO BE PASSED ASSISTANT SURGEONS

Caldwell J. Stuart.  
Herbert L. Pugh.  
Bruce M. Summers.  
Oliver A. Smith.  
Edward P. Kunkel.  
Peter C. Supan.  
Edward M. Harris, jr.  
Walter L. Bach.  
Herman Seal.  
Winfred P. Dana.  
Robert M. Gillett.  
George F. Cooper.  
John M. Bachulus.  
Harry D. Templeton.  
Charlie H. Allman.

Jesse W. Smith.  
Francis P. Gardner.  
James E. Andrews.

William E. Pinner.  
Dwight J. Wharton.  
Oliver R. Nees.  
Harvey E. Robins.  
Carl D. Middlestadt.  
Charles H. Bitner.  
Charles C. Yanquell.  
Joseph I. Porter.  
Henry M. Weber.  
John R. Smith.  
Thomas F. Cooper.  
George C. Thomas.  
Leonard L. Wilson.  
Thomas H. Hayes.  
Everett H. Dickinson.

## TO BE ASSISTANT SURGEONS

Carl H. McMillan.  
James H. Wall.  
William A. DeMonbreun.  
George H. Fondé, jr.  
Clarence C. Myers.  
Irwin L. Norman.  
Charles S. Paddock.  
Irby B. Ballenger.  
Emmett D. Hightower.  
William H. Algie.  
Harold G. Young.  
Wendell H. Musselman.  
Hubert H. Carroll.  
Ernest D. Davis, jr.  
Harry H. Haight.  
Courtney G. Clegg.  
William J. Hogue.  
Leslie K. MacClatchie.  
David J. Cracovaner.  
Joseph E. Evans.  
Paul E. RePass.  
Jesse W. Miller.  
John L. Enyart.  
John H. Korb.  
Leland J. Belding.  
Claude R. Ball.  
Robert S. Simpson.  
Norman A. Ross.  
Cecil C. Welch.  
Julian Love.  
Roy R. Kracke.  
Carl K. Youngkin.  
Adolph P. von Hungen.  
William E. Carskadon.  
Germain J. Cotta.  
Rupert H. Draeger.

Douglas T. Prehn.  
Charles E. Fitzgerald.  
Charles J. Cooney.  
Frederick C. Meyers.  
Oscar W. Thoeny.  
Robert C. Luckey.  
James T. Parker.  
Herbert C. Walker.  
Joseph G. Schnebly.  
Cly H. Hatcher.  
Jay F. Miller.  
Gordon B. Tayloe.  
John B. Clark.  
Henry C. Wass.  
Dirk M. te Groen.  
Ransome O. Jackson.  
Clyde L. Bozarth.  
Jesse G. Wright.  
Charles W. Shilling.  
Farra L. Read.  
Clark W. Virtue.  
Charles W. Stelle.  
Bernhardt I. Wulff.  
Fred H. Hartshorn.  
Albert J. Kelley.  
Thomas J. Carter.  
Henry T. Cox.  
Marion J. Eaton.  
William E. Walsh.  
DeCoy Marchand.  
Otto W. Wickstrom.  
John P. Wood.  
Clifford W. Moore.  
John F. Moore.  
Joseph S. Green.

## TO BE DENTAL SURGEONS

Ernest W. Lacy.  
Lucien C. Williams.  
Paul G. White.  
John J. Haas.  
Howard C. Wickham.  
Edward B. Howell.

Adolphus R. Gleitsman.  
Clarence E. Garcia.  
Francis G. Ulen.  
Daniel A. Doherty.  
Allen H. Hetler.  
Francis J. Long.

## TO BE PASSED ASSISTANT DENTAL SURGEONS

Joseph Connolly.  
Francis R. Hittinger.  
Robert R. Crees.  
Jesse W. Miller, jr.  
Ralph B. Putnam.  
Frank A. Richison.  
Alfred R. Harris.  
Virgil H. Traxler.  
Wadsworth C. C. Trojakowski.

George H. Rice.  
Sidney P. Vail.  
Theodore DeW. Allan.  
Francis W. Lepeska.  
Otto V. Rogstad.  
Otis A. Peterson.  
Leon M. Billings.  
John M. Thompson.

## TO BE ASSISTANT DENTAL SURGEONS

Frank K. Sullivan.  
Arthur Siegel.  
Hector J. A. MacInnis.  
Alfred Dinsmore.  
Edward H. Delaney.

Louis D. Mitchell, jr.  
James L. Frisby.  
Robert P. Irons.  
Edwin D. Foulk.  
Edward O. Andersen.

## TO BE PAY DIRECTORS

John D. Robnett.  
Felix R. Holt.  
Chester G. Mayo.  
James F. Kutz.  
Walter D. Sharp.  
William G. Neill.  
Roland W. Schumann.  
Dallas B. Wainwright, jr.

George P. Shamer.  
Frank Baldwin.  
David G. McRitchie.  
William H. Wilterdink.  
John F. O'Mara.  
Manning H. Philbrick.  
Edward R. Wilson.  
Everett G. Morsell.

## TO BE PAY INSPECTORS

Thomas J. Bright.  
Robert K. Van Mater.  
Major C. Shirley.

Harold C. Gwynne.  
Chauncey R. Murray.

## TO BE PASSED ASSISTANT PAYMASTERS

William E. Tripp.

Nicholas J. Halpine.

## TO BE ASSISTANT PAYMASTERS

Frederic W. Hesser.  
Kenneth R. Miller.  
J. D. Parks.  
Frederick L. Hetter.  
Charles G. DeKay.

Donald B. Hilton.  
Roland W. Rickertts.  
Calvin B. White.  
Louie L. Lindenmayer.

## TO BE NAVAL CONSTRUCTORS

Roy W. Ryden.  
Waldo P. Druley.  
Joseph W. Paige.  
James E. J. Kiernan.  
James R. Allen.

Leslie C. Stevens.  
William R. Nichols.  
Richard McK. Rush.  
Paul W. Hains.  
Thomas P. Wynkoop.

## TO BE ASSISTANT NAVAL CONSTRUCTORS

Armand M. Morgan.  
Edward W. Clexton.  
Wendell E. Kraft.

Robert S. Hatcher.  
Edward V. Dockweiler.  
John J. Scheibeler.

## TO BE CIVIL ENGINEERS

Frank T. Chambers.  
Clinton D. Thurber.

## TO BE ASSISTANT CIVIL ENGINEERS

William L. Richards.  
Richard P. Carlson.  
Walter T. Eckberg.

Wallace B. Short.  
Harold MacT. Sylvester.

## TO BE CHIEF BOATSWAINS

Hubert George.  
Russell L. Kaetzel.  
Ivan E. Pitman.

David L. Ullman.  
Robert H. Merryman.  
George W. Meyer.

## TO BE CHIEF GUNNERS

Francis J. Kaiss.  
Arthur S. Fenton.  
Antonio G. Aquaturo.

## TO BE CHIEF ELECTRICIANS

Merion E. Hair.  
Albert J. Petrascak.

## TO BE CHIEF RADIO ELECTRICIANS

William H. Frost.  
George W. Almour.

## TO BE CHIEF MACHINISTS

Anthony Iannucci.  
Edward J. Sherry.  
Meares B. Cartmell.  
Virgil D. Duke.

Raymond G. Shively.  
Harry F. Meachen.  
Clarence J. P. Buckley.  
Irvin J. Heckman.

## TO BE CHIEF PAY CLERKS

Cecil O. Hamrick.  
William D. Wilkinson.  
Elmer Stephenson.  
James H. Parish.  
Charles E. Coleman.  
Charles C. Hiles.  
Benn A. Fairchild.  
Garret Boer.

Robert Nelson.  
Leroy Alexander.  
Harold R. Darling.  
Ted B. Daly.  
Raymond Ciesluk.  
William D. Burroughs.  
Irvin L. Ludlan.

## TO BE MEDICAL DIRECTORS

Ralph W. Plummer.  
Robert G. Heiner.  
Spencer L. Higgins.

## TO BE MEDICAL INSPECTORS

Edwin L. Jones.  
William H. Short.  
Gordon D. Hale.  
Lawrence M. Schmidt.  
Chandler W. Smith.  
Edward V. Valz.

Harry R. Hermesch.  
Alexander B. Hayward.  
Reginald B. Henry.  
Walter A. Bloedorn.  
George R. W. French.



## TO BE LIEUTENANT (JUNIOR GRADE)

Frederick A. L. Dartsch. Richard G. Ganahl.  
Douglas T. Day, jr. Henry C. Doan.

## TO BE SURGEONS

Warwick T. Brown.  
Max Silverman.

## TO BE PASSED ASSISTANT SURGEONS

Robert K. Y. Dusinger. John R. Lynas.  
Lloyd R. Newhouser. Carl M. Dumbauld.

Frederic McK. Ingersoll to be passed assistant dental surgeon.  
Charles A. Nicholson, 2d, to be naval constructor.  
Charles H. Cushman to be naval constructor.  
Henry F. Mulloy to be lieutenant (junior grade).  
Joseph H. Lawson to be lieutenant commander.  
Thomas C. Ritchie to be lieutenant (junior grade).

## RETIRED LIST

Capt. Reginald R. Belknap to be a rear admiral on the retired list of the Navy.

## IN THE MARINE CORPS

## TO BE COLONELS

Presley M. Rixey, jr.  
Theodore E. Backstrom.  
William H. Pritchett.

## TO BE LIEUTENANT COLONELS

Frederick A. Barker. Emile P. Moses.  
William T. Hoadley. Harold F. Wirgman.

## TO BE MAJORS

John B. Sebree. Louis M. Bourne, jr.  
Louis E. Fagan. Matthew H. Kingman.  
Allen H. Turnage.

## TO BE CAPTAINS

Edward A. Fellowes. William L. Harding jr.  
Andrew L. W. Gordon. John B. Neill, jr.  
Leland S. Swindler. Ralph R. Robinson.  
Howard N. Stent. Walter E. Bilisoly.  
Donald Spicer. John K. Martenstein.  
Ford O. Rogers. Hamilton M. H. Fleming.  
Walter G. Farrell. Frederick E. Stack.

## TO BE SECOND LIEUTENANTS

Raymond P. Rutledge. Archie E. O'Neil.  
Samuel S. Jack. Allen C. Koonce.  
Henry R. Paige. Alan Shapley.  
Guy DeW. Chappell. Jefferson G. Dreyspring.  
Joseph W. Earnshaw. David F. O'Neill.  
Walter L. J. Bayler. John C. Munn.  
Marion L. Dawson, jr. Jaime Sabater.  
Harold G. Newhart. Richard P. Ross, jr.  
Frank M. June. Elmer G. Marks.  
George H. Potter. Mercade A. Cramer.  
Earl S. Piper. Roger T. Carleson.  
Robert A. Olson. John S. Letcher.  
Francis M. McAllister. Frank H. Wirsig.  
Jack P. Juhan. Frank G. Dailey.  
Harold D. Hansen. William B. Williams.  
Jesse S. Cook, jr. Robert B. Luckey.  
Miles S. Newton.

## TO BE CHIEF MARINE GUNNER

James W. Lattin.

## TO BE CHIEF QUARTERMASTER CLERKS

John Strong.  
Holmes J. Smith.  
Harry S. Young.

## TO BE CHIEF PAY CLERK

John W. Lytle.

## POSTMASTERS

## ARIZONA

Leonard D. Redfield, Benson.  
Luther Cadwell, Holbrook.

## ARKANSAS

Mary Brown, Alpena Pass.  
Roy W. Stevens, Ashdown.  
Bing Moody, Bald Knob.  
Thomas T. West, Beebe.  
Milton R. Stimson, Brinkley.  
Kay S. Rolley, Crawfordville.  
Redford G. Miles, Des Arc.  
Edith M. Cook, De Valls Bluff.

Robert M. Deason, El Dorado.  
Garland S. Russell, Green Forest.  
William J. Rumsey, Hardy.  
Oliver A. Hill, Hartford.  
Charles L. Jones, Junction City.  
George H. C. Palmer, McGehee.  
Harry L. Shambarger, Mulberry.  
Thomas A. Hunt, Murfreesboro.  
Paul Smith, Nettleton.  
Ned P. Atkin, Parkdale.  
Frank Weldin, Piggott.  
James H. Ward, Quitman.  
Edwin S. Thompson, Springdale.  
Nona E. Robertson, Thornton.  
Stella I. Winn, Winslow.

## CONNECTICUT

John W. Cook, Beacon Falls.  
Henry G. Linsley, Branford.  
Carl W. Brage, Darien.  
Leontine M. Root, East Berlin.  
Sarah L. Ruic, Farmington.  
W. Burton Allen, Litchfield.  
Ernest F. Brown, Manchester.  
Courtland C. Potter, Mystic.  
Walter E. Brown, Naugatuck.  
William P. Leete, North Haven.  
Cyrus I. Byington, Norwalk.  
Casper K. Bailey, Norwich.  
Fred R. Alford, Oakville.  
William C. Bushnell, Plantsville.  
William P. Stone, Salisbury.  
Nelson E. Welch, Somers.  
Walter B. Palmer, Sound Beach.  
John P. McGrath, Southington.  
Harry Muir, Thomaston.  
William C. Saunders, Waterford.  
John V. Abbott, Watertown.  
Adele P. Brush, West Cornwall.

## GEORGIA

Richard G. Mansfield, Bluffton.  
Roxie B. Goza, Chamblee.  
Alma Bustle, Coolidge.  
Rufus H. Johnson, Hogansville.  
James P. Pirkle, Hoschtou.  
Cicero F. Duffee, Jonesboro.  
Charles R. Jones, Rossville.  
Clarence G. Hardigree, Watkinsville.  
Roger E. Fulcher, Waynesboro.

## INDIANA

Neil D. McCallum, Batesville.  
Helen P. Roetzel, Boonville.  
William P. Hays, Burns City.  
Lola E. Lippard, Clermont.  
William Teutemacher, Dyer.  
Charles G. Covert, Evansville.  
Luther K. Abel, Fairland.  
George F. Freeman, Franklin.  
Clyde W. Ward, Gas City.  
Olin M. Bagby, Greenwood.  
Ruth I. Trapp, Grovertown.  
Robert H. Bryson, Indianapolis.  
John G. Martin, Lynn.  
John A. Jones, Marion.  
Lucille MaCurdy, Monon.  
William H. Wright, Montezuma.  
Charles E. Ballance, Oaktown.  
Winbern H. Dillon, Pittsboro.  
Charles O. Harper, Somerville.  
Charles L. Grishaw, Tipton.

## IOWA

Edward J. Kooreman, Alton.  
Lucian C. Tilden, Ames.  
Arthur L. Remley, Anamosa.  
Eddy L. Newton, Anita.  
Howard C. Walter, Arnolds Park.  
Allen A. Mickelsen, Battle Creek.  
Walter H. Herzog, Baxter.  
George L. Beeler, Bellevue.  
Elda Bendigkeit, Bennett.  
John C. Erton, Blairsburg.  
Lloyd Lock, Castana.  
Sue G. Cross, Chelsea.

Omar H. Brooks, Cleghorn.  
 William M. Crosier, Coggon.  
 Orlean P. Riordan, Correctionville.  
 Frank M. Williams, Council Bluffs.  
 Ressie E. Scheib, Delmar.  
 Adam F. Deadrick, Dike.  
 Ralph R. Ray, Doon.  
 Howard C. Snyder, Earlville.  
 Arthur W. Moore, Eldon.  
 Madge Fell, Fremont.  
 William Molloy, Galva.  
 William L. McLaughlin, Glidden.  
 Marion G. McCreight, Greenfield.  
 Howard L. Nickerson, Grundy Center.  
 John C. Foster, Hedrick.  
 Alphonso T. Joder, Hudson.  
 Charles C. Shrader, Iowa City.  
 Charles W. Woodward, Kellogg.  
 Dora M. Schenken, Keystone.  
 Emma A. Gibbs, Klemme.  
 Maurice L. Curtis, Knoxville.  
 Edwin E. Starr, Lake Park.  
 Edward Thaves, Lakota.  
 James J. Pruitt, Larchwood.  
 Andrew F. Bittle, Lisbon.  
 Lambert H. Meier, Lowden.  
 Irvyn L. Donner, Malvern.  
 Gus E. Holmberg, Manning.  
 Hope C. Niemann, Marcus.  
 Harland J. Maurer, Mechanicsville.  
 Claude I. Patterson, Mediapolis.  
 William E. Males, Milo.  
 Anna A. Meek, Minburn.  
 George Guyan, Monticello.  
 Charles S. Rogers, Mount Pleasant.  
 William S. McKee, Muscatine.  
 Rose M. Ward, Neola.  
 Herbert E. Hadley, Nevada.  
 James M. Crawford, New London.  
 Roy H. Bailey, Newton.  
 Alexander J. Irwin, New Virginia.  
 Lanah A. Lawler, North English.  
 Carl A. Wissler, Oakdale.  
 Christopher C. Morris, Oakland.  
 John B. Balkeman, Orange City.  
 Joseph E. Crissinger, Oxford.  
 Louis F. Bousquet, Pella.  
 Maude E. Barkley, Pierson.  
 Edward Oldis, Preston.  
 Jo G. Milligan, Pulaski.  
 John S. Baxter, Red Oak.  
 Lloyd R. Hughes, Sac City.  
 Lucille Brouillette, Salix.  
 Walter E. Witten, Sloan.  
 Edward R. Bender, Spencer.  
 George W. Sisler, Stanwood.  
 John D. Herriott, Stuart.  
 Dwight C. Kessler, University Park.  
 Tabitha Yelsma, Ute.  
 Lennie L. Hoffman, Vail.  
 Layton E. Brown, Victor.  
 Clarence A. Knaack, Walcott.  
 Jessie E. D. Palmer, Walnut.  
 James A. Smiley, Winfield.

## KANSAS

Frederick H. Dodd, Altoona.  
 William P. Ham, Atchison.  
 Ella M. Greason, Atwood.  
 Ernest E. Shannon, Barnes.  
 John G. Hyde, Beloit.  
 Jessie M. Arbogast, Belpre.  
 Horace C. Lathrap, Blue Rapids.  
 Arthur B. Fowler, Brookville.  
 James R. Galyon, Burden.  
 Linnihan M. Kelleher, Burlingame.  
 Claude W. Simpson, Cawker City.  
 Martin W. Sanderson, Cedar Vale.  
 Charles S. Nation, Chanute.  
 William C. Coates, Clyde.  
 Orville G. Hannum, Corning.  
 Elwood M. Jones, Council Grove.  
 Edward L. Kier, Courtland.  
 Harvey E. Yenser, Delphos.  
 Alfred N. Parrish, Dunlap.  
 Harry A. Osborn, Emporia.

Carl E. Meyer, Enterprise.  
 William L. Oliver, Erie.  
 Rebecca C. Minneman, Fairview.  
 Hiram L. Hyde, Geneseo.  
 Charles S. Goodrich, Goff.  
 Edward M. Brown, Greensburg.  
 Bessie M. Achenback, Hardtner.  
 Luella Meredith, Hill City.  
 Ferdinand Scharping, Hillsboro.  
 William T. Beck, Holton.  
 Alvey P. Spessard, Junction City.  
 Kirby L. Griffith, Kanopolis.  
 Elmer E. Brewster, Leavenworth.  
 Joseph C. Wolf, Macksville.  
 John O. Rodgers, Mankato.  
 Eben Carlsson, McPherson.  
 John B. Schwab, Morrowville.  
 Josiah Foltz, Newton.  
 Herman F. Kiesow, Osage City.  
 William M. McDannald, Peru.  
 Leslie Fitts, Reading.  
 Albert E. Kerns, St. Marys.  
 Ralph G. Johnson, Seneca.  
 Guy E. Woodhouse, jr., Sharon Springs.  
 Chester A. Freeman, Tonganoxie.  
 Viola E. Stauffer, Valley Center.  
 Orloff F. Falls, Valley Falls.  
 Carroll B. Kelley, Wakeeney.  
 Mary O. Detwiler, Wamego.  
 Charles E. Painter, Waverly.  
 Claude J. Wood, Wetmore.  
 William L. Holmes, White City.  
 Althea C. Curry, Winchester.  
 John F. Allen, Yates Center.  
 Zella M. Swope, Zenda.

## KENTUCKY

James S. Trosper, Allais.  
 Andrew J. Boatwright, Beech Creek.  
 George D. Montfort, Campbellsburg.  
 Troy Arnett, Dunham.  
 Catherine E. Ransdell, Eminence.  
 Amos G. Bryant, Fleming.  
 Claude P. Freeman, Fulton.  
 Lula Hall, Gilbertsville.  
 George L. Jarboe, Glen Dean.  
 Mildred Ramage, Hickman.  
 Mary L. Easum, Jeffersontown.  
 Mike Staley, Lackey.  
 Mary O. Manby, La Grange.  
 Lillie M. Jackson, Lebanon.  
 York Hatfield, McVeigh.  
 Carl A. Reis, Mogg.  
 Willie M. Quillen, Neon.  
 Fred L. Sears, Nicholasville.  
 Ella M. Geddes, Pippappass.  
 Chester A. Combs, Vicco.  
 Byrd Wicker, Wayland.

## MAINE

Everett E. Sinnett, Bailey Island.  
 William F. Holden, Bangor.  
 Everett E. Brown, Brooks.  
 Fred A. Pitts, Damariscotta.  
 Everett M. Vannah, East Boothbay.  
 Eugene L. Jewell, Fairfield.  
 Harry B. Brown, Farmington.  
 John E. Sargent, Fryeburg.  
 Stephen H. Ward, Kennebunk Port.  
 George D. Vose, Kingfield.  
 Charles E. Perry, Kittery Point.  
 Walter B. Stone, Lovell.  
 Mary G. Kennison, Madison.  
 Albert C. Bradbury, Newport.  
 Bernice E. Morse, North Jay.  
 Edith B. Holden, Oakfield.  
 Homer M. Orr, Old Town.  
 Louise R. Harding, Orono.  
 Alice C. Havener, Searsport.  
 Earle R. Clifford, South Paris.  
 Ernest C. Butterfield, Springfield.  
 George W. Tracy, Stockholm.  
 George H. Hopkins, Stockton Springs.

## MICHIGAN

Jennie McMinn, Bessemer.

## MISSOURI

James E. Roark, Anderson.  
 Thomas J. Bryant, Anglum.  
 William L. Shipp, Centerview.  
 Frank W. Dunn, Chaffee.  
 Walter B. Ashbaugh, Clarkton.  
 Alice I. Dixon, Creighton.  
 John J. Kennon, Doniphan.  
 Merton M. Meador, Exeter.  
 Florence E. Gilbert, Fillmore.  
 Robert G. Teague, Frankford.  
 Henry W. Schupp, Freemont.  
 Charles N. Williamson, Gentry.  
 Estella D. Seaton, Lathrop.  
 Virginia Young, Osage City.  
 John E. Bauer, Osborn.  
 Edwin G. Karstedt, Rosebud.  
 Alfred O. Lowman, Smithville.  
 Wyatt B. Little, Steele.  
 James R. Simmons, Stotts City.  
 Wallace Frederick, Stontsville.  
 Annie N. Johnson, Winston.

## MONTANA

Asa E. Armstrong, Browning.  
 Alfred Briscoe, Cascade.  
 Isaac L. Brooks, Culbertson.  
 William S. Carlson, Ekalaka.  
 Cass E. Parker, Fromberg.  
 Otto M. Christinson, Glasgow.  
 John R. Lloyd, Great Falls.  
 James R. Minugh, Harlem.  
 Frederick B. Gillette, Hinsdale.  
 Queenie B. Lyndes, Hysham.  
 Harry Kennedy, Rosebud.  
 William L. Marsh, Roy.  
 Jennie Bywaters, Sandcoulee.  
 Army B. Cowee, Wibaux.

## NEBRASKA

William H. Bogard, Avoca.  
 Robert Pease, Beatrice.  
 Hazel Babbitt, Belgrade.  
 W. Ross Pedley, Bertrand.  
 Mary L. Simmons, Bloomfield.  
 Dolph L. Houser, Campbell.  
 Arthur C. Smith, Carleton.  
 Gus Johnson, Ceresco.  
 Ethel Talcott, Crofton.  
 Henry L. Balsler, Dixon.  
 Harvey E. Poole, Dunning.  
 Fred C. Beach, Eagle.  
 Sanford E. Ralsten, Geneva.  
 Earl D. Willard, Genoa.  
 Albert L. Hepp, Greeley.  
 Lynn F. Cunningham, Gurley.  
 Herschel L. Anderson, Havelock.  
 Herman L. Boyes, Hebron.  
 Elmer W. Couch, Henry.  
 Robert E. Templin, Hoskins.  
 Frank J. Prucha, Howell.  
 Merle A. Brady, Kimball.  
 Herman H. Schroer, Lawrence.  
 Otto C. Smith, Lyman.  
 Emory S. Clements, Lyons.  
 Howard W. Botsford, Meadow Grove.  
 Helmuth A. J. Paul, Millard.  
 Ingebert J. Thomsen, Minden.  
 Edward L. Barker, Pender.  
 Edwin S. Garber, Red Cloud.  
 John C. Oaks, Seward.  
 Roy Hauke, Shelton.  
 Clyde H. Hodges, Superior.  
 Claude A. MacDonald, Sutton.  
 Catherine Honey, Uehling.  
 Augusta Robb, Union.  
 Zenas E. Decker, Wauneta.  
 William Berridge, Wausa.  
 Harry H. Jordan, Wilcox.  
 Lawrence A. Kibbee, Winnebago.

## NEVADA

Philomena Borrego, Austin.  
 Isaac L. Stone, McGill.  
 Fred L. Littell, Yerington.

## NEW JERSEY

Abram R. Bates, Allentown.  
 Frank T. Buchanan, Bordentown.  
 Reuben Coyte, Coytesville.  
 Emma Heus, Demarest.  
 George Oberle, Edgewater.  
 Harry W. Bellis, Flemington.  
 Howard N. Parker, Gibbsboro.  
 James C. Norris, Hightstown.  
 Frank Pierson, Lawrenceville.  
 Renview L. Hull, Lebanon.  
 Elvord G. Chamberlin, Montclair.  
 William A. Sweeney, Red Bank.  
 George Schultz, Waldwick.  
 William H. Albright, Woodbury.  
 John A. Smith, Wrightstown.  
 Dorothy M. Cliver, Yardville.

## NEW YORK

Bessie P. Slater, Attica.  
 Henry W. Ware, Batavia.  
 Irving Barrett, Bedford Hills.  
 Charles J. Amsden, Bolivar.  
 Etta Merritt, Brewerton.  
 Elizabeth H. Oschmann, Broad Channel.  
 James T. McLain, Center Moriches.  
 William S. Keene, Cold Spring Harbor.  
 Edna Frisbee, Conewango Valley.  
 William J. Snyder, Conifer.  
 Carrie J. Johnson, De Kalb Junction.  
 William W. Baldwin, Downsville.  
 Sadie M. Henderson, Garnerville.  
 Richard B. Coriell, Glasco.  
 Harris Kass, Greenfield.  
 James E. Colgan, Hamden.  
 Rosa H. Warner, Hampton Bays.  
 Frank E. Vail, Howells.  
 Charles F. Fowler, Iona Island.  
 John J. Cole, Jamesport.  
 Lois B. Gridley, Macedon.  
 William T. Finn, Madison.  
 Emsley V. Pepper, Middle Granville.  
 Walter J. Burke, Mineville.  
 Henry W. Koster, Narrowsburg.  
 Maud E. Butterfield, New Berlin.  
 Ruby C. Williams, New Lebanon.  
 John J. Lynch, Oscawana.  
 Phelps Smith, Paul Smiths.  
 J. Edward Uline, Ransomville.  
 George W. Harris, Richmondville.  
 Harlow G. VanNamee, Richville.  
 Clarence P. Varian, Scarsdale.  
 Otto F. Schuler, Snyder.  
 Alfred A. Clairmonte, South Fallsburg.  
 Bert P. Wood, Springfield Center.  
 William L. Bouchard, Surmount.  
 William H. Topps, Syosset.  
 Harold G. Haines, Urlton.  
 Vernon Vaughn, Water Mill.  
 Grace A. Harrington, West Point.

## NORTH DAKOTA

Irwin E. Walton, Bantry.  
 Evan S. Brown, Buffalo.  
 James Taylor, Cando.  
 Oscar J. Haner, Douglas.  
 Nellie Ribb, Donnybrook.  
 Earl M. Sauness, Enderlin.  
 Louis Hansen, Esmond.  
 Hugh H. Parsons, Fessenden.  
 Otto Gackle, Fredonia.  
 Vern A. Tallackson, Grafton.  
 William D. Sinclair, Hamnaford.  
 Duncan McLean, Hannah.  
 Walter P. Osborne, Hunter.  
 Ole H. Larson, Killdeer.  
 Elizabeth Graham, Knox.  
 Simon M. Ronning, Kramer.  
 Catherine Lynch, Lakota.  
 Nelson M. Chamberlain, Page.  
 John C. Black, Plaza.  
 Lottie A. Lund, Powers Lake.  
 Albert F. Harris, Reeder.  
 Albert M. Marchand, Rolla.  
 Ralph H. McKean, Sanborn.

John P. Breslin, Sanish.  
 Carl L. George, Sarles.  
 Seth E. Garland, Tioga.  
 Chase E. Mullinex, Tolley.  
 Charles S. Laidlaw, Wales.  
 Albert J. Drake, Westhope.  
 Robert M. Mares, Wheatland.  
 Frank Heglund, White Earth.  
 Axel G. C. Strom, Williston.  
 Arnold Lien, Wyndmere.  
 Norbert J. Joyce, Zap.

## SOUTH DAKOTA

Truman C. Knott, Bristol.  
 John Schafer, Delmont.  
 Myrta M. Lund, Erwin.  
 Earl J. Meredith, Groton.  
 Clyde H. Cotton, Hitchcock.  
 George A. De Walt, McLaughlin.  
 Gustavus M. Finotti, Missionhill.  
 Henry Swindler, Mitchell.  
 Catherine M. Kuehl, Mound City.  
 Eugene M. Coffield, Oelrichs.  
 Richard Whalen, Pine Ridge.  
 Robert H. McCullagh, Sanator.

## TEXAS

Lindsey C. Payton, Abilene.  
 Roberta G. Sterrett, Albany.  
 Mack M. Pittman, Annona.  
 Ernest E. Cornelius, Athens.  
 Joel A. Reese, Ballinger.  
 Frederick W. Guffy, Belton.  
 Vina Johnson, Bertram.  
 Harvey L. Pettit, Bloomburg.  
 Harry N. Cook, Brady.  
 Claude F. Riley, Canton.  
 Josie D. Jackson, Center Point.  
 Alfred A. Thomas, Chandler.  
 John W. Triplitt, Cisco.  
 Etta Varley, Collinsville.  
 Wellington T. Cutler, Crockett.  
 Chess W. Barr, Cross Plains.  
 Robert H. Fenton, Denton.  
 Wilson I. Lawler, Deport.  
 Charles H. Cmajdalka, Fayetteville.  
 Charles W. Silliman, Ganado.  
 James P. Hewitt, Giddings.  
 Virgil G. Pritchett, Gladewater.  
 Emma J. Cleveland, Grand Prairie.  
 William I. Rodgers, Gunter.  
 Eva Currie, Happy.  
 James M. Everett, Hedley.  
 Mamie B. Mustaine, Honey Grove.  
 Maude L. Tucker, Idalou.  
 Charles F. Adams, Jacksonville.  
 Helen M. Peel, Jourdanton.  
 David W. Thompson, Keltys.  
 Charles E. Smith, Kerens.  
 Annie D. Barker, Kilgore.  
 Nicholas C. Nail, Krum.  
 Helen C. Wallace, Kyle.  
 James D. Dyer, Lamesa.  
 James E. Cooke, Mart.  
 August C. Koepsel, Mathis.  
 Harvey J. McKinzie, Midlotihan.  
 Wenzel K. Richter, Moulton.  
 Henry A. Williamson, Nacogdoches.  
 Hattie M. Culpepper, Palmer.  
 Jasper W. Blount, Quinlan.  
 Arthur N. Brown, jr., Richland.  
 Elmer I. Wade, Rockdale.  
 Gayle T. Snedecor, Rosenberg.  
 Kelsey R. Dort, Saint Jo.  
 Riley M. Foster, Saratoga.  
 Nelson L. Yates, Stratford.  
 James I. Dunn, Tioga.  
 Ralph D. Gilbert, Trinity.  
 Vera Butler, Troup.  
 Roscoe K. Garver, Van Alstyne.  
 William G. McClain, Waxahachie.  
 Alphonso S. Butler, Winona.

## UTAH

Peter Allan, Blanding.  
 Henry H. Lunt, Cedar City.

James C. Hill, Elsinore.  
 Will C. Barton, Garfield.  
 Alta A. Dayton, Magna.  
 Henry C. Jacobs, Mount Pleasant.  
 George G. Rosevear, Park City.  
 Mary Cooper, Pleasant Grove.

## WISCONSIN

Jerry J. Jerabek, Algoma.  
 Mae Wittmann, Arpin.  
 Jules G. Pierre, Brussels.  
 Theresa J. Keyes, Cobb.  
 Effie Banna, Ogdensburg.  
 Peter D. Harris, Oneida.  
 Mildred Werner, Pittsville.  
 Alma Colt, Poy Sippi.  
 Walter F. Dietlen, Sheldon.  
 LeRoy H. Ardern, Springbrook.  
 Merton J. Dickinson, Tipler.

## HOUSE OF REPRESENTATIVES

MONDAY, December 19, 1927

The House met at 12 o'clock noon.

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

Spirit of holiness, Thy love has brought to the gates of our lives the footsteps of One who is the sovereign expression of man's utmost need and man's utmost hope. Do Thou move in advance of us and direct the way. Come and give our work its charm, our association its blessing, and to the whole day its joy. Brace our souls with certainties, and may they not be furrowed by doubts. Be Thou the invisible bridge that unites us in our dreams and aspirations with man wherever he is found. In the name of the Son of Man. Amen.

The Journal of the proceedings of Friday, December 16, was read and approved.

## SWEARING IN OF A MEMBER

ROYAL C. JOHNSON, of South Dakota, appeared at the bar of the House and took the oath of office.

## THE DEFICIENCY BILL

Mr. MADDEN. Mr. Speaker, I ask unanimous consent for the present consideration of a House concurrent resolution, which I send to the desk.

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

There was no objection.

The Clerk read as follows:

## House Concurrent Resolution 11

*Resolved by the House of Representatives (the Senate concurring), That the Clerk of the House be, and is hereby, authorized and directed in the enrollment of H. R. 5800 (70th Cong., 1st sess.), known as the first deficiency bill, to insert on page 38 in line 9 of the engrossed bill, after the word "attorneys," the following words: "(their heirs or their assignees now of record, as their interest may appear)."*

Mr. MADDEN. Mr. Speaker, I want to offer an explanation of this resolution.

The matter of \$85,000 for attorneys' fees is carried in the deficiency bill in the usual language, as we supposed.

Mr. BLANTON. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BLANTON. Can the gentleman do this under a motion such as he has submitted?

Mr. MADDEN. Oh, yes.

Mr. BLANTON. This is a bill which has been passed by the House and has been passed by the Senate.

Mr. MADDEN. This will have to go to the Senate.

Mr. BLANTON. And the conference report has been agreed to by the House, and the gentleman is now proposing to insert something additional by a resolution.

Mr. MADDEN. This is done frequently.

Mr. BLANTON. Is it still before the Senate or has it been enrolled?

Mr. MADDEN. It has passed the Senate, but is not yet enrolled; and, Mr. Speaker, the Secretary of the Interior, whose department this transaction affects, and the Commissioner of Indian Affairs have both sent a letter to Senator WARREN, chairman of the Senate Committee on Appropriations, saying this is all right. The Comptroller General says this ought to be done, and we are complying with the Comptroller General's request.

Really, I think it is all right the way it is, but the Comptroller General thinks otherwise.

I ask for a vote.

The resolution was agreed to.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had passed the bill (S. 1090) to authorize the construction of a bridge across the Tennessee River in the State of Tennessee, in which the concurrence of the House was requested.

The message also announced that the Senate had passed the joint resolution (S. J. Res. 49) providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress, in which the concurrence of the House was requested.

The message also announced that the Senate had passed the joint resolution (H. J. Res. 92) authorizing the payment of salaries of the officers and employees of Congress for December, 1927, on the 20th day of that month.

The message also announced that the Senate concurred in the following resolution:

House Concurrent Resolution 8

*Resolved by the House of Representatives (the Senate concurring),* That when the two Houses adjourn on Wednesday, December 21, 1927, they stand adjourned until 12 o'clock meridian, Wednesday, January 4, 1928.

The message also announced that the Senate 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. 5800) entitled "An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1928, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1928, and for other purposes;

That the Senate agreed to the amendment of the House of Representatives to the amendment of the Senate numbered 32 to said bill; and

That the Senate receded from its amendments numbered 19, 36, and 37 to said bill.

The message also announced that the Senate had passed the following resolution:

Concurrent Resolution 3

*Resolved by the Senate (the House of Representatives concurring),* That the Clerk of the House be, and is hereby, authorized and directed in the enrollment of H. R. 5800 (70th Cong., 1st sess.), known as the first deficiency bill, to insert on page 38, in line 9 of the engrossed bill, after the word "attorneys," the following words: "(their heirs or their assignees now of record, as their interest may appear)."

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

Sundry messages in writing from the President of the United States were presented by Mr. Latta, one of his secretaries, who also announced that the President had on December 14, 1927, approved and signed a bill of the following title:

H. R. 3190. An act authorizing the President of the United States to present in the name of Congress a medal of honor to Col. Charles A. Lindbergh.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and under the rule referred as follows:

S. 1090. An act to authorize the construction of a bridge across the Tennessee River in the State of Tennessee; to the Committee on Interstate and Foreign Commerce.

LIEUT. COMMANDER WILLIAM FRANKLIN CALLAWAY

Mr. DICKINSON of Missouri. Mr. Speaker and gentlemen of the House, the House may well halt public business for a moment to express a word of sympathy in the great submarine disaster which has recently occurred off the coast of Massachusetts, when forty-odd splendid men went down, when the submarine *S-51* was struck by a Coast Guard vessel, which sent it to the bottom of the sea.

The sympathy of everybody goes out to the men who are in this vessel, most of them gone. Six men who were in the engine room are now said to be alive, and every effort is being made to reach them and render whatever relief can be given. Everybody in this country is watching for news, and all news is being given out by the naval authorities through the Bureau of Navigation, so that all parents and others may know about them.

Our sympathy goes out to each and every one of them, and my excuse for rising this morning is to refer particularly to one man, Lieut. Commander William Franklin Callaway, a

man of high character and of great service—an inspection officer who had gone there to inspect this vessel and was confined there with the other officers in the room where the officers are located, and which, perhaps, was flooded. While six men in the engine room are now said to be alive, the probabilities are that the officers are not alive.

Lieut. Commander William Franklin Callaway came from my home town. His family were my next-door neighbors. I know intimately all his relatives. He was appointed to Annapolis 20 years ago by my distinguished predecessor, David De Armond, and after graduation served continuously in the naval service, 10 years in the submarine service. His record is notable.

I shall ask permission in this connection to print with what I say a notice of him contained in the Washington Star, a similar article having appeared in the Washington Post and practically all the other papers, including the Missouri papers.

Intimately I knew him. His father was twice sheriff of my home county of Henry. His grandfather was also sheriff of the same county, both prominent in public life and my close personal friends. His uncle, Frank Callaway, read law in my office, and was afterwards prominent as an educator. One of Lieutenant Callaway's brothers was my stenographer and secretary, and is now in the Philippines. Recently I appointed the younger brother of Lieutenant Commander Callaway to Annapolis, and I felt it was not inappropriate for me to rise on this occasion and ask permission to say a word about these men who have given up their lives and are now confined at the bottom of the sea in this submarine, and to especially say a few words about this splendid naval officer, William Franklin Callaway.

Mr. Speaker, I ask unanimous consent to print with my remarks this splendid notice of Lieutenant Commander Callaway contained in the Star of Sunday morning.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The article referred to follows:

Lieut. Commander William Franklin Callaway, 201 Shepherd Street, Chevy Chase, Md., submarine expert for the board of inspection and survey of the Navy Department.

Lieut. Graham Newell Fitch (junior grade), 2400 Twentieth Street, who attended the Force School and the Central High School here.

Walter Bishop, naval radio operator, whose wife's home is given in Navy Department records at 1228 Pennsylvania Avenue SE.

Charles A. Ford, 1016 Montana Avenue NE., civilian, chief draftsman for the board of inspection and survey.

FAMILIES ARE NOTIFIED

The families of Lieutenant Commander Callaway, Lieutenant Fitch, and Mr. Ford were notified early last night of the accident and told that every possible effort was being made to rescue the men. At the same time they were informed that little hope was being held by the department for the safe recovery of those on board the submarine. Mrs. Bishop could not be located.

"We are mobilizing every aid to raise the submarine as quickly as possible," said Secretary Wilbur, "but this will depend on diving conditions and the buoyancy of the submarine."

Pointing out that the submarine weighs 900 tons and that the lifting buoy will lift about 600 tons, Mr. Wilbur said that Capt. E. J. King, who supervised the raising of the *S-51*, will go by airplane to-morrow morning from New York to the scene of the disaster.

"The submarine was apparently operating on its regular standardization tests," said Secretary Wilbur. "The area for this is located purposely so as not to be in the ordinary steamship lanes. Conditions there are ideal for this work, as there is deep water and it is close to shore. If this submarine was struck by a destroyer going 18 knots there is probably very little hope that anyone survived; but we will endeavor to learn at the earliest possible moment by sending divers down to communicate, if possible.

LIST MAY NOT BE CORRECT

Accompanying Secretary Wilbur when he arrived at the department soon after 10 o'clock was Capt. W. R. Sexton, head of the Material Department of Naval Operations. Officers of the Navy Department, as soon as they heard of the disaster, began checking up on the list of officers and crew.

It was explained that the list as finally made public might not be correct as to detail, as it was not entirely up to date. It was explained also that some of the men supposed to be on the submarine when she went down might not have been aboard, while others not mentioned in the list might have gone aboard at the last minute.

Lieutenant Commander Callaway has rounded out two years' service with the Navy Department in Washington, and in the next few months expected orders detailing him for sea duty. During his residence in Washington, the first in his naval career, he has been attached to the

board of inspection and survey as a submarine authority, and in such capacity made frequent trials and test runs on new, modified, and overhauled naval craft. He left Washington Monday, expecting to return home a few days before Christmas.

Born in Clinton, Mo., November 7, 1889, Lieutenant Commander Callaway was appointed to the Naval Academy from that State in 1907, and upon graduation was assigned to submarine duty. In 1917 he served aboard submarines and continued in this duty until the close of the World War. Later he commanded the submarine *R-19*.

#### WIFE COLLAPSES

In 1921 he was sent as an inspector of machinery to the Bausch Sulzer Co., of St. Louis, and the following year went to the Asiatic Fleet in command of Submarine Division No. 12.

Lieutenant Commander Callaway's next of kin are his wife, who was in a state of collapse last night; a 6-year-old son, William F. Callaway, jr.; his father, Jerry Callaway, of Clinton, Md.; and a brother, Peyton, who is a midshipman at the Naval Academy.

#### THE MAGNETO

Mr. CLARKE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by publishing an article of my own on the magneto.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. CLARKE. Mr. Speaker, our distinguished Speaker in presenting Colonel Lindbergh to the House of Representatives Saturday, December 10, made a very happy remark in characterizing Colonel Lindbergh as "America's most attractive citizen." I could not but feel, as everyone else, a genuine delight in this unselfish partner in "We," as he received the ovation and congressional medal he so richly deserved.

Up in the thirty-fourth congressional district some of my boyhood friends are investing in airplanes to develop their flying ability and have a sort of dress rehearsal for the "flying age" before they set forth on the "great adventure."

I take a peculiar pride in the fact that up in the beloved hills of my native county is an American institution with an invested capital of approximately half a million dollars, to make available for the United States at this time and in its times of maximum emergency, of a vitally important part of the aeronautical engine; namely, the magneto for ignition. This company is an American concern, producing American products, financed by American capital, directed by Americans, and employing 95 per cent American workers.

I realize what great interest you all have in aviation and I want you to have first-hand facts and impressions as received by me when "Bill" Southworth and I inspected this plant, for it will prove interesting to you who have to keep in touch with our progress in aviation.

Of all the accessories, each one a specialty in itself, which contributes its share to the operation of the aircraft engine, there is none in my opinion more interesting or deserving of more attention than the ignition. Practically every make and type of aircraft engine is equipped with magnetos for ignition, which by virtue of their compactness, simplicity, and efficiency are greatly preferred to the ignition system which obtains its primary energy from a storage battery.

Basically, the magneto in most general use as ignition for the aircraft engine consists of a four-pole magnet which is rotated between pole shoes by the engine drive. The immediate result is the generation of magnetism of flux which passes backward and forward through the laminated core of the coil. About this core is wound a number of turns of comparatively heavy wire. Wrapped about this is the condenser, and next in turn comes the secondary winding which is made up of nearly 2 miles of insulated wire having a thickness equivalent to that of a man's hair. A contact-breaker lever, working against a cam, interrupts the flow of primary current generated by the rotation of the magnet and the accurately timed intervals of this interruption and the consequent building up and dying down of the primary current creates a spark of approximately 18,000 volts. This high-tension voltage, which is the final product of the magneto, is distributed to each spark plug of the cylinders of the engine at the required time, thus producing a spark which is the ignition.

Late in 1922, the Bureau of Aeronautics of the United States Navy, in collaboration with the Wright Aeronautical Corporation, carried on a series of exhaustive tests with aircraft magnetos, which were at that time imported. The factory producing this magneto was located in Soleure, Switzerland, and the American company was acting as its agent. Actual operations of these magnetos on dynamometer tests and a

series of flight tests conducted by the Bureau of Aeronautics over considerable periods proved without question that this magneto was far superior to any other in existence for the vitally important work of supplying dependable and accurately timed sparks to the aircraft engine. Our own ignition manufacturers in general were fully cognizant of the problems required to be solved to provide satisfactory ignition, but nothing of any consequence has been done to improve ignition devices or to keep step with the development of the aircraft engine.

As a result of the thorough tests conducted by the Navy, and realizing that some drastic steps must be taken to improve the ignition situation, the Bureau of Aeronautics negotiated a contract whereby it was arranged that to meet immediate needs 250 magnetos made up of 9 and 12 cylinder types should be imported at once from Switzerland, modified, given further thorough test, inspected, and delivered to the Bureau of Aeronautics. It is of importance and considerable interest to note that this contract was contingent upon the company's agreement to a clause therein which specified that a factory for the purpose of manufacturing magnetos must be established in the United States, thus making available to the Navy this highly important and vitally necessary machine as soon as possible.

One can well realize the great value to naval and military aeronautics that would accrue from the establishment of a domestic source of supply of highly satisfactory ignition devices for their aircraft power plants. Within three months after the date of the contract, the first magnetos were delivered to the Navy, and their satisfactory performance further justified this farsighted move on the part of the Navy.

An American company was formed and immediately made arrangements for the acquisition of suitable property and equipment for manufacturing and satisfactory arrangements with the Swiss company as to patents and manufacturing rights were consummated. The town of Sidney, Delaware County, N. Y., was selected as being an ideal place from the standpoint of transportation facilities and availability of skilled labor. This town, with a population of about 2,800, is situated in the Unadilla Valley at the junction of the Delaware and Hudson and New York, Ontario & Western Railroads. It is about 200 miles northwest of New York City on a direct line between Binghamton and Albany. With the cooperation of the Chamber of Commerce of Sidney, a recently vacated automobile factory was obtained and altered to suit the requirements.

The administration of the company is by Americans and the stock is owned by an American corporation of New York City. There has been invested well in excess of a half million dollars in the business, and more than 90 per cent of the employees are Americans. Mr. Laurence R. Wilder, president; Mr. T. Z. Fagan, in charge of sales; Mr. Herman Hanni, who had been prominent in the organization of the Swiss factory, in charge of manufacture; and Mr. G. E. Steiner, in charge of accountancy, formed the nucleus of this organization. At the time of writing Mr. Walter Spengler is chief engineer; Mr. Albert Egl, production manager; and Mr. C. P. DeWitt, purchasing agent.

Activities were started January 1, 1925, at the Sidney plant with eight employees. The actual manufacture of American-built magnetos commenced February 8, 1926. Up to the present time the company has produced in the Sidney factory close to 2,500 nine and twelve cylinder aircraft magnetos, and has on its pay roll 175 employees. The total floor space is approximately 85,000 square feet, nearly all of which is at present occupied.

This company is manufacturing and delivering aircraft magnetos for use on the Wasp and Hornet engines; for use on the Whirlwind, Cyclone, Typhoon, and Tornado engines; for use on the 3A-1500 and 3A-2500 engines; for use on the D-12 engines, and to the Army Air Corps and Navy Bureau of Aeronautics for spares and replacements. In addition, this company is supplying aircraft magnetos of various types to about eight other American aeronautical engine manufacturers.

One of the materials which is used in the construction of this magneto and which contributes so much to its success is the fine quality of dielectric, which is part of the distributor mechanism. This is a vulcanized gum, specially prepared and molded under a secret process by a Swiss concern. The company has been working intensively in an effort to obtain in the United States a material equal to it in all respects. To date its efforts have not met with success, although it is felt that recent tests of domestic material are very encouraging. The production of American-built coils is well under way, and the aircraft magneto, type V-AG12-D being produced at the Sidney factory is American built throughout with the exception of the above-mentioned dielectric parts for the distributor. With the availability of domestic material for this, the aircraft magneto will be a 100 per cent American product.

I was distinctly impressed during my visit to the factory with the splendid spirit which prevails throughout the plant. Each man and woman, from the floor sweeper to the department heads, seems thoroughly aware of the responsibility which is theirs in producing this vitally important part of the aircraft engine. Further was I impressed by the meticulous care taken in handling the various delicate and finely wrought parts which go to make up the magneto. The machine tools, jigs, fixtures, and other equipment are of the best and most up-to-date and are designed for accuracy and moderate production.

The majority of modern aircraft engines are of the 9-cylinder type, and 9-cylinder magnetos, together with the 12-cylinder type, are the ones being produced at the Sidney plant. Magnetos for 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 14, 16, and 18 cylinder engines can be supplied by this company, and some of these special types are imported and modified to meet American aircraft-engine requirements at the factory in Sidney.

Nothing but aircraft ignition is manufactured at the factory in Sidney, it being considered by that company that the importance of this part of the engine justifies a high degree of specialization. This may in part account for their marked success. Unprecedented performance is being obtained with them, and somewhat in support of this it was pointed out that Lindbergh, Chamberlain, Byrd, Acosta, Smith and Bronte, Maitland and Heigenberger, Goebel and Jensen had used them as ignition equipment for their Wright whirlwind engines.

The thoroughness of the tests given the magneto before its delivery was greatly surprising to me. Each magneto is operated in groups on long test benches, delivering its spark to open gaps. The test period is between 75 and 100 hours at a speed of 2,000 revolutions per minute. At the conclusion of this test the magneto is disassembled, inspected, reassembled, and placed on test again at high speeds up to 4,500 revolutions per minute. It is then ready for final inspection, where it is carefully checked for dimensions, appearance, and so forth, and where it is assured that the magneto conforms to the particular specifications of the Army, Navy, or engine manufacturer for whom it is destined.

Considerable development work is going on constantly. Improvements and new details of design are being worked in as fast as it is possible to do so and provide sufficient time for their testing. The necessity for smaller, lighter magnetos is well appreciated and understood by the engineers, and there is ever an effort on their part to accomplish these results. Every indication points to a continuance of the superb workmanship and utmost care in manufacturing that has contributed to much of the splendid reputation of these aircraft magnetos.

A particularly interesting development that I saw was the vertical double aircraft magneto, which is a mechanism of real beauty and truly a masterpiece in fine machine work. Briefly, it consists of pole shoes, upon the ends of which are mounted two coils. Upon the end of the rotating magnet is mounted a four-lobe cam which actuates two breaker mechanisms, the functioning of which produces eight synchronous or staggered sparks per revolution of the magneto. This magneto only weighs 12½ pounds and with its two distributors, which weigh 1.5 pounds each, this ignition device will mean a considerable saving in weight and space over the two-individual-magneto installation.

Mr. Fagan, who showed me about the factory, stressed particularly the great importance of the very considerable experience that the company has had in supplying aircraft engine magnetos. There were constantly being pointed out to me changes and modifications, all meaning improvements that have been incorporated as a result of the engineer's close cooperation and contact with the engine manufacturer and operating units of the Army and Navy. The Naval Aircraft Factory and the Bureau of Aeronautics of the Navy and Wright Field of the Army have worked with the company to the fullest possible extent, and a most thorough understanding between these departments and the company has made possible most gratifying results. "As a matter of fact, both these branches of Government aeronautical activity are almost indispensable in the assistance they render to the manufacturer of accessories," said Mr. Fagan.

Rear Admiral William A. Moffett, Chief of the Bureau of Aeronautics, has stated in one of his annual reports that "No engine is better than its accessories." I am, as a result of my visit to the plant, very sure that this places a real responsibility on them, of which they are fully aware and able to fulfill.

Aside from the manufacture of the magneto to conform with various specifications and requirements of the engine manufacturer for military, naval, and commercial use, there are many problems confronting the engineers, such as radio interference, which is caused by the high-tension spark of the magneto, exceedingly high altitude requirements, and so forth.

Much is being done with these problems by the company, and gratifying results are being obtained.

Practically every aircraft engine built in this country to-day is equipped with these aircraft magnetos, and in very nearly every case there are two of them per engine. Even considering this factor of safety, the complete failure of one magneto will appreciably lessen the power of the engine. This company's viewpoint in this regard is to consider that the engine is actually equipped with only one magneto, the failure of which would, of course, immediately cause the engine to stop.

The whole organization is extremely proud of its success in having overcome the many discouraging obstacles in the path of producing in America this magneto. And justly so, for it is distinctly a better magneto than the previously imported Swiss type. This claim for superiority is entirely warranted as a result of exhaustive comparative tests carried out on a Navy project by the naval aircraft factory at Philadelphia on magnetos from the two sources and from actual performance in service.

HENRY CLAY VAN VOORHIS

Mr. MOORE of Ohio. Mr. Speaker, I ask unanimous consent to proceed for three minutes.

The SPEAKER. The gentleman from Ohio asks unanimous consent to address the House for three minutes. Is there objection?

There was no objection.

Mr. MOORE of Ohio. Mr. Speaker, it is with profound sorrow that I rise to announce the death of Henry Clay Van Voorhis, of Zanesville, Ohio, who for 12 years represented the district I have the honor to represent in Congress.

Mr. Van Voorhis died December 12, 1927. For three quarters of a century he lived in the county where he was born, one of our most honored and distinguished citizens. He was graduated from Denison University and was a student at the Cincinnati Law School. He was a capable lawyer, but left that profession to become a Member of the Congress of the United States, being elected in 1892 to the Fifty-third Congress and served in the five succeeding Congresses, and then voluntarily retired. During his service in the House he was a member of the powerful Committee on Appropriations.

That was in the days of Uncle Joe Cannon. They were friends, and Mr. Cannon frequently stopped in Zanesville in his journey from the National Capital to his home to greet his friend, Mr. Van Voorhis. His political allegiance was to the Republican Party and at least twice he was a delegate to the Republican National Convention. Both before and after he came to Congress he was president of the Old Citizens National Bank, one of the most reliable financial institutions in Ohio.

Mr. Van Voorhis was a commanding figure, congenial, true to his friends, and gifted with a strong personality. He was a good lawyer, a splendid citizen, a very capable statesman. He served his day and generation well, and it is indeed with sorrow that I announce the passing of this distinguished and patriotic American.

COLONEL LINDBERGH

The SPEAKER laid before the House the following communication from the Secretary of State:

DEPARTMENT OF STATE,  
Washington, D. C., December 16, 1927.

MY DEAR MR. SPEAKER: I take pleasure in informing you that the department has received a telegram, dated December 15, 1927, from the American ambassador at Mexico City containing the following message for you from Colonel Lindbergh.

"I am deeply grateful for your message and for the action of the House of Representatives."

I am, my dear Mr. LONGWORTH, sincerely yours,

FRANK B. KELLOGG.

The Hon. NICHOLAS LONGWORTH,  
House of Representatives.

BRIDGE ACROSS THE MISSISSIPPI RIVER AT CLEARWATER, MINN.

The SPEAKER. The Clerk will call the Consent Calendar. The first business on the Consent Calendar was the bill (H. R. 193) to extend the time for the construction of a bridge across the Mississippi River at or near the village of Clearwater, Minn.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by the act of Congress approved March 4, 1925, to be built by the State of Minnesota and the counties

of Sherburne and Wright across the Mississippi River at or near the village of Clearwater, in the county of Wright, in the State of Minnesota, are hereby extended to March 4, 1927, and March 4, 1929, respectively.

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

The following committee amendments were read:

Line 4, after the word "by," insert the word "the."

Strike out all of line 9 and insert the following in lieu thereof: "one and three years, respectively, from the date of approval hereof."

Amend the title so as to read:

"To extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near the village of Clearwater, Minn."

The committee amendments were agreed to.

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

The title was amended.

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

#### BRIDGE ACROSS THE MISSOURI RIVER AT WOLF POINT, MONT.

The next business on the Consent Calendar was the bill (H. R. 444) to extend the time for the construction of a bridge across the Missouri River at or near Wolf Point, Mont.

The Clerk read the title of the bill.

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

Mr. LAGUARDIA. Reserving the right to object, is it the purpose of the committee to adopt some policy in regard to these bridge bills? As gentlemen know, there is no character of bills that come before the House that receive less attention than do these bridge bills.

Mr. DENISON. I am not prepared to admit that.

Mr. LAGUARDIA. I mean consideration by the House and not by the action of the committee. Very often we find very valuable rights are being given away to private individuals or corporations when, as a matter of fact, it has been demonstrated that the best policy for the community as well as for the Government was that the bridge be constructed and operated by the Government or some agency—like the tunnel between New York and New Jersey, which is operated with great success.

Can the gentleman from Illinois inform us what policy the committee will adopt so that we may rely entirely on the committee and not have to examine every bridge bill before us?

Mr. DENISON. Mr. Speaker, the gentleman has asked a pertinent question, and I will answer it the best I can. The policy of the committee is to grant the consent of Congress for the construction of a bridge by the State government or a political subdivision thereof whenever the State or municipality asks for it. We prefer to give the franchise to the government or a political subdivision, or to some government agency, like the highway commission; but if they do not ask for it, and if there is public sentiment in favor of the construction of the bridge, and private individuals ask for authority to construct and build the bridge, the policy of our committee is to grant it. But every bill contains a reservation of the right in favor of the public to take it over at any time, after a limited number of years, and operate it as a free bridge.

Mr. LAGUARDIA. And every private bill contains that proviso?

Mr. DENISON. Every one contains that provision.

We never report a bill granting a franchise to private persons or corporations to build a toll bridge that does not contain a provision giving the State or county or municipality in which the bridge is located the right to recapture the bridge upon terms that fully protect the interests of the public.

Mr. DOWELL. Mr. Speaker, reserving the right to object, I want to call the attention of the House briefly to the situation we are getting into on the bridge question. Under the Federal aid law there is a provision that Federal aid can not be given to toll roads, and under the construction placed upon that law the Federal aid is not given to roads which approach a toll bridge. Congress at the last session passed a large number of bridge bids, and I think a larger number of them were private toll bridges.

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

Mr. DOWELL. In a moment. There is no adequate provision in the law to regulate the price of the toll or to in any manner have charge of the transportation over these bridges, except the privilege that has been given by Congress to permit the corporation or individual to construct the bridge. The Federal Government is providing for a great road system

throughout the country. Every State in the Union is at work now building a Federal system of roads, and may we not find the entire Federal road system tied up by a system of toll bridges, whereby the entire public must contribute to private persons in order to travel over the public roads. I yield.

Mr. LEAVITT. Mr. Speaker, I just want to insert in the Record at this point the fact that this particular bridge now under consideration is not a toll bridge.

Mr. DOWELL. I am referring only to the proposition that we have before us, because a large number of toll bridges are to come before us at this session.

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

Mr. DOWELL. Yes.

Mr. DYER. Is there any intention on the part of the committee of which the gentleman is chairman to bring in any legislation that will enable the Government to condemn these toll bridges that are mulcting the people out of millions of dollars.

Mr. DOWELL. That is the point I want to arrive at. The bridge proposition is not before the Committee on Roads. There is now before the Committee on Interstate and Foreign Commerce a bill respecting this matter, and some legislation should be presented and adopted by this Congress. There is, as I understand it, a small provision at the end of these bridge bills, which in a manner provides that the bridges may be recaptured, but it is not a complete piece of legislation, and before this Congress passes another bridge bill it should pass legislation whereby the public may under certain conditions restore these bridges to the use of the public free.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield?

Mr. DOWELL. Yes.

Mr. JOHNSON of Washington. The gentleman says that there may be danger that we will lose control, or that Congress will lose control, over the right to construct certain toll bridges.

Mr. DOWELL. Oh, no.

Mr. JOHNSON of Washington. Does not the gentleman realize that under the 50-50 proposition in respect to road construction, as the matter is carried on in the city of Washington, Congress has absolutely lost control of Federal-aid roads carrying interstate commerce?

Mr. DOWELL. Every bridge built anywhere over a navigable stream has to have the approval of Congress.

Mr. JOHNSON of Washington. That is true, and that will continue.

Mr. DOWELL. What I insist on is that before we go further in bridge construction we should pass comprehensive legislation for the protection of the public in the future that the public may use this Federal-aid system throughout the entire country without a contribution to private interests.

Mr. SNELL. What is the gentleman's suggestion along that line?

Mr. DOWELL. There is a bill before the Interstate and Foreign Commerce Committee now which provides for the construction of bridges, with the provision that they may be recaptured for the benefit of the public under certain conditions.

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

Mr. DOWELL. Yes.

Mr. BLANTON. Let me make a suggestion to the gentleman from New York [Mr. SNELL]. We ought to quit passing these toll-bridge bills, and we ought to follow the law we passed and provide that every bridge that connects a through highway built partly with Federal aid, especially from one State into another, must be a free bridge, and thus encourage States to appropriate money to match Federal aid, so that free bridges may be built with Government and State funds along with the through highway, as the bridge is just as much a part of the highway as any other segment of it.

Mr. SNELL. And how long would it take to get a private bridge bill through here providing that the Federal Government pay for these things? There is not the slightest possibility of doing such a thing.

Mr. BLANTON. It is just as easy to provide many millions for free bridges as it is for the other portion of the highways.

Mr. DOWELL. There is no one suggesting that the Government build these bridges.

Mr. SNELL. That is what the gentleman from Texas suggested.

Mr. BLANTON. Only in cooperation with the States; I propose for the Government to match dollars with the States to build free bridges, just as it is now doing to build the rest of the highway.



Mr. DOWELL. There is no objection to the building of bridges providing there is provision that the public may, under certain conditions secure ownership and control of them.

Mr. BURTNESS. To what bill does the gentleman refer?

Mr. DOWELL. I refer to the bill of the gentleman from North Dakota.

Mr. BURTNESS. I want to say that I appreciate, of course, very much the gentleman's support of the bill. I think it is very meritorious legislation. I have already requested our committee to hold hearings on the bill shortly after the holidays to consider all the propositions involved. I hope Members generally will become interested in it. On the other hand, I think it is also fair to say that the bridge bills during the last session of Congress, at least, have adopted provisions much along the line of the general bill I have introduced. The gentleman from Illinois [Mr. DENISON] a year ago made an extended speech on the floor of the House showing just what the policy of the subcommittee of the Committee on Interstate and Foreign Commerce is. Every bill authorizing the construction of a toll bridge by private capital passed during the last session, at least, and I think the same was true in the session preceding, gave to the public—that is, to adjoining counties, municipalities, or other public agencies—the right to buy the bridge on what we may term a reduced measure of damages.

There is another factor which I think has been overlooked by the gentleman from Iowa, namely, that any person may object to the amount of toll charged by the private bridge corporation if deemed unreasonable, and that the Secretary of War has power to pass on the tolls, which power has possibly been used but little.

Mr. DOWELL. The gentleman knows that is not a practical proposition at all.

Mr. BURTNESS. Because of the fact the proposition can, in my opinion, be improved, proposals touching this subject are included in the general bill to which the gentleman referred.

Mr. DOWELL. My position is to get the best road system possible.

Mr. BEGG. Will the gentleman permit me to ask a question?

Mr. DOWELL. I yield.

Mr. BEGG. Is it the policy of the committee to report favorably, so far as restrictions are concerned, as many bills over the same stream as are asked for, say, 2 or 3 miles apart, when there is no heavy traffic? Is it the policy of the committee to do that?

Mr. DENISON. The policy of Congress has been to grant any municipality a franchise to construct a bridge. It is very unwise to grant a monopoly, but if the people want bridges across a stream, Congress has no objection to their having them. That is decided by local conditions. Local conditions affect it.

Mr. BEGG. Now, may I ask the gentleman—I know in three specific cases where there is not—I have forgotten, but the figures will bear me out—where there is just enough traffic to produce a return of perhaps 5 per cent on the construction of a bridge, yet there are bridges from 2, 3, or 5 miles up or down. The promoters finance it in New York, and it is not the promoters who hold the bag, but it is the innocent purchasers of the securities; and I think Congress could well afford to make an investigation as to the restrictions, I call them, or what they are, on which they are granted. That is one of the things which I think the committee ought to consider. If it is a case of permitting a bridge across any stream where there is a reasonable excuse for it, I do not care. In one case they can go to New York and make a clean-up.

Mr. DENISON. Is not that true in regard to all other investments?

Mr. BEGG. No; I do not think it is true in regard to all other investments.

Mr. DOWELL. I think we have a proposition here that is vital to the American people.

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

Mr. DOWELL. Yes.

Mr. BLANTON. There are a number of these toll bridges which connect important highways, highways upon which the Government and the States have expended a large amount of money. Now, why should they not be highway bridges paid for by the Government and States jointly, open free to the public? I think they ought to be. I think we ought to take steps now to encourage States to join the Government in matching dollars and building free bridges. Yet you are going to make this a toll bridge.

Mr. LEAVITT. No; that is what I want to keep clear of, that the bridge now before the House for consideration is to be constructed on the Federal system by the State of Montana.

Mr. BLANTON. Open and without tolls?

Mr. LEAVITT. Yes.

Mr. BLANTON. Then I am for it.

Mr. DOWELL. I am not discussing the bill now before the House, but I am calling attention to the situation which has arisen.

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

Mr. DOWELL. Yes.

Mr. CANNON. Does not the gentleman think it would be better to have these bridges built and pay toll on them rather than have no bridge at all?

Mr. DOWELL. This is the situation: The Government and the various States are investing millions and millions of dollars in the construction of good roads all over the United States, and if Congress is going to permit private persons to hold key positions to build bridges without enacting comprehensive and adequate legislation for the recapture of those bridges to the public use, our people may be compelled to pay tribute to individuals by way of bridge tolls for many years to come.

Mr. CANNON. Mr. Speaker, will the gentleman yield there?

Mr. DOWELL. I want to complete my statement. I have in mind a system of road construction in the United States for the future along the lines laid out under the Federal-aid program, and I want the public to be amply protected in the use of these highways. When these private bridges have been built the public should have the opportunity under comprehensive legislation to purchase them at a fair and reasonable price to the builders.

This matter should be called to the attention of Members of Congress, because over a very large system of Federal-aid highway construction in the United States every effort should be made to keep them out of the hands of a few men after the system has been constructed. [Applause.]

Mr. DENISON. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes.

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

There was no objection.

Mr. DENISON. Mr. Speaker, just a few words in reply to the statement of the gentleman from Iowa [Mr. DOWELL]. I made an address in the House last year on this subject which the gentleman from Iowa evidently has not done me the honor to read. We adopted a policy, after a couple of years' study by the committee of the Senate and the committee of the House, governing the granting of franchises to build bridges over the navigable waters of this country, and the policy is included in every bill granting the right to construct a bridge. That policy has been agreed on after a great deal of study. The gentleman from Iowa [Mr. DOWELL] did not ask for a hearing and did not ask permission to present any views on that subject, although he had that opportunity and he has that opportunity now. Our committee will be glad to hear him at any time concerning the proper franchise to be given for the construction of bridges.

The gentleman is entirely mistaken in his statement of the law. Congress has delegated to the Chief of Engineers and to the Secretary of War the right to regulate tolls over every toll bridge in the United States, and whenever any party has constructed a toll bridge and any citizen thinks the rate is too high, all he has to do is to write to the Secretary of War and file a protest; and every one who wants to be present at the investigation can present himself and express his views; and if the Secretary of War, after making the investigation, finds that the tolls are unreasonable or too high, he can order them reduced; and what he says is the law. There can not be any appeal from it unless, of course, his orders should amount to confiscation.

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

Mr. DENISON. Yes.

Mr. DOWELL. Has the gentleman had any experience in regard to changing railroad rates under that condition?

Mr. DENISON. Well, that question is just as pertinent as some of the other statements made by the gentleman from Iowa. We have laws by which those things are governed. When the gentleman says there is no regulation of tolls he is mistaken. Anybody can object to the rate of tolls, and if the tolls are found unreasonable they will be reduced.

We have worked out a plan, and it is embodied in every bill passed granting a franchise for a toll bridge. It is a fair plan to the public. By it we save to the public the right to take over any privately owned toll bridge whenever the public wants to do so, and we limit the amount of damages or compensation to be paid when the public takes over the bridge. We do not

let them charge for good will or going value or earning power. All the public has to pay for is the actual value of the physical structure. That is quite a concession to the public, and that applies to every toll bridge constructed since the adoption of the policy.

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

Mr. DENISON. Yes.

Mr. CARSS. Does this provision apply to the bridges built heretofore?

Mr. DENISON. No. This policy that we are acting upon now applies only to bridges built after the adoption of the policy. Of course, we can not pass a retroactive law. All private toll bridges constructed under acts of Congress in the past two years have been constructed under that policy, and the rights of the public are fully preserved in the recapture clause.

Mr. MONTAGUE. Will the gentleman permit me to ask him a question?

Mr. DENISON. Certainly.

Mr. MONTAGUE. I understand the gentleman to say there is a law which prescribes that the Federal Government may regulate tolls over bridges?

Mr. DENISON. Certainly; all bridges in the United States constructed over navigable streams since 1906 can be regulated by the Chief of Engineers or the Secretary of War.

Mr. MONTAGUE. A bridge running over a river dividing two States?

Mr. DENISON. Yes; that has been the law since March 23, 1906.

Mr. BURTNESS. A bridge across any navigable stream.

Mr. DENISON. Yes. The Secretary of War can regulate the tolls on any toll bridge in the United States which is constructed over a navigable waterway.

Mr. MONTAGUE. My reason for asking that question is rather an inquiry as to the power of the Federal Government to make such a rule and regulation.

Mr. DENISON. It is a rather sweeping power.

Mr. MONTAGUE. As I understand it, the Federal Government only gives its consent to such structures upon the ground that there may be no obstruction to navigation and consequently commerce, and has questionable power to make authorizations.

Mr. DENISON. In 1906 Congress conferred that power upon the Secretary of War, and it is not a dead letter. The Secretary of War exercises that power every now and then, and he has done so quite frequently.

Now, I would like to have gentlemen remember this: The Federal road act provides that no part of the funds appropriated under its provisions shall be expended upon a road where tolls are charged. Of course, the intention of Congress was to prevent the expenditure of Federal funds on a toll road, one of the old-fashioned toll turnpikes; but the section of the act, where definitions are provided, defines "bridge" as being a part of a highway, so that the comptroller in construing the act has held that Federal-aid funds can not be expended on a road that approaches not only a toll bridge but a toll ferry. There are hundreds of ferries in this country, and, of course, they are all toll ferries; and the ruling of the comptroller applies to Federal-aid roads that approach a ferry. He says Federal funds can not be expended on that part of the road which approaches a ferry; that is, upon that part of the road which extends back to a point where the road could be used independently of the bridge or ferry. When that ruling of the comptroller was made, of course, it proved to be more or less embarrassing to the Bureau of Roads, and I filed a bill in the last Congress to correct that situation. However, I have never been able to get the gentleman from Iowa [Mr. DOWELL] to permit us to go before his committee to present the reasons for the bill.

Mr. BLANTON. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. BLANTON. The law mentioned by the gentleman contemplates that on arterial highways constructed partly with Federal aid the bridges and ferries must be free. Why should not they be free? The bridge or ferry is just as much a part of the highway as is any other segment of it. If the law and General McCarl's ruling could be enforced, it would be a great thing for the people, for it would induce the States to match dollar for dollar with the Federal Government and build free bridges to replace the toll bridges and ferries, that now interrupt and hold up interstate motor traffic along through highways. But the law is not wholly obeyed, because aid has been granted on highways with both toll bridges and ferries, and such highways have been constructed almost to abutments that lead both to toll bridges and toll ferries.

Mr. DENISON. That has not been done since the comptroller's ruling?

Mr. BLANTON. It has been done all the time, and I know of a number instances in which it has been done—the highway stopping some 100 yards or more from the approaches.

Mr. DENISON. I will have to say that I think the gentleman from Texas is wrong.

Mr. BLANTON. I have any number of such cases in my mind and can cite them to the gentleman. I have been over some of such highways this past summer.

Mr. ABERNETHY. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. ABERNETHY. Does the consent of Congress have to be given for the construction of bridges over a navigable stream that is wholly within a State?

Mr. DENISON. Consent of Congress is necessary unless the navigable portion of the stream is entirely within the borders of one State; then consent can be obtained from the State legislature. Since the comptroller has made the ruling to which I have referred—and it is rather technical, and I myself think it is foreign to the original intention of Congress—he has refused to approve vouchers issued by the Bureau of Roads for the expenditures of Federal funds on roads leading up to toll bridges or ferries, and therefore, the Bureau of Roads is not expending money on approaches either to ferries or to toll bridges. Now, that situation ought to be corrected by Congress.

Mr. BLANTON. If they construct a bridge they should not charge tolls but it should be open.

Mr. DENISON. The gentleman from Texas ought to know that Congress can not compel the construction of free bridges.

Mr. BLANTON. But we can provide for it.

Mr. ROMJUE. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. ROMJUE. I understand the attitude of the Government to be just what the gentleman has stated it to be, but the gentleman from Iowa stated a moment ago there was no intention on the part of the Government to construct these bridges. Now, if there is no intention on the part of the Government to construct them and private capital must construct them, is there any way in the world we can make the States construct them?

Mr. DENISON. There is no way, of course.

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

Mr. CANNON. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

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

There was no objection.

Mr. CANNON. Mr. Speaker, the suggestion that Congress refuse permission for the building of bridges on interstate and intrastate highways is untenable. There are numerous points in practically every State of the Union where arterial highways approach from both sides of impassable streams and there terminate to the profit of inadequate ferries and to the expense and inconvenience of the traveling public. The Federal Government should either supply bridges at these key points or it should authorize private enterprise to supply them. It would be nothing short of absurd for the Government to refuse to build these bridges and at the same time refuse to permit anyone else to build them.

The gentleman from Iowa [Mr. DOWELL] calls attention to the law forbidding Federal aid on highways connecting with toll bridges. But the same law also forbids Federal aid to roads connecting with toll ferries. It is apparent, therefore, that the building of toll bridges by local enterprise where State and Federal funds are not available in no wise prejudices the situation so far as Federal aid is concerned, for the reason that these crossings are without exception already served by ferries charging exorbitant tolls.

So far as the safeguarding of the rights of the public is concerned, it is only necessary to consult any of the bridge bills passed in the latter part of the last session of Congress to note that the standardized form which is now required in all bridge bills, and for the drafting of which the gentleman from Illinois [Mr. DENISON] is entitled to the thanks of the Congress and the country, amply cares for the interests of both the Government and the public. Every bridge bill passed since this form was adopted contains provisions under which the State or any adjoining political subdivision may at any time take over the bridge and acquire title at actual cost of construction, such cost to be fixed by the Secretary of War, subject only to review in a court of equity for fraud or gross mistake. It would be difficult, if not impossible, to draft a law more effective and more drastic

in its protection of the rights of the traveling public and of the Government than the form now in use.

Contrary to the suggested policy of restriction in the building of bridges, Congress should authorize a bridge at every ferrying point on every Federal-aid highway in the United States. We need these bridges, and we need them now. We must have them in order to perfect our highway system and to provide for complete cooperation with our railroads and our deep-waterway system now in process of construction.

It is to be hoped that this session of Congress will break all records in the authorization of the construction of these missing links in the greatest highway system in the world.

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

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the times for beginning and completing the construction of a bridge across the Missouri River at or near Wolf Point, Mont., as authorized by the act entitled "An act granting the consent of Congress to the State of Montana, or Roosevelt County, or McCone County, in the State of Montana, or either or several of them, to construct, maintain, and operate a bridge across the Missouri River at or near Wolf Point, Mont., approved January 15, 1927, be, and the same are hereby, extended one year and three years, respectively, from January 15, 1928.

With the following committee amendments:

Page 1, line 3, strike out the word "beginning" and insert the word "commencing" in lieu thereof.

In line 4, strike out the word "a" and insert the word "the" in lieu thereof.

In line 5, after the words "by the act," insert the words "of Congress."

On page 2, line 6, strike out "January 15, 1928," and insert in lieu thereof "the date of approval hereof."

On page 2, add a new section, as follows:

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

The committee amendments were agreed to.

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

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

The Clerk read as follows:

Amendment offered by Mr. LEAVITT: On page 2, line 7, after the word "hereof," insert: "Provided, That the construction of the bridge authorized by the said act of Congress may be in township 27 north, range 47 east, or township 27 north, range 48 east, Montana meridian."

The amendment was agreed to.

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

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

The title was amended to read as follows:

To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Wolf Point, Mont.

#### BRIDGE ACROSS THE RIO GRANDE RIVER AT EL PASO, TEX.

The next business on the Consent Calendar was the bill (H. R. 5582) to extend the time for commencing and completing the construction of a bridge across the Rio Grande at or near the point where South Santa Fe Street in the city of El Paso crosses the Rio Grande, in the county of El Paso, State of Texas.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the times for commencing and completing the construction of a bridge authorized by the act of Congress approved May 19, 1926, to be built across the Rio Grande at a point suitable to the interests of navigation at or near the point where South Santa Fe Street in the city of El Paso crosses the Rio Grande in the county of El Paso, State of Texas, are hereby extended one and three years, respectively, from the date of approval hereof.

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

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

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

#### BRIDGE ACROSS POTOMAC RIVER AT DAHLGREN, VA.

The next business on the Consent Calendar was the bill (H. R. 5628) to extend the time for commencing and the time for completing the construction of a bridge across the Potomac River.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the time for commencing and the time for completing the construction of a bridge, authorized by the act of Congress approved May 5, 1926, to be built across the Potomac River at a point suitable to the interests of navigation from a point in the vicinity of Dahlgren, in the northeastern end of King George County, in the State of Virginia, to a point south of Popes Creek, in the county of Charles, in the State of Maryland, are hereby extended one and three years, respectively, from the date of approval hereof.

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

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

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

#### BRIDGE ACROSS RED RIVER AT FULTON, ARK.

The next business on the Consent Calendar was the bill (H. R. 5642) to extend the time for the construction of a bridge across Red River at Fulton, Ark.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the times for beginning and completing the construction of the bridge authorized by the act granting the consent of Congress to the State Highway Commission of Arkansas to construct, maintain, and operate a bridge across Red River near Fulton, Ark., approved February 4, 1926, are hereby extended one year and three years, respectively, from the date of the approval hereof.

With the following committee amendments:

In line 3, strike out the word "beginning" and insert in lieu thereof the word "commencing."

After the end of section 1 add the following:

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

The committee amendments were agreed to.

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

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

#### BRIDGE ACROSS TENNESSEE RIVER ON LINDEN-LEXINGTON ROAD, TENN.

The next business on the Consent Calendar was the bill (H. R. 6053) to extend the times for commencing and completing the construction of a bridge across the Tennessee River on the Linden-Lexington road, in Perry and Decatur Counties, Tenn.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the times for commencing and completing the construction of the bridge authorized by the act of Congress approved May 7, 1926, to be built across the Tennessee River on the Linden-Lexington road, in Perry and Decatur Counties, Tenn., are hereby extended one and three years, respectively, from the date of approval hereof.

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

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

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

#### BRIDGE ACROSS THE SUSQUEHANNA RIVER BETWEEN WRIGHTSVILLE AND COLUMBIA, PA.

The next business on the Consent Calendar was the bill (H. R. 6479) to extend the times for commencing and completing the construction of a bridge across the Susquehanna River between

the borough of Wrightsville, in York County, Pa., and the borough of Columbia, in Lancaster County, Pa.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the times for commencing and completing the construction of the bridge authorized by the act of Congress approved May 7, 1926, to be built across the Susquehanna River between the borough of Wrightsville, in York County, Pa., and the borough of Columbia, in Lancaster County, Pa., are hereby extended one and three years, respectively, from the date of approval hereof.

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

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

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

#### BRIDGE ACROSS THE COLUMBIA RIVER, WASH.

The next business on the Consent Calendar was the bill (H. R. 6657) to extend the times for commencing and completing the construction of a bridge across the Columbia River near Kettle Falls, Wash.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the times for commencing and completing the construction of the bridge authorized by the act of Congress approved January 26, 1925, across the Columbia River, at or near Kettle Falls, Wash., are hereby extended one and three years, respectively, from the date of approval hereof.

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

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

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

#### SUPPLEMENT TO NATURALIZATION LAWS

The next business on the Consent Calendar was the bill (H. R. 349) to supplement the naturalization laws, and for other purposes.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. LA GUARDIA. Reserving the right to object, I think there should be an amendment on page 3, line 2; the article "a" should be "any."

Mr. JOHNSON of Washington. I do not think that is necessary.

Mr. VINCENT of Michigan. It does not seem to me to be necessary.

Mr. LA GUARDIA. Do gentlemen think the effect of this is that he may appear before the examiner who is nearest the witness?

Mr. VINCENT of Michigan. That was the intent.

Mr. LA GUARDIA. Very well, then; I have no objection.

The SPEAKER. The Clerk will read the bill.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That (a) the third paragraph of the second subdivision of section 4 of the act entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States," approved June 29, 1906, as amended, is amended to read as follows:

"As to each period of residence at any place in the county or District of Columbia where the petitioner resides at the time of filing his petition there shall be included in the petition the affidavits of at least two credible witnesses, citizens of the United States, stating that each has personally known the petitioner to have been a resident at such place for such period, and that the petitioner is and during all such period has been a person of good moral character."

(b) The fourth subdivision of section 4 of such act of June 29, 1906, as amended, is amended to read as follows:

"Fourth. It shall be made to appear to the satisfaction of the court admitting any alien to citizenship (1) that immediately preceding the date of his petition the alien has resided continuously within the United States for at least five years and within the county or the District of Columbia where the petitioner resided at the time of filing his petition for at least six months, (2) that he has resided continuously within the United States from the date of his petition up to the time of his admission to citizenship, and (3) that during all the periods referred to in

this subdivision he has behaved as a person of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the United States. At the hearing of the petition residence in the county or District of Columbia where the petitioner resides at the time of filing his petition, and the other qualifications required by this subdivision during such residence, shall be proved only by the oral testimony of at least two credible witnesses, citizens of the United States. If the petitioner has resided in two or more places in such county or District of Columbia, and for this reason two witnesses can not be procured to testify as to all such residence, it may be proved by the oral testimony of two such witnesses for each such place of residence. At the hearing residence within the United States, but outside the county, and the other qualifications required by this subdivision during such residence shall be proved either by depositions made before a naturalization examiner or by the oral testimony of at least two such witnesses for each place of residence."

(c) Section 10 of such act of June 29, 1906, as amended, and section 2170 of the Revised Statutes are repealed.

(d) The Secretary of Labor shall make such changes in the forms prescribed by section 27 of such act of June 29, 1906, as are necessary to make them conform to the provisions of this act.

Mr. VINCENT of Michigan. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 2, strike out lines 11 and 12 and insert in lieu thereof:

"Fourth. No alien shall be admitted to citizenship unless (1)."

Page 2, line 17, strike out the word "that."

Page 2, line 19, strike out the word "that."

Page 3, line 10, after the word "county," insert "or District of Columbia."

The amendments were agreed to.

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

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

#### BOARD OF REGENTS, SMITHSONIAN INSTITUTION

Mr. LUCE. Mr. Speaker, I ask that Senate Joint Resolution 48, providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of a class other than Members of Congress be laid before the House.

The SPEAKER. The Clerk will report the joint resolution.

The Clerk read as follows:

#### Senate Joint Resolution 48

*Resolved, etc.,* That the vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress, which now exists be filled by the appointment of Charles Evans Hughes, of New York.

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

The SPEAKER also laid before the House Senate Joint Resolution 49, providing for the filling of a vacancy in the Board of Regents to the Smithsonian Institution of class other than that of Members of Congress.

The Clerk read as follows:

#### Senate Joint Resolution 49

*Resolved, etc.,* That the vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress, which now exists, be filled by the appointment of John Campbell Merriam, of the District of Columbia.

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

#### SOLDIERS' HOME AT LOS ANGELES

The next business on the Consent Calendar was the bill (H. R. 164) to authorize appropriations for construction at the Pacific Branch Soldiers' Home, Los Angeles County, Calif., and for other purposes.

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

Mr. LA GUARDIA. Reserving the right to object, I see here is an appropriation of \$250,000. Will the gentleman from Michigan explain that?

Mr. JAMES. Mr. Speaker, there was a fire at the soldiers' home in Los Angeles and burned the mess hall. It was after Congress adjourned, and, at the suggestion of the Director of the Budget, when I was in the West I went to see it. The old soldiers are being messed in four different places. There are 1,300 of them to be fed, and a good many times it takes three messes. Some of the men have to go two or three hundred feet across one of the principal streets of Los Angeles. There are

men being turned away from the soldier's home every day because they are unable to feed all the men who apply. In addition to that there are 265 men who feed at Sawtelle but who have to sleep out. The places that are now used for mess halls should be used to house the old soldiers.

Mr. LAGUARDIA. Mr. Speaker, I think the gentleman has made out a good case, and I withdraw my objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That there is hereby authorized to be appropriated not to exceed \$250,000 to be expended for the construction and installment at the Pacific Branch, Soldiers' Home, Los Angeles County, Calif., of one general mess building, with bakery and equipment and such utilities and appurtenances thereto as in the judgment of the Board of Managers of the National Home for Disabled Volunteer Soldiers may be necessary.

Committee amendment: Page 1, line 4, strike out "\$250,000" and insert "\$200,000."

The committee amendment was agreed to.

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

A motion to reconsider the vote was laid on the table.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had concurred in the following resolution:

#### House Concurrent Resolution 11

*Resolved by the House of Representatives (the Senate concurring),* That the Clerk of the House be, and he hereby is, authorized and directed in the enrollment of H. R. 5800 (70th Cong., 1st sess.), known as the first deficiency bill, to insert on page 38, in line 9 of the engrossed bill, after the word "attorneys," the following words: "(their heirs or their assignees now of record, as their interest may appear)."

#### ENROLLED BILL SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled House joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 92, Joint resolution authorizing the payment of salaries of the officers and employees of Congress for December, 1927, on the 20th day of that month.

#### THE CONSENT CALENDAR—AMENDING STATUTE OF LIMITATIONS

The next business on the Consent Calendar was the bill (S. 1397) amending section 1044 of the Revised Statutes of the United States, as amended by the act approved November 17, 1921 (ch. 124, 42 Stat. L. 220).

The Clerk read the title of the bill.

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

Mr. SCHAFFER. Mr. Speaker, I object.

Mr. LAGUARDIA. Mr. Speaker, will the gentleman reserve his objection?

Mr. SCHAFFER. Yes.

Mr. LAGUARDIA. Mr. Speaker, I am sure that if the gentleman knew the purpose of the bill he would not object. In the first place, it simply amends existing law by doing away with an amendment which was placed in the law on November 17, 1921. That amendment extended the time of the period of limitation and was intended to apply only to war frauds from three years to six years. Let me read the amendment of 1921:

Amendment of November 17, 1921 (ch. 124, 42 Stat. 220), now found in section 582 of title 18 of the Code of Laws of the United States of America, is as follows: "Provided, however, That in offenses involving the defrauding or attempts to defraud the United States or any agency thereof, whether by conspiracy or not, and in any manner, and now indictable under any existing statutes, the period of limitation shall be six years. This section shall apply to acts, offenses, or transactions where the existing statute of limitation had not yet fully run on November 17, 1921; but the proviso shall not apply to acts, offenses, or transactions which on that day were already barred by the provisions of existing laws."

The period of six years in reference to war cases has now passed. The war frauds are cleaned up by this time. The purpose of this is very clear. One witness in a case which is coming up for trial in the District of Columbia before long refuses to testify, on the ground that he may incriminate himself, and in order to take that immunity from him and compel him to testify, this amendment is necessary.

Mr. SCHAFFER. If what the gentleman says is correct, that the six years has run in all of those cases, has it not also run

against this witness in the Teapot Dome case? Here is what I have been considering, and, perhaps, the gentleman can clear it up: During the last session of Congress I made several speeches and put into the RECORD clear and convincing evidence, obtained at considerable expense, showing conclusively that there was a conspiracy on the part of Government officials and others to loot the alien property. I have not had opportunity to have that investigating resolution adopted, and I believe that a new Congress after election may look at that resolution with a favorable light. I do not want to approve of any legislation that will permit those crooks to go without being brought to trial.

Mr. LAGUARDIA. As I understand it, these cases were committed before 1920?

Mr. SCHAFFER. Oh, no; some of them in 1924.

Mr. LAGUARDIA. If those people defrauded the Government, they would come within the six-year period.

Mr. SCHAFFER. But with this bill they would only have three years.

Mr. LAGUARDIA. That is true. I do not believe alien property cases come within the scope of the 1921 amendment. Does the gentleman want to assume the responsibility of extending immunity to a recalcitrant witness who will not testify in one of the most important cases which the Government is going to try?

Mr. SCHAFFER. Oh, in order to get one witness I do not like to let a dozen or a hundred crooks go who robbed the Government through the alien property.

Mr. LAGUARDIA. If anyone has defrauded the Government in cases arising out of the war, if he has not already been indicted, there is not much chance of indicting him now.

Mr. SCHAFFER. Why is there not, if there was a conspiracy in 1924 and 1925?

Mr. LAGUARDIA. Oh, we tried a case in New York City only a few weeks ago, I think it was in September or October. It was a clear-cut case where the Government was defrauded of three or four hundred thousand dollars, and yet the jury would not convict because so much time had elapsed.

Mr. SCHAFFER. I believe that if these cases to which I refer were brought before a jury the jury would convict, and I will assume the responsibility. I am not going to permit a lot of crooks to have the statute of limitations run in their favor in order to get just one man. Mr. Speaker, I object.

Mr. LAGUARDIA. I am afraid the gentleman is doing more damage in one direction than he realizes.

The SPEAKER. The gentleman from Wisconsin objects.

#### BATTLE OF PERRYVILLE

The next business on the Consent Calendar was the bill (H. R. 48) to erect a tablet or marker to the memory of the Federal soldiers who were killed at the Battle of Perryville, and for other purposes.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the sum of \$5,000 be, and is hereby, authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of erecting a tablet or marker on the grounds of the Battle of Perryville, near Perryville, in Boyle County, Ky., in honor of the Federal soldiers who took part in that battle, and many of whom are now buried therein, said tablet or marker to be erected in a suitable location, having reference to the monument erected by the State of Kentucky to the Confederate dead that also lie buried therein. Said sum to be dispensed by the Secretary of War, after he shall have approved the plans for said tablet or marker.

SEC. 2. That the Secretary of War is hereby authorized to accept, free of cost to the Government, a tract of land containing 4 acres, with the roadway 25 feet wide running from the east side of said tract to the Perryville turnpike, and upon presentation of good and perfect title to said tract of land the Secretary of War is authorized and directed to establish thereon a national cemetery.

Mr. GILBERT. Mr. Speaker, I ask unanimous consent that the spelling of the word "dispensed," on page 2, line 10, be corrected.

The SPEAKER. Without objection, the correction will be made.

There was no objection.

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

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

## COMMISSIONERS IN COURT OF CLAIMS

The next business on the Consent Calendar was H. J. Res. 82, to continue commissioners in the Court of Claims.

The Clerk read the title of the resolution.

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

There was no objection.

The Clerk read the resolution, as follows:

*Resolved, etc.*, That the provisions of sections 1 and 2 of the act approved February 24, 1925 (February 24, 1925, ch. 301, par. 1, 43 Stat. 964; United States Code, p. 899, sec. 269), providing for commissioners in the Court of Claims, their appointment, powers, and procedure, be, and the same are hereby, continued in full force and effect for the term of five years from the date of the approval of this joint resolution.

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

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

## HOUSE OFFICERS AND EMPLOYEES

Mr. MACGREGOR. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes.

The SPEAKER. The gentleman from New York asks unanimous consent to proceed for 15 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MACGREGOR. Mr. Speaker and gentlemen, at the close of the last Congress the House passed a resolution directing the interim Committee on Accounts to make a survey of the employees and services of the House for the purpose of making any corrections, equalizing salaries, and abolishing useless positions. This committee has labored during the summer and fall and has presented here a report. We worked without any desire to favor anybody, but simply to carry out the desires and wishes of the House. Now, for the purpose, perhaps, of making our work intelligible to Members of the House, so that they will know what we have done, I am making this statement. We have no pride of authorship, no desire to separate anybody from his position, but we appreciate that the desire of the House is to have the House organization work efficiently and economically.

We abolished 22 positions. Only 2 of them might be called major positions.

Mr. BYRNS. Will the gentleman yield for a question?

Mr. MACGREGOR. I have only 15 minutes.

Mr. BYRNS. Does the gentleman propose to call up this resolution?

Mr. MACGREGOR. That will be determined later. I am making a statement under unanimous consent.

Mr. BYRNS. I want to suggest to the gentleman that a resolution of this importance ought not to be called up until after allowing opportunity for Members to look into it and understand it. I hope the gentleman will let it go over until after the holidays.

Mr. MACGREGOR. There seems to be a misunderstanding of some Members of the House as to what we are trying to do.

Mr. BLANTON. Will the gentleman yield?

Mr. MACGREGOR. You are taking my time—

Mr. BLANTON. The gentleman is taking the time of the House. Will the gentleman yield?

Mr. MACGREGOR. I may not be able to explain it in the time allotted to me.

Mr. BLANTON. I think the gentleman could get 15 minutes additional if he wished it. This bill of the gentleman's is too important a matter to take up to-day under suspension of rules. This proposition will take from the House post office two needed employees over there. The gentleman's report says that there are three forwarding clerks, and I happen to know there are only two. There is a mistake in that respect.

The House Postmaster has given the best service in that office that has ever been given Members of Congress since I have been here. Now, I do not think the House is going to vote to cripple the splendid service given by this office. I am as strong for economy as anyone, but I am for sane economy.

Mr. MACGREGOR. It is no baby of mine, it is the House's. In the office of the Clerk we abolish three clerks of \$2,020 each. We find no necessity for the expense. Over in the House Office Building is a library which probably most Members of the House did not know anything about. There are three employees connected with that library. We propose to abolish the House end library and keep the reference room adjacent to the floor of the House and appoint a librarian to take care of that. In the Doorkeeper's office we investigated the folding room and made inquiry, and there are five clerks keeping records in the

folding room. We considered that number too many, so we have taken out the office of the superintendent of the folding room and placed it in charge of the very efficient foreman of the folding room. There are 31 folders in the House Office Building. We have reduced the number to 25 and taken 1 of the folders who is now carried on the roll as a folder, and who acts as a bookkeeper, and created for him the position of bookkeeper.

Mr. HUDSPETH. Will the gentleman yield for a question?

Mr. MACGREGOR. Allow me to present this. In the document room there are nine assistants in that work, and we have taken out one assistant and given the remainder part of the compensation. In the office of the Sergeant at Arms we have abolished the office of Deputy Sergeant at Arms, whose sole duty is to put the mace up and down.

We have also abolished a pair clerk and a messenger. There is a Deputy Sergeant at Arms in charge of the pairs and there is a pair clerk and messenger, and also a pair clerk and messenger among the minority employees, so that there are four employees to take care of pairs, which appeals to us as being entirely too many. So we have taken off one on the Republican side and one on the Democratic side. We have abolished the position of stenographer and typewriter in the Sergeant at Arms' office, for which he has no use.

In the postmaster's office we have taken off, as the gentleman from Texas says, two messengers. We were informed by the postmaster, as I remember the testimony, that there were three persons engaged in forwarding mail, and we could not see why there should be so many persons engaged in forwarding mail, and thought that one person could handle it, so that we have cut off two.

In the list of special minority employees we have abolished the position held by the late Joel Grayson, because that position can not be filled and there is now no Joel Grayson. There was only one Joel Grayson and there is nobody to take his place.

We have also abolished the position of clerk to the majority leader. At the present time the clerk to the majority is acting with the Clerk of the House, and the work of clerk to the majority leader is being done by Mrs. Donnelly, who was originally appointed under a special resolution, she having formerly been clerk to Mr. Mann. We have taken off the assistant pair clerk on the minority side and we have abolished the clerk and janitor of the Committee on Industrial Arts and Expositions, because that committee has been abolished. We have abolished 22 positions and created 6, the positions created being clerk to the Doorkeeper, assistant clerk to the Committee on Immigration and Naturalization, the clerk to the Committee on Expenditures in the Executive Departments, the janitor to the Committee on World War Veterans' Legislation, and janitor to the Committee on Education.

Mr. BLANTON. Right there will the gentleman yield for a question?

Mr. MACGREGOR. Yes.

Mr. BLANTON. What is the use of having all these colored janitors sitting out in the hall in front of the doors of offices in the Capitol and House Office Building? The gentleman by his bill proposes to increase their salaries to \$190 each per month. I have been here 11 years. I have never found any use for it. What is the use of continuing that archaic, expensive custom that ought to have been done away with long ago?

Mr. MACGREGOR. The gentleman is probably right, but you can not do all this in one swallow. Most all of these janitors are really messengers.

Mr. BLANTON. Yes; but they sit out in the hall and do nothing.

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

Mr. MACGREGOR. Yes.

Mr. LAGUARDIA. The report says that the library in the House Office Building is seldom used.

Mr. HUDSPETH. Right there, where did you get the report? I have not been able to get it. I sent out for it, and they said they were all gone.

Mr. LAGUARDIA. I am one of the Members who are compelled to use the library.

Mr. MACGREGOR. It would not be any great effort for you to walk over to the Library of Congress.

Mr. LAGUARDIA. But we find quicker service in the House Office Building. I have to consult books there.

Mr. MACGREGOR. That can very readily be handled under the Library of Congress, and there is no use in having five people over in this moribund library here with nothing to do.

Mr. LAGUARDIA. I am interested in that. When we send over there for books, they ought to send them over.

Mr. MACGREGOR. I omitted to say that in the office of the Doorkeeper we have 17 laborers who are supposed to be janitors. We also have 8 cloakroom men who are supposed to be janitors. There has been an entire lack of discipline in regard to the janitor force, and for the purpose of efficiency we have reduced the number of laborers in that class to 12, and placed them under the direction of the chief janitor, under rules and regulations to be provided by the Committee on Accounts, which will enforce discipline. Five of these 17 we find to be old employees who have been here for a long period of years, running up as high as 50 years, and we have placed them on what might be called a retired list.

Mr. HOWARD of Oklahoma. Mr. Speaker, will the gentleman permit an inquiry there?

Mr. MACGREGOR. Yes.

Mr. HOWARD of Oklahoma. What has the committee done with this large number of clerks who for nine months previous to the meeting of Congress on the first Monday of December were carried on the pay roll as clerks to committees when no such committees existed, since they were not elected by Congress? Do you keep up that practice and carry clerks for four months or nine months during the recess between terms of Congress? Do you keep them on the pay roll acting as clerks or janitors to some Members?

Mr. MACGREGOR. That is a custom that has continued for a number of years. They used to be appointed as session clerks, but in recent years they have been provided for as annual clerks.

Mr. HOWARD of Oklahoma. Can the gentleman tell us of any service that has been rendered by these clerks during the nine months when Congress was not in existence?

Mr. BLANTON. They mail out Republican campaign speeches.

Mr. SNELL. All sorts of inquiries come there during vacation from Members of Congress, and they are kept there to attend to that kind of work.

Mr. HOWARD of Oklahoma. As the gentleman intimates, there should be a few of those clerks to committees, but that might be arranged for at the end of a Congress. But here there are all those clerks to committees which go out of existence at the end of a session.

Mr. SNELL. I speak from my own observation.

Mr. LEAVITT. I can speak for the Committee on Indian Affairs.

Mr. HUDSPETH. How much do you expect to save by this resolution?

Mr. MACGREGOR. We expected to save \$50,000; but now it is down to \$10,000.

Mr. HUDSPETH. Where do you apply that saving?

Mr. MACGREGOR. We increase the compensation in the case of 22 employees in the Clerk's office and 35 in the Doorkeeper's office, 1 in the Sergeant at Arms' office, 3 in the Postmaster's office, 7 special and minority employees, 41 committee clerks, 12 assistant committee clerks, and 32 janitors or messengers. We have increased the compensation of 153 employees.

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

Mr. MACGREGOR. Mr. Speaker, I ask unanimous consent to proceed for 15 additional minutes.

The SPEAKER. The gentleman from New York asks unanimous consent to proceed for 15 additional minutes. Is there objection?

There was no objection.

Mr. CANNON. Will the gentleman yield?

Mr. MACGREGOR. Yes.

Mr. CANNON. Is the gentleman here presenting a report from the Committee on Accounts?

Mr. MACGREGOR. We are presenting the report of the interim Committee on Accounts, which was authorized under the resolution adopted on March 3, at the close of the last session.

Mr. ALMON. Will the gentleman yield?

Mr. MACGREGOR. Yes.

Mr. ALMON. Will there be any opportunity to amend this resolution, or is it the intention to bring it up under suspension of the rules?

Mr. MACGREGOR. The purpose was to bring it up under suspension of the rules.

Mr. BLANTON. I hope the gentleman will not attempt to do that to-day, for under suspension the bill could not be amended in any particular, and unless it is amended it should not pass. I regret to oppose any bill proposed by our good friend from New York [Mr. MACGREGOR], for we all on both sides of the aisle like him, and we would rather be with him than against

him; but his bill does great injustice to both the post office and the document room, and must be changed.

Mr. CANNON. What is the number of the resolution appointing the interim Committee on Accounts?

Mr. MACGREGOR. I think 453.

Mr. BYRNS. Will the gentleman yield?

Mr. MACGREGOR. Yes.

Mr. BYRNS. This resolution has only become available in the last hour or so. I just saw a copy of it myself a moment ago, and I have been told by several Members it has not been available before and had not been printed. Does not the gentleman believe that the consideration of a resolution covering so many employees ought to be deferred until Members can look into it? I hope the gentleman will not undertake to press it to-day.

Mr. MACGREGOR. I am not pressing it now. I am simply trying to explain it.

Mr. GALLIVAN. Will the gentleman yield?

Mr. MACGREGOR. Yes.

Mr. GALLIVAN. I simply want to ask why a member of the Committee on Accounts, the gentleman from Missouri, has to ask the chairman of the Committee on Accounts a question about this resolution?

Mr. MACGREGOR. Because the gentleman from Missouri does not understand the situation. This was the interim Committee on Accounts, which exists from the time one Congress dies until the commencement of another.

Mr. GALLIVAN. Then the gentleman from Missouri was not a member of the interim committee?

Mr. MACGREGOR. No; he was not.

Mr. GALLIVAN. That is a good answer. May I ask the gentleman one more question?

Mr. MACGREGOR. Yes.

Mr. GALLIVAN. Is it not a fact that this resolution was not available until two hours ago?

Mr. HUDSPETH. It is not available now.

Mr. GALLIVAN. I understand the resolution is not available to all Members even now.

Mr. UNDERHILL. Will the gentleman yield to me?

Mr. MACGREGOR. I yield to the gentleman for the purpose of answering the gentleman from Massachusetts.

Mr. UNDERHILL. It is not the desire of the committee, against the wishes of the House, to bring this matter up to-day or before the holidays, but the object was that the House should not be successfully lobbied between now and the time it does come up. That is the reason we tried to bring it up to-day. There was no attempt on the part of the committee to accomplish a reform. That was not the idea. There was no attempt on the part of the committee to consider economy. That was not the idea. The purpose of this bill is to increase efficiency, improve morale, and accord justice to the employees of the House. There is not a single Member who will be deprived of one single convenience, comfort, or necessity under the provisions of this bill. That is the whole proposition, and the chairman of the committee is trying to explain to you that although the bill seems to carry a lot of discharges that in reality it only carries 16 discharges. In addition to that, salaries which almost every Member of this House has been importuning the Committee on Accounts to increase have been increased in the lower brackets and justice has been done to a lot of hard-working employees of this House.

Mr. CANNON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CANNON. The gentleman states that he proposes to move to suspend the rules. Is he presenting this as a report of the committee for consideration by the House, or is this merely preliminary to asking unanimous consent to move to suspend the rules?

Mr. MACGREGOR. This is a unanimous-consent request to explain the report and the resolution.

Mr. CANNON. The matter is not then before the House?

Mr. MACGREGOR. No; except as a matter of explanation; that is all.

Mr. GALLIVAN. Will the gentleman tell us who comprised this interim committee?

Mr. MACGREGOR. The gentleman's colleague from Massachusetts [Mr. UNDERHILL].

Mr. GALLIVAN. I have not the slightest doubt of that when I see this kind of a bill.

Mr. MACGREGOR (continuing). The gentleman from Kentucky [Mr. GILBERT] and myself.

Mr. SINNOTT. Will the gentleman yield?

Mr. MACGREGOR. Yes.

Mr. SINNOTT. Is it the gentleman's contention that this is a privileged resolution from the Committee on Accounts?

Mr. MACGREGOR. No; I am not presenting it as a privileged report. I am simply giving information under unanimous consent.

Mr. SINNOTT. Then the gentleman does not expect to present it as a privileged report?

Mr. MACGREGOR. I do not claim that it is privileged.

Mr. GALLIVAN. Mr. Speaker, a parliamentary inquiry. I find the bill comes from the Committee on Accounts and not from any interim committee.

Mr. MACGREGOR. Which bill?

Mr. GALLIVAN. I am asking this as a parliamentary inquiry. I do not expect the gentleman who is trying to answer me to be Speaker of the House for quite a while. I am submitting the parliamentary inquiry. Is this a report from an interim committee or from the Committee on Accounts? The gentleman who has the floor says it is a report from the interim committee.

Mr. MACGREGOR. It is.

Mr. GALLIVAN. But House Resolution 59 says, "From the Committee on Accounts."

Mr. MACGREGOR. The resolution is introduced by myself. It has been referred to the Committee on Accounts.

Mr. GALLIVAN. Then it is not a report of an interim committee?

Mr. MACGREGOR. What—the resolution?

Mr. GALLIVAN. The resolution now before us.

Mr. MACGREGOR. No; it does not have to be.

Mr. GALLIVAN. May I ask if the Committee on Accounts has reported the resolution?

Mr. MACGREGOR. It has not.

Mr. TILSON. Mr. Speaker, will the gentleman yield to me a moment?

Mr. MACGREGOR. Certainly.

Mr. TILSON. It is very clear that the matter the gentleman is discussing ought not to be voted upon to-day, and I think the membership can count confidently upon its not being considered to-day. It does seem to me, however, that it is well the gentleman should explain his resolution, and for the purpose of explanation I think, perhaps, if the gentleman were not interrupted he would be able to do it better, if he be not constantly interrupted. As it is not going to be considered to-day, I hope the membership will allow the gentleman in the remaining part of his time to explain his proposition, because if it can stand on its merits we wish to adopt it in due time, and if it can not then we can drop it.

Mr. DOWELL. Will the gentleman yield for a question?

Mr. MACGREGOR. I do not yield now. I hope the gentleman will let me get through my remarks.

Mr. DOWELL. I want to ask the floor leader a question, if I may. I simply want to know what will be the parliamentary situation. Is this bill to go to the Committee on Accounts and be considered by that committee or is it to be considered by the House?

Mr. TILSON. I understand the resolution has been referred to the Committee on Accounts, but to-day it is being discussed and explained. Nothing is to be done about it now, however. No motion has been made and none can be made unless the Speaker recognizes the gentleman to suspend the rules, which is the only way it can be brought up now.

Mr. DOWELL. That answers my question.

Mr. MACGREGOR. When interrupted I was at the point in the bill with respect to committee clerks.

There are 44 committees of the House. We have increased the compensation of the clerks of all the committees except four—the Committee on Appropriations, the Committee on Accounts, the Committee on Claims, and the Committee on Revision of the Laws.

We have placed the committees in classes according to the way in which, in our humble judgment, they ought to be arranged. We have placed them in six classes, the Appropriations Committee, of course, occupying No. 1, and the Committees on the Judiciary, Ways and Means, and Interstate and Foreign Commerce, No. 2, and so on down the line.

We have increased the compensation of the clerks of these three committees from \$3,300 to \$3,600.

In the next line we have raised them from \$2,880 to \$3,000; 11 we have raised from \$2,360 to \$2,500; and 10 from \$2,360 to \$2,400.

There are 22 committees having assistant clerks and we have raised 10 of them. Most of them we considered had sufficient compensation for assistant clerks. The general raise has been for those getting \$1,520, whom we have raised to \$1,650.

We have sought to follow out the wishes of the House. We have done this, as I have said, without consideration for any person or whom it was hitting; but simply to make this House function in the way we think you want it to function. We have given you the result of our work and trust it will meet finally with your approval. I do not myself want to cram anything down the throats of the Members. I want them to use their calm, cool, and dispassionate judgment and act only according to the dictates of their consciences, and not because they are besieged by a lot of those who are personally interested.

#### SECTION 1044 OF THE REVISED STATUTES

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to return to the bill (S. 1387) amending section 1044 of the Revised Statutes of the United States as amended by the act approved November 17, 1921 (c. 124, 42 Stat. L. 220), the gentleman from Wisconsin, who objected, having withdrawn his objection.

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

There was no objection.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read as follows:

*Be it enacted, etc.,* That section 1044 of the Revised Statutes of the United States, as amended by the act approved November 17, 1921 (ch. 124, 42 Stat. L. 220), be amended so as to read as follows:

"Sec. 1044. No person shall be prosecuted, tried, or punished for any offense, not capital, except as provided in section 1046, unless the indictment is found, or the information is instituted, within three years next after such offense shall have been committed: *Provided,* That nothing herein contained shall apply to any offense for which an indictment has been heretofore found or an information instituted, or to any proceedings under any such indictment or information."

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

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

#### HOUSE OFFICERS AND EMPLOYEES

Mr. GILBERT. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

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

There was no objection.

Mr. GILBERT. Mr. Speaker, ladies and gentlemen of the House, service on a committee to abolish useless offices, to adjust duties and compensations is never pleasant and seldom appreciated.

At the end of the last session the Speaker appointed two gentlemen of the majority and me to undertake this service. I will say for the other two members of the committee that they have served laboriously and sincerely. Our object was not economy so much as efficiency and equality. I will say, individually, that at no time did I consider the saving of any money where the convenience or comfort or the reasonable usefulness of any Member of the House would be impaired.

The main trouble now is a lack of responsive coordination on the part of the employees of the House, a lack of direction and control. For instance, one would think that the chief janitor had something to do with the janitors; but he has not.

One would reasonably suppose that a stenographer to the clerk was stenographer to the Clerk, but he is not; he is clerk over in the stationery room.

We have some barbers who can not barber, and a Member would run the risk of having his throat, rather than his whiskers, cut if he allowed him to shave him. [Laughter.] The reason why they are barbers on the pay roll is because they served as bodyguard to some Member in the Civil War. They have been here, some of them, for more than 40 years.

Personally I am not in favor of turning these old men out, and so we have provided a sort of place to take care of them; but they ought not to be barbers.

It was our purpose to get a more responsive service. Wherever there is a perfectly useless employee I say without hesitancy that we recommend the abolition of that office.

Take, for instance, the Deputy Sergeant at Arms, whose duty is merely to put up that mace and take it down, for which he receives around \$2,800 a year, and who at the last session of Congress left for home before we adjourned and was not here to take it down and came near leaving us in session all summer. [Laughter.]



In all good faith I see no reason for continuing the office when there is the Sergeant at Arms to take down the mace.

Now, there is a minority employee whom we have recommended to be dismissed, and he happens to be one of my good personal friends among the minority employees. But there is no service for him to perform. That is Mr. Overstreet, a splendid gentleman and one of the two pair clerks for the minority. You also have two on the majority side, and so we recommend the dismissal of one on the majority and one on the minority side simply because there is no real work for them to do.

I want you gentlemen on the Democratic side to realize that to show the good faith of the gentleman on the majority side we Democrats get the best of it. It merely so happens; there was no politics in our report. An employee on the majority side is superintendent of the folding room, performing no service, at least none that can not be performed by the foreman of the folding room, whose salary is increased and who happens to be a Democrat.

Now, I know that the two Republicans would not have recommended that this position be abolished if the position had not been absolutely useless.

So far as the statement of the gentleman from Texas about the condition of the post office is concerned, why, of course, I would not interfere with the proper functioning of that office. We had an inspector from the Post Office Department go all through it. We introduced on the stand all individuals, gentlemen interested over there, to find out what these gentlemen were doing. They have three men over there doing one man's work, and we disposed of two of them.

Mr. LINTHICUM. What disposition was made of the barbers?

Mr. GILBERT. We put the barbers under the jurisdiction of the Committee on Accounts. Somebody has to perform those duties, and I happen to occupy a place on that unenviable committee, but there is where it belongs.

Now, I have no prejudice in this matter at all. It is an unpleasant task. The House gave to the committee an unpleasant task and they have conscientiously performed it. It is back to you to say whether or not the House was indulging in a mere gesture.

Mr. MAPES. Will the gentleman yield?

Mr. GILBERT. Certainly.

Mr. MAPES. On page 6 of the resolution introduced by the gentleman from New York, the chairman of the Committee on Accounts, the last paragraph places the laborers appointed by the Doorkeeper under the jurisdiction of the committee through the chief janitor "and such other attendants as may be appointed upon the roll of the Doorkeeper." What employees did the committee intend to embrace by the language "such other attendants"? Is it intended by that language to place all the appointees upon the roll of the Doorkeeper under the jurisdiction of the Committee on Accounts?

Mr. MACGREGOR. There are two on the roll of the Clerk who are in the bathroom and we desire they should go on the roll of the Doorkeeper.

Mr. MAPES. And this language, "such other attendants," applies only to the two bathroom attendants?

Mr. MACGREGOR. Yes.

Mr. GILBERT. It is impossible, of course, to make any adjustment that will be satisfactory to every Member.

I say frankly that this recommendation of ours is not exactly as I would have it. There are some here that I think, under our resolution, are paid too much and some too little; but you can not meet the mind of every Member on those matters. On the whole, a great improvement will be made in service, a more equitable pay provided, and a saving of \$17,000 a year effected if the report be adopted. It is as good as three conscientious, hard-working Members can make it. Without throwing ourselves any encomium, I believe any other report by any other Members would be found to contain as many objectionable features as this probably contains.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Speaker, I am for sane economy as much as anyone in this House, but while this Committee on Accounts is seeking to save \$10,000, or even as the gentleman first supposed, \$50,000, if they had put in the same time on some of the main bureaus or independent offices of this Government, and used the same energy, they could have saved not \$10,000 or \$50,000, but \$50,000,000, and with careful work they could save

two or three hundred million dollars a year instead of this paltry little sum proposed by them at the expense of good service. We want service in our post office, and we are getting the very best that is possible. We have one of the finest fellows there as Postmaster in the House Office Building that you could find anywhere in the United States. He is giving the service. Oh, he is a Republican and I am a Democrat, but he gives everybody good service, Democrat and Republican alike; and he ought to have every single facility given him that he needs for good service. Yet our committee is proposing to take two of his needed employees away from him.

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

Mr. BLANTON. In a moment.

Mr. UNDERHILL. No; yield now.

Mr. BLANTON. Yes; I will yield now to my friend from Massachusetts.

Mr. UNDERHILL. The Postmaster is all the gentleman says he is. He has three forwarding clerks, one his wife and one his son.

Mr. BLANTON. Oh, the gentleman is mistaken about that. If the floor leader of this House [Mr. TILSON] will ring up the Postmaster, he will find out that he has but two forwarding clerks, and only two, and has never had more than two. The gentleman from Massachusetts is mistaken about that.

Mr. UNDERHILL. He gave us that information himself.

Mr. BLANTON. I do not care where the gentleman got the information. I know a little something about his personnel, for I have investigated it myself, as I have carefully investigated all employees of this Government, and he has only two, and if the gentleman is wrong in his contention in that respect he may be wrong with respect to all the balance of his bill which he is seeking to bring up under suspension of the rules. [Applause.] I want economy as much as anybody, but I want sane economy. I sincerely hope that if the gentleman does bring this resolution up under suspension of the rules, in which case we would not have a chance to amend it, that the House will vote it down, and make the committee bring in its bill here under the rules so that the membership of the House may not be forced to put their stamp of approval, but may amend it as they see fit. This is too early in the session of Congress for such bills to come up under suspension of the rules. There is plenty of time in the closing hours two years from now for rules to be suspended and bills passed in that manner. We ought not to permit this bill to come up here under suspension of the rules, and I do not think the Speaker of this House will permit it, although this committee has great influence from a party organization standpoint.

What was the purpose of this original resolution to begin with, when first proposed in the Sixty-ninth Congress? It was to do justice to the House employees, and to all of them. It was to grant a proper raise to all of them in salary, which they have not had in 20 years. We have had our salaries raised and others have had their salaries raised, but the employees of this House have not had a raise in 20 years, except the war bonus of \$240 to those getting under \$2,000. That was the purpose of the original resolution, and yet that purpose has been thwarted, because in this proposed bill in no particular has there been a proper raise in the salaries of the House employees. Oh, some \$20 has been granted here and there to a few favorites, such as the colored janitors who sit in front of office doors all day and do nothing, who by this bill are to draw \$190 per month, but I am talking about the rank and file of them.

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

Mr. BLANTON. Yes.

Mr. MACGREGOR. I think the gentleman ought to withdraw that statement about favorites. We have had no favorites in this matter.

Mr. BLANTON. Then why has the gentleman not raised all of them instead of just a few? [Applause.]

Mr. MACGREGOR. Because we have taken those that we thought ought to have raises.

Mr. BLANTON. Then the gentleman has shown favoritism.

Mr. MACGREGOR. The gentleman can not say that.

Mr. BLANTON. Whenever you raise some and forget to raise the others, I think that favoritism is shown. [Applause.]

Mr. MACGREGOR. That is a bad construction of the gentleman's mind.

Mr. BLANTON. Mr. Speaker, in conclusion I hope that this resolution will not be called up to-day under suspension. If it is called up, we must gather enough strength to kill it; and then we can later amend it properly under the rules. I will procure from Postmaster Collier the facts about his office and attach same hereto.

## THE REAL FACTS ABOUT POSTMASTER COLLIER'S OFFICE

MY DEAR POSTMASTER COLLIER: In debate on the floor a few minutes ago it was stated by members of the Committee on Accounts that you now have three forwarding clerks, and that your son also is employed. I announced that you had only two forwarding clerks. I would appreciate your answering the following questions, to wit:

First. Have you two or three forwarding clerks?

Second. I have been under the impression that your son, Wilson F. Collier, is attending a law university at night and needs to work during the day, and that through the kindness of my colleagues, Congressman GRIEST and Congressman McLAUGHLIN, who are on the patronage committee, they placed your son on temporary employment, and that he has been doing the heavy work on the outside, handling the heavy mail and heavy boxes on the loading platform. Please advise me whether my above impression about your son is correct or not.

Third. Please advise me whether taking the two employees away from you, as is proposed, would cripple your needed force and hamper you in giving the splendid service we are all now receiving?

Your friend,

THOMAS L. BLANTON.

POST OFFICE,  
HOUSE OF REPRESENTATIVES, UNITED STATES,  
Washington, D. C., December 19, 1927.

DEAR MR. BLANTON: I answer your questions just received, as follows, to wit:

First. I have only two forwarding clerks and have never had more than two.

Second. Your impression about my son as stated is true and correct.

Third. Yes; absolutely.

Very truly yours,

FRANK W. COLLIER.

MR. UNDERHILL. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. Is there objection?

There was no objection.

MR. UNDERHILL. Mr. Speaker, I did not intend to inject myself into this debate, because it is not the time to discuss the merits or demerits of the resolution; but I can not let the statement of the gentleman from Texas [Mr. BLANTON] go unchallenged, although I believe that most of the Members do not take much stock in it. However, there was some applause when he suggested favoritism was shown by this committee, that we had raised the salaries of some and not others. We have raised all of the low-paid employees. We have raised all of the hard-worked employees. We have tried to get rid of a few loafers. These are the facts. As far as the post office is concerned, we did as we did in every other department.

MR. SCHAFFER. Mr. Speaker, will the gentleman yield?

MR. UNDERHILL. No. We called the head of the department in before us, and he gave us a list of those he had on his pay roll.

We found in this schedule there were three persons, two men and one woman, designated as forwarding clerks. We asked the postmaster how long they were employed as forwarding clerks.

He said one during the session, and during vacation he kept three. We asked why, and he said because they had to forward the Members' mail. We said, "What do you do with the other employees during the interim?" And he said, "They have their vacation." When we asked how long these vacations extended, he said that the time was divided up among the employees, and each man in the employ of the post office got, I think, a little over four months.

Now, we never asked a person what his politics were; we never asked who appointed him; whose particular pet he was. We just went through this thing in a businesslike way. There was no desire on the part of the committee—in spite of what the gentleman from Texas said—to play favorites or to bring about economy. That was not the idea; but because of favoritism, because of loafing, because of inefficiency, the morale of employees was destroyed and service was neglected.

MR. SCHAFFER. Will the gentleman yield?

MR. UNDERHILL. And those who were performing good work would ask why this one, a particular pet, was doing nothing. The law you passed that said that a certain employee should be assigned to certain duties and be on the pay roll for that purpose was being violated and said employee was hiding in some cubby-hole in the Capitol. There was no favoritism shown in any way, shape, or manner. We tried to give you something scientific, something honest, and something just. I desire to say that if you will study this you will not find a single, solitary personal consideration in it; and if you will

be as square and honest as the committee was, you will recommend and indorse it yourself.

MR. BLANTON. Will the gentleman yield?

MR. UNDERHILL. As far as the figures are concerned, we did not increase the salaries of those earning \$4,000, \$5,000, and \$6,000. We have increased those which were below \$1,200, a pittance of \$1,000 or less a year, the thoughtless Government paying its employees less than a living wage, less than an existence wage, so we raised every one of those up to a point where, at least, they could have sufficient income for maintenance of life if not life's luxuries.

MR. BLANTON. Will the gentleman yield?

MR. UNDERHILL. No; I will not yield.

MR. BLANTON. I yielded to the gentleman.

MR. UNDERHILL. I know, but not very willingly.

MR. BLANTON. But I did yield.

MR. UNDERHILL. There is something I want to impress upon the minds of Members for a particular reason. Every man who has lost his job has some friend in the House. Every one who has been removed—there are 22; but there are six other places which we created. Such employee is going to try to hold his job, and you are going to be solicited and impertuned in his behalf. It is not a cheerful or enviable position for one to be in. I know it, and it is pretty hard to turn men down. If you are going to be square about it, you have to treat all alike, and ask yourselves, Is the service necessary, or is it just a job for some favorite?

The SPEAKER. The time of the gentleman has expired.

## APPOINTMENT ON A COMMITTEE

MR. COLLIER. Mr. Speaker, I offer the following resolution and request its immediate consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

## House Resolution 61

Resolved, That O. J. KVALE, Representative from the State of Minnesota, be, and he is hereby, elected a member of the standing committee of the House on the Territories.

The resolution was agreed to.

## PERMISSION TO SIT DURING THE RECESS

MR. DOWELL. Mr. Speaker, I am requested by Mr. CURRY, chairman of the Committee on the Territories, to ask permission of the House that the Committee on the Territories may sit during the recess of the House.

The SPEAKER. Is there objection?

MR. BLANTON. It is only during the Christmas recess. As I understand, it is not a general request.

MR. DOWELL. It is only during the Christmas holidays.

There was no objection.

MR. CANNON. Mr. Speaker, I ask unanimous consent to proceed for two minutes on the matter under discussion.

MR. TILSON. Mr. Speaker, I shall have to object to opening up this matter again. I am sorry the gentleman from Missouri could not get in. We have already wasted an hour in discussing a matter that is not coming up to-day, so for the protection of the other Members I must object to any further discussion of this matter.

The SPEAKER. Is there objection?

MR. TILSON. I object.

## PUBLIC BUILDINGS

MR. ELLIOTT. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 278) to amend section 5 of an act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926.

The SPEAKER. The gentleman from Indiana moves to suspend the rules and pass House bill No. 278.

MR. BLANTON. Mr. Speaker, I make the point of order that this is not a day when the Speaker is authorized to recognize gentlemen to move to suspend the rules.

The SPEAKER. The Chair disagrees with the gentleman as to that.

MR. BLANTON. Then I will withdraw that statement. [Laughter.]

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 278) to amend section 5 of the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926

Be it enacted, etc., That the first paragraph of section 5 of the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926, is amended to read as follows:

"Sec. 5. For the purpose of carrying out the provisions of this act the sum of \$250,000,000, in addition to the amount authorized in section 3 hereof, is hereby authorized to be appropriated, but under this authorization and from appropriations (exclusive of appropriations made for 'remodeling and enlarging public buildings'), heretofore made for the acquisition of sites for, or the construction, enlarging, remodeling, or extension of, public buildings under the control of the Treasury Department, not more than \$35,000,000 in the aggregate shall be expended annually (except that any part of the balance of such sum of \$35,000,000 remaining unexpended at the end of any year may be expended in any subsequent year without reference to this limitation): *Provided*, That such amount as is necessary, not to exceed \$50,000,000 of the total amount authorized to be expended under the provisions of this act, shall be available for projects in the District of Columbia, and not more than \$10,000,000 thereof shall be expended annually (except that any part of the balance of such sum of \$10,000,000 remaining unexpended at the end of any year may be expended in any subsequent year without reference to this limitation): *Provided*, That at least one-fifth of the expenditures outside of the District of Columbia during the fiscal year 1927 shall be for the buildings heretofore authorized, and at least one-fifth of the expenditures for the fiscal year 1928 and at least one-fifth of the expenditures for the fiscal year 1929 shall be for a like purpose, unless a less amount shall be necessary to complete all of such buildings: *Provided further*, That expenditures outside the District of Columbia under the provisions of this section shall not exceed the sum of \$5,000,000 annually in any one of the States, Territories, or possessions of the United States."

(b) The last paragraph of such section 5 is amended by striking out "\$150,000,000" and inserting in lieu thereof "\$250,000,000."

The SPEAKER. Is a second demanded?

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

The SPEAKER. Is there objection?

Mr. LANHAM. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LANHAM. I am the ranking minority member on the Committee on Public Buildings and Grounds and favor this legislation. The gentleman from Mississippi [Mr. BUSBY] is also a member of the committee. He is opposed to the legislation. By reason of his opposition to the legislation would he not thereby have a prior right to demand a second?

The SPEAKER. In certain cases he would. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BUSBY. Mr. Speaker, in view of the fact that the bill has never been before the House except under suspension of the rules, and the fact that the Members are not acquainted with the provisions of it, I suggest the absence of a quorum.

The SPEAKER. The gentleman from Mississippi suggests the absence of a quorum. The Chair will count.

Mr. BUSBY. Temporarily, Mr. Speaker, I will withdraw the point.

The SPEAKER. Two hundred and thirty-two Members are present—a quorum. The gentleman from Indiana [Mr. ELLIOTT] is recognized for 20 minutes.

Mr. BUSBY. Mr. Speaker, in view of the fact that there is a similar bill at the desk to come up, I ask unanimous consent that the time to be taken on this bill be limited to 40 minutes on a side. In view of that, I do not propose to ask for a second on the second bill.

The SPEAKER. The gentleman from Mississippi asks unanimous consent that general debate be limited to 40 minutes to a side. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Indiana is recognized for 40 minutes and the gentleman from Mississippi 40 minutes.

Mr. ELLIOTT. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Speaker and gentlemen of the House, this is a bill which has for its purpose an increase of \$100,000,000 in the authorization for the construction of public buildings in the country at large. The companion bill, upon which it is understood the gentleman from Mississippi will not demand a second, is a bill with reference to the District of Columbia, authorizing an appropriation for the purchase of the property commonly known as the triangle property, located between the south side of Pennsylvania Avenue and the north side of Maryland Avenue. In the last session of Congress these two bills were combined and passed this body by more than a two-thirds vote, but failed of consideration in the other body of the Congress. Consequently they come before us again at this time for action.

This particular bill now under consideration, making an increase of \$100,000,000 in the authorization for the country at

large, is important by reason of the fact that it increases the annual appropriation from \$25,000,000 a year to \$35,000,000 a year. If enacted, the building projects which will be submitted to us under the existing law at this session of Congress will be predicated upon \$35,000,000 as an annual expenditure instead of \$25,000,000.

Mr. JOHNSON of Texas. Mr. Speaker, will the gentleman yield?

Mr. LANHAM. Yes.

Mr. JOHNSON of Texas. How much will be the expenditure outside of the District of Columbia?

Mr. LANHAM. All of this additional appropriation is to be spent outside of the District of Columbia. The sum of \$10,000,000 will be added to the annual amount already authorized to be expended outside of the District of Columbia. There will be, then, \$20,000,000 annually for new construction in the country at large, \$5,000,000 for the country at large with reference to those projects which were authorized in 1913 and never completed, and \$10,000,000 for construction in the District of Columbia; in other words, \$25,000,000 for the country at large and \$10,000,000 for the District.

Mr. HUDSPETH. Covering a period of how many years, I will ask my colleague?

Mr. LANHAM. It covers a period of several years under the existing law, but the amount for the country will get larger as the District projects are taken up.

If I may continue for a few minutes, I think I may anticipate a good many of your questions and be able to make a more connected statement. We have had practically no construction in this country by the Federal Government for many years. There is great need for it. There is scriptural authority for the saying that "Hope deferred maketh the heart sick." Of course, the people of the Nation, anxious for the public buildings which are so much needed, have long cherished a hope they have felt to be reasonable, but their projects have been deferred and the obligation is upon us to see that they are deferred no longer than is absolutely necessary.

We decided the matter of policy in a former Congress. I was opposed to the change of policy, and labored as hard and as earnestly as I could in my opposition to the adoption of the policy which now exists, but that policy was ratified by the Congress by an overwhelming vote, and it stands now as our policy. Any effort to abolish it at this time, it seems to me, would simply tend to continue the static condition that we now have in Federal building construction.

What is the object of this bill? It is to accelerate the construction by increasing the amount of money which may be used in the country at large. Under its provisions a greater number of buildings may be built the first year, and we shall be enabled to get more rapidly the erection of the many buildings that are required in this country. I hope the limit of the authorization for annual appropriations may be extended as soon as we can determine whether or not those in the Federal Government who have in charge the construction of buildings can use a larger amount.

I confess that the \$100,000,000 additional provided for in this bill will not give us all the money which is needed for Federal construction in this country, but it is, gentlemen, a step in the right direction.

The SPEAKER pro tempore (Mr. LEAVITT). The time of the gentleman from Texas has expired.

Mr. ELLIOTT. Mr. Speaker, I yield the gentleman five additional minutes.

Mr. BLANTON. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. BLANTON. When this legislation was up last year there were assurances made by Mr. Wetmore, of the Treasury Department, Governor Bartlett, in the Post Office Department, by the chairman of the committee [Mr. ELLIOTT], and the distinguished gentleman, as ranking minority member [Mr. LANHAM], to certain Congressmen with respect to a certain building program. May we rely on those assurances concerning this bill?

Mr. LANHAM. I will say to my colleague that any assurance I am able to give I hope any man can rely upon at any time. Under the existing policy of the law I have to rely, like everyone else, upon those who are in charge of the construction.

Mr. BLANTON. Some of us are relying on those selfsame promises. The assurance I have had from the four authorities mentioned that buildings would be constructed at Sweetwater and Coleman, Tex., on sites there which the Government has owned for years causes me to support this bill.

Mr. GREEN of Florida. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. GREEN of Florida. I understand this is a five-year program, is it not?

Mr. LANHAM. It is at present. It may require an extension or it may be, by efficiency of operation, that we can increase the annual appropriations and do the work faster and be able to complete the entire building program necessary for the country within five years. I hope we may.

Mr. GREEN of Florida. Can those vested with authority to enter into contracts for construction contract in advance of one year?

Mr. LANHAM. There is a provision in this bill which is before the House that the amounts not used in any one year may be available in the following year, carrying over the appropriations, so that they will really have the effect of being continuing appropriations.

Mr. GREEN of Florida. But they could not contract for four and five years in advance.

Mr. LANHAM. I do not think they can contract far in advance for construction which is not covered by the appropriations made.

Mr. GREEN of Florida. For that year?

Mr. LANHAM. As I have indicated, the unexpended balance of an annual appropriation may be carried over and made available in the following fiscal year.

Mr. HUDSPETH. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. HUDSPETH. Relative to promises, my colleague is on the Public Buildings Committee, and he has watched the procedure. Have they not proceeded so far in pretty much of a businesslike manner. I did not get in under the wire myself, I will state to my colleague; but have they not proceeded in a businesslike way?

Mr. LANHAM. I think they have. Here is the situation, gentlemen: There are more buildings necessary in this country than money will be provided for even with the passage of the bill which is now before us, but the passage of this bill is a step in the direction of making available enough money to take care of all these projects, and I am hoping that in the next session of Congress, and perhaps even in this session of Congress, we may take another step in that same direction. If we do not begin the necessary construction, we shall remain in a static state, with no buildings whatever. The people are clamoring for them. With them it is largely tweedledum and tweedledee as to any academic discussion we may have here with reference to policy, that matter having now been settled and determined. It is my purpose to try to accelerate the building of the necessary Federal structures all over this country and to stimulate those in charge of the actual construction to do as much in any one year as they can. We can likely tell from this initial year whether or not it would be wise from a practical standpoint to increase the annual amount of appropriations hereafter. I hope we may, and that we may get to all of these projects in which we are interested as rapidly as possible. However, gentlemen, we ought to start getting to them, and that is what is now proposed.

Mr. ESLICK. Is it not true that the present appropriation of \$100,000,000, added to the original \$100,000,000, will take care of only 178 places already having Federal buildings and 58 additional buildings, and that by taking that number, 236, from 2,317 places it leaves 2,081 places in the United States that have a postal revenue of from \$10,000 to \$900,000 yearly not provided for in this bill?

Mr. LANHAM. That may be true. I will not dispute the gentleman's figures, because I do not have the figures before me. But this bill starts Federal construction in this country in some places, at least, and it is conceded that it is needed in the cases cited. It may not start it at your place or my place, and there will be many places that will still need it. But let us start with our program, build all we can, and see how much those in charge can expend efficiently in any year. If it be shown they can expend more, let us increase the authorization and get all of this needed work done as rapidly as possible.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. JOHNSON of Texas. Does not the passage of this bill mean this: That the amount expended for public buildings in the country in each year will be doubled, whereas it would be only half that amount if we do not pass it?

Mr. LANHAM. That is practically so. I am hoping, gentlemen, that by the next session of Congress, when we get some of these public buildings started, we can see our way clear to increase the annual authorization so that we may get all of this Federal construction done just as rapidly as possible.

Mr. COX. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. COX. Considering the policy we have adopted, does not the hope of the country of ever getting public buildings depend on consideration being first given to those that present an emergency?

Mr. LANHAM. I think so; and, gentlemen, to state by way of opposition that much of this money will be placed in large cities which already have Federal buildings is beside the mark.

There are some cities under contemplation which have grown since they have had a Federal building from 25,000 population to 150,000 or 200,000 population, and certainly they must be more urgent cases, although they have an inadequate Federal building, than some town of 2,000 or 3,000 people where rented quarters may be occupied, temporarily, at least, without very serious inconvenience.

Our rent bill is mounting annually. For this very rental we can construct many buildings. Let us go ahead with the project and the program and get as many built as we possibly can, and increase the authorization as rapidly as we may in order that we may catch up with the requirements.

While I am on the floor, let me say one further word with reference to the companion bill to this one—the so-called triangle bill.

I think there is little, if any, opposition in this House to that bill. The Federal Government to-day has many of its departments in rented quarters, isolated here, there, and yonder.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. ELLIOTT. Mr. Speaker, I yield one minute more to the gentleman from Texas.

Mr. LANHAM. And the great purpose of this companion bill is to carry out the L'Enfant plan and place in this triangle Federal departmental buildings like the Department of Commerce, the Department of Justice, and the Department of Labor, to get them out of rented quarters and to give us a civic center of our own buildings where we may obviate the payment of rent, where we may transact the public business with greater dispatch, and where we may have some architectural harmony and conformity among the structures and make this the great Capital that it should be.

Let me say that these buildings—the Commerce Department, the Justice Department, and the Labor Department—are not intrinsically mere District of Columbia buildings. They are buildings in which all the people of this country are interested. [Applause.]

Mr. BUSBY. Mr. Speaker, I yield myself 20 minutes. [Applause.]

Mr. Speaker and Members of the House, I come before you to talk again on the public buildings bill as a matter of principle. I want to say to you in the beginning that if the estimates that are before you, which are contained in the documents from the Treasury and Post Office Departments, are correct, I am taken care of to the extent of having one building designated to come out of the first \$100,000,000, regardless of what becomes of you who are not designated.

But this does not satisfy me, because when I go into the history of the public-building programs of this country I find that the policy which we are now trying to adopt, the policy which prevailed in this country for almost 100 years, never did work and never did get results. It did not work then and it will not work now.

I take some passages from the speech of one of our colleagues, the gentleman from North Carolina [Mr. KERR], in which he discusses somewhat the history of the public-building programs of the country. The gentleman tells us that until 1853 public building was done under the supervision of the President and under the supervision of the Treasury Department, and that during that time, a period of 64 years, there was a total of 23 post offices built and a total of all buildings, including quarantine and immigration stations of 56 places, and this was all that was done in the 64 years.

Mr. WOODRUFF. Will the gentleman yield?

Mr. BUSBY. Yes.

Mr. WOODRUFF. Is it not true that was due to the fact Congress had not appropriated the necessary money for the building of the different buildings?

Mr. BUSBY. I presume that is true.

Mr. WOODRUFF. And the fault was with Congress rather than with the method employed?

Mr. BUSBY. I am not advised on that, and I would not accept that theory of it, because seeing how slowly we have traveled during the six years I have been in Congress trying to get a building program on foot and being opposed by the administration, I would naturally come to the conclusion it was not because Congress was not willing to provide funds but because the administration could defer the building as it is doing now.

Mr. HUDSPETH. Will my friend yield?

Mr. BUSBY. I yield.

Mr. HUDSPETH. As I understand it, the gentleman proposes under his bill that every Congressman have one building in his district; is that the gentleman's proposal?

Mr. BUSBY. I will answer that in this way—

Mr. HUDSPETH. If I have my friend's position correct, does the gentleman really expect to get such a bill through this Congress now or at any time in the future?

Mr. BUSBY. Not if we keep on in the way we are going now, taking "hopes deferred." We are very much like another expression from Pope—"hope springs eternal in the human breast; man never is but to be blessed"—and to you who, like my colleague and friend from Texas [Mr. BLANTON], who has been made a couple of promises and who says he is still relying on those promises.

Mr. HUDSPETH. Will the gentleman yield further?

Mr. BUSBY. Yes.

Mr. HUDSPETH. The gentleman, I am sure, will agree with me that there are places over the United States where it is imperative that public buildings be built.

Mr. BUSBY. Oh, certainly.

Mr. HUDSPETH. Then how are we going to get them built except through a bill of this character. Does the gentleman think there is any possibility of getting a measure through like the one the gentleman has in mind?

Mr. BUSBY. Yes, I do; if we will stiffen up like men and like true representatives of the people and say what we are going to do. Then there would be a chance and not otherwise [applause], because if you dillydally around here with an administration averse to the program, we will never get it in this way or in any other way, and I can prove this to you by the spokesmen from the departments who appeared at the hearing.

If you will now let me proceed for just a few moments I think I will come to the specific point we have before us, which is this particular bill.

I filed minority views on this question, and I venture to say not one Member out of twenty has had time to read this report, because it has been printed only a day or so.

In this document, Report No. 11, I point out the fact that it was provided by the act of May 25, 1926, that a survey of the needs of the country for public buildings be made by direction of the Secretary of the Treasury and the Postmaster General. This survey was made and was presented to the House as Document No. 651, second session of the Sixty-ninth Congress, and was dated January 15, 1927. The report (p. 2) recites that it is presented as a—

preliminary report showing the minimum public-building needs of the country at the present time.

It also states (p. 3):

It should be noted that the growth of the Postal and other services is so rapid that additional needs will develop during the period of the present building program to an extent which will greatly enlarge the figures presented in this report. The Postal Service doubles in about 10 years, and it is therefore obvious that with the present limitation of expenditures provided in the act there would be no possibility of the building program catching up with the public-building requirements of the country.

A summary of the things covered by this report (p. 3) discloses that notwithstanding the law only authorizes the expenditure of \$115,000,000 for the country at large, estimates of buildings have been made totaling an expenditure of \$199,128,000, as follows:

One hundred and seventy-nine cities that now have Federal buildings are to receive \$167,850,500; 58 cities estimated for new buildings—most of which are required by section 3 in the act of May 25, 1926, providing for two buildings for each State—\$8,477,500; marine hospitals and quarantine stations, \$12,000,000; immigration stations, \$1,100,000; and other buildings under the Treasury Department where no postal facilities are furnished, \$9,700,000; making the total of \$199,128,000 for which definite estimates have been made under the law that authorized an expenditure of only \$115,000,000.

It is readily seen that the estimates submitted exceed by \$84,128,000 the amount authorized to be expended.

The report referred to—Document 651—in the third division states that there are 799 cities where the postal receipts range from \$20,000 per annum to more than \$900,000 per annum "where no public buildings have ever been erected," and which cities are not estimated for in the proposed expenditures of \$199,128,000, nor is it contemplated that they are to be considered in the seven-year building program being advocated by

the administration. In addition to these 799 cities with postal receipts of from \$20,000 to \$900,000 per annum that are not to be cared for during the six to seven years covered by the proposed building program, there are 1,512 cities with postal receipts of from \$10,000 to \$20,000 per annum at the present time for which no estimates have been made and which are certainly not to be cared for in any contemplated building program. It is estimated that these 2,311 cities would require an expenditure of approximately \$170,420,000 to supply them with appropriate Federal buildings; \$199,128,000 covering the places estimated for, added to \$170,420,000 to supply the needs of the places not estimated for, would make a total of \$369,548,000 required for the public-building needs of the country at large.

In the estimates totaling \$199,128,000 it is proposed to construct during the period of from six to seven years buildings in 58 cities that have never had Federal buildings. At the maximum amount of \$35,000,000 that it is ultimately proposed shall be expended per annum for Federal buildings under House bill 278, known as the Reed bill, how long at that rate will it take the country to get relief from the great congestion in its mail quarters? I ask this question to disclose the utter impracticability of the methods we are proceeding on to attempt to furnish the country with the buildings it must have if it is to carry on the service of handling the mails and business through the mails for the people.

Mr. ALLGOOD. Will the gentleman yield?

Mr. BUSBY. I will.

Mr. ALLGOOD. Is it not a fact that there are 166 places owned by the Government in which there is no proper building?

Mr. BUSBY. That is true; many places have sites where it is not proposed to erect buildings on them, but they divert the funds to other centers where there are great needs; and there is great need, there can be no question about that.

Now, this document submitted by the Treasury Department in which places are estimated for totals \$199,128,000. Suppose we pass the present bill. The money in it can not be reached before four years if we come to the maximum of \$35,000,000. So I say there is no immediate need for further authorization, because we have authorizations for four years in advance.

Now, there is one helpful feature, and it is the only one in the bill, where we raise the limit of the annual amount to be spent from \$25,000,000 to \$35,000,000. But if we further entangle ourselves in following up these vague illusions of getting buildings under the present building policy, if we further authorize public buildings which can not be reached under five years, in years to come when we find that it is really impractical and impossible to proceed with this policy we will find it more difficult to extricate ourselves from the predicament. That is why I am against this bill as useless procedure.

If we are to pursue the "lump-sum" policy, we should pass a bill raising the limit of the annual expenditure from \$25,000,000 to \$50,000,000. That would not hurt anything, and before we expended the money authorized we could tell what kind of results we are going to get from the Treasury Department, for it would not then be hampered by unreasonable limitations.

Now, continuing the history of the public buildings, in 1902 the first "pork barrel bill," so-called, was passed by Congress because the Congress realized that they could not get results by depending on the departments; that favoritism of all sorts and kinds with promises and none of them kept was the rule and policy of the departments in following up legislation of this "lump-sum" class. I think I can demonstrate that by the official documents before I finish.

In 1902 Congress passed an omnibus building bill. It passed omnibus building bills each Congress until 1913, and practically all our public buildings were built during that period. That is about the only way we could get a public building; that is, by naming the places and amounts for buildings.

After 1913 we had no public building bill because of the war, and for 14 years we have gone along with practically no building. Our mails have increased something like 700 per cent in volume and our needs have increased accordingly. In many cities the Post Office Department is compelled to rent old store houses, and accommodations of that class, and that is where our mail is cared for and mail service rendered.

I am for taking care of this proposition in a straightforward manner. I think our country is financially able to build all the buildings which the United States needs in which to house and carry on its own business. Buildings totaling \$199,000,000 are estimated for in document No. 651. The department estimates that it will take \$170,000,000 to take care of the 2,311 places not mentioned in this estimate and not proposed to be cared for in this program. That will make \$370,000,000 outside of the

District of Columbia, and that is the present minimum needs of the country for public buildings.

Mr. BLACK of Texas. Will the gentleman yield?

Mr. BUSBY. I will yield to the gentleman.

Mr. BLACK of Texas. I understand an appropriation of \$25,000,000 is authorized to buy land for the so-called triangle.

Mr. BUSBY. That will come up in a few minutes from now. It is proposed to pass that bill to-day.

Mr. BLACK of Texas. But there will be no debate on it?

Mr. BUSBY. That is true.

Mr. BLACK of Texas. Has any testimony been brought before the committee as to the aggregate assessed value of that triangle land?

Mr. BUSBY. Practically no testimony at all has been submitted to the committee regarding the triangle.

Mr. LANHAM. If the gentleman will yield, let me say that I have heard the statement made by those in authority that the assessed value of the property is a little in excess of \$17,000,000 and that a part of that property which has been acquired recently for other purposes was acquired on condemnation proceedings at an advance of only 12 per cent over the assessed valuation of the property.

Mr. BLACK of Texas. I am glad to have that information.

Mr. BUSBY. That information is outside talk; that was not brought before the committee in a straightforward business way. The Public Building Committee reported that bill without any hearings at this Congress, and with practically no information in the way of hearings at the last Congress.

Mr. BLACK of Texas. I am wondering why the committee should favor an appropriation of \$25,000,000 without the taking of some testimony.

Mr. BUSBY. I can not understand that. I am wondering why they do not open the proposition up and bring it before the House without bringing it up under suspension of the rules, which prevents an opportunity to offer amendments or to say a word about an amendment; but I have gotten no answer to that as yet.

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

Mr. BUSBY. Yes.

Mr. GIBSON. I understand that the figures given out as the assessed valuation is the assessed valuation as it had been raised during the last year, and that the assessed valuation previous to last year was a little in excess of \$13,000,000.

Mr. BUSBY. I thank the gentleman for the information. There are some items proposed for the District of Columbia. I am not opposed to that. The sum of those items is \$50,000,000, contained in the act of May 25, 1926. There is \$14,750,000 for the Memorial Bridge, and \$25,000,000 that we propose to appropriate with which to buy the triangle. There is \$5,500,000 that we appropriated recently to buy the land between the Capitol and the Union Station. There is \$1,250,000 which we are spending for a site for the Supreme Court Building, and we propose to erect a building on that at an expense of \$5,000,000. There is \$20,000,000 expenditure for school buildings, and about one-third of that, or \$7,000,000, is paid by the United States. That makes a total of \$116,500,000 that we are spending in the District of Columbia. There is no limitation placed on any part of that expenditure, except on the \$50,000,000 and the five-year school program, which shall extend over a period of five years. I am not complaining about that; but I do think that if we are so liberal locally we ought to recognize some of the obligations to the folks in our respective districts and care some for them. In mentioning these things I have not mentioned the arboretum or the Botanic Gardens, or the bathing beaches for the white and colored people, or the Center Market site and building, or the purchase of park grounds, all of which entail an expenditure of several million dollars more, and I venture to say that \$125,000,000 will be spent in the District of Columbia while we are pinching the rest of the country because we are afraid to spend a little money for these things which have developed in your territory and mine.

The cry raised against a building bill that mentions items and limits the amounts of those items, is that it is a pork-barrel bill. I want to refute that proposition and show that there has never been a pork-barrel building bill in this country. There are 1,129 first-class post offices in the United States; 670 of those offices are located in Federal buildings and 459 first-class post offices have never had a Federal building. There are 3,419 second-class post offices in the United States, and only 515 of those offices are located in Federal buildings; 2,904 of them have never had a building erected for them. There are more than 11,103 third-class post offices in the United States and only 10 of them are located in Federal buildings. This, to my mind, refutes the cry that the country has gone to the

bad because Congress has passed "another pork-barrel bill." It can not remain a pork-barrel bill, if so when it was passed, because our country is growing. Our cities are growing cities, and it is only good business to go into the heart of a growing city and select a block or half a block on which later to erect a Federal building. Our Government would save money in that way and be acting wisely as good business men should act. I know and you know a number of instances where a site was bought from 25 to 40 years ago which is worth more now than the amount that it would require to construct a modern post-office building to serve the city which has in most instances tripled in population since that time. I am in favor of the development of rivers and harbors; but if you have a river and spend so much on it this year, that river will remain the same size, and there might be such a thing as a "pork-barrel" proposition with reference to rivers and harbors, but not with reference to post-office buildings in cities.

#### RENTS PAID BY GOVERNMENT IN MILLIONS

Another important thing to take into consideration in determining the extent of a building program the country should undertake is the question of the millions of dollars being paid in rent by the Government for quarters in which to house its mail and other activities.

Mr. Garrard B. Winston, Undersecretary of the Treasury, stated in the hearings on H. R. 11791 of January 22, 1924 (p. 41), that—

We are paying this year about \$23,000,000 of rent outside the District of Columbia, and about \$1,135,000 within the District.

Since that time it is very evident that the rent bill of the Government has tremendously increased, because in the last annual report of the Postmaster General, in speaking of the increase in rents on renewed leases for postal activities, he says, after mentioning a number of instances where quarters had been re-leased during the year (p. 13):

This was an increase of 74.6 per cent over the expiring leases, 27.9 per cent of which increase was due to additional space required and 46.7 per cent to a higher rate paid per square foot.

It is evident that if we go along a few more years without adequately taking in hand the building needs for housing governmental activities, the Government's rent bill will be from \$40,000,000 to \$50,000,000 per annum. When the Government is able to borrow money at 4 per cent and less, it seems to me that we are playing the part of a very poor business man to continue year after year with the present business policy while the mail service to the people is crippled from one end of the country to the other because of lack of sufficient quarters.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. BUSBY. Yes.

Mr. HUDSPETH. Is it not a fact that this committee under its first allocation made two-thirds of the allocations to the sites secured in 1913, and to buildings that were not completed at that time, on account of war conditions, and where there were not sufficient funds? Did not the committee first look after those sites?

Mr. BUSBY. The act of May 25, 1926, provided that \$15,000,000 of the \$115,000,000 authorized for the country should be used to place buildings where the act of 1913 had authorized them. They were to be built within three years. That would have allowed \$5,000,000 a year.

Mr. HUDSPETH. And most of the appropriation was taken up in that way.

Mr. BUSBY. Yes; \$4,219,700 out of the \$19,878,700 for all purposes, and that was because an amendment was tacked onto our former bill in the Senate, requiring them to do that. I do not think those places would have been given consideration if they had been left open.

Mr. HUDSPETH. Was that bill ever passed in the other body?

Mr. BUSBY. Yes; it is section 3 of the act of May 25, 1926. The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

Mr. BUSBY. I yield myself 10 minutes more.

Mr. JACOBSTEIN. Will the gentleman yield?

Mr. BUSBY. I will.

Mr. JACOBSTEIN. Am I correct in the belief that under this bill contracts may be entered into for the amount up to the limit of the bill within any time? I am speaking with reference to this expenditure the limit of which is \$35,000,000 a year.

Mr. BUSBY. Section 4 of the act of May 25, 1926, provides—that unless specifically provided for in the act making appropriations for public buildings, which provision is hereby authorized, no

contract for the construction, enlarging, remodeling, or extension of any building or for the purchase of land authorized by this act shall be entered into until moneys in the Treasury shall be made available for the payment of all obligations arising out of such contract, and unless the said act making appropriations for public buildings shall otherwise specifically provide, as hereinafter authorized, appropriations shall be made, and expended by the Secretary of the Treasury, in accordance with the estimates submitted by the Bureau of the Budget.

Mr. ELLIOTT. They can not enter into a contract for any building until the appropriation is made for that specific building.

Mr. JACOBSTEIN. Within the limit of \$35,000,000.

Mr. ELLIOTT. That is merely an authorization to the Committee on Appropriations.

Mr. BUSBY. Now, further in regard to the question asked by the gentleman from Texas [Mr. HUDSPETH] a while ago, as to how to get needed buildings. You will find, as Congress found in 1902, we will not get any results from this slipshod method by sending a blanket authorization down to the supervising architect, because he is still supervised by outside architects who have no responsibility to this body. As a result, we will get nothing for the country at large, and then we will come to the conclusion that if we are to get results we will have to stand up like men and quit taking vague promises. We will do as every straightforward business man would do in buying or building a house for his business activities. You say this will be administered fairly. But take the proposition of the gentleman from Texas [Mr. HUDSPETH]. It seems to me wherever we find developed cities that have postal receipts of some \$10,000 a year and up, and, mind you, there are some cities that have more than \$500,000, \$600,000, or \$800,000, and some almost a million dollars in postal receipts annually, but where we have more than \$10,000 postal receipts a year a prudent Government would look out and purchase a suitable site in that city on which to construct a Federal building, and when the receipts reached, say, \$20,000 or \$25,000 provide by law that the Government then in a straightforward business way will go ahead and construct a suitable building to house its activities. We can work out some plan along that line. Further to provide where there are cities having no Federal building having postal receipts of \$10,000 or more in each of the congressional districts, give some recognition to those congressional districts, because the whole country pays the tax, and the whole country pays for the building.

Now, as to the other proposition that this will be fairly administered. With all due deference to our genial chairman, the gentleman from Indiana [Mr. ELLIOTT], I know that Rushville, Ind., is entitled to a Federal building. Under the terms laid down you would term it a "pork-barrel" city; but I do not believe that. That is not my construction of the matter given. Now, in Report 651, last session of Congress, occur these words, speaking of Rushville. It says:

The city should also have fair consideration for a Federal building in view of the services rendered the country by Representative ELLIOTT, the author of the public buildings bill.

Now, that is the reason given in the official report for giving Rushville, Ind., a post-office building, and yet they told us, and continue to tell us, that there is no pork in this bill.

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

Mr. BUSBY. Not now.

Mr. ELLIOTT. But the gentleman is making an attack on me. There is just as much reason for giving a building to my town as there is for giving one to the gentleman's town.

Mr. BUSBY. I will defend your city, not on the ground that it is a pork-barrel proposition, but on its merits. I think the gentleman from Indiana should have defended it on the same ground, instead of letting them stick a thing like this in that report.

We find the very first estimate made to Congress contains an item, coming down through the President and through the Budget Committee, for Rushville, Ind.: "For the acquisition of a site and commencing the construction, \$40,000," under an estimate totaling \$115,000.

Now, Rushville is not one of those growing cities such as we find out farther in the West. In the year 1880 it had 2,515 population. In 1890 it had 3,475; in 1900 it had 4,541; in 1910 it had 4,925; and in 1920 it had 5,498 population. What I am showing you is that this thing does not work out just as the gentleman said it did. The committee chairman's city is included in the very first appropriation submitted. When it came up for consideration on the hearing before the Committee on Appropriations the gentleman from Indiana [Mr. WOOD] said—

he was chairman of that subcommittee—that he was surprised at the amount they were asking for the site. He says:

If the people of Rushville appreciate the erection of that public building, I do not believe they would want a site costing \$30,000. It is out of all proportion to the building.

He says further:

Your post-office inspectors have made an outlandish proposition for \$40,000 at Price, Utah, and \$30,000 for Rushville, Ind., and that has been tentatively approved for action.

He suggests that there be some limit fixed.

Gentlemen, do you think you should let some departmental clerk or some honest man who is doing the best he can down in the department attend to your business rather than that you should take the work in hand yourself? Would you tell your people when you get back home, "I did not know what to do, and we turned the work over to the Treasury Department"? Consideration has been shown to me in this matter, but no promise is going to stop me from advocating on the floor of this House what I believe to be justice to myself and justice to my people. [Applause.]

The SPEAKER pro tempore. The gentleman from Mississippi reserves one minute.

Mr. ELLIOTT. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MADDEN].

The SPEAKER pro tempore. The gentleman from Illinois is recognized for five minutes.

Mr. MADDEN. Mr. Speaker and gentlemen of the House, I do not know that I need five minutes, but I ought to take it if I do. I may say, when called upon to speak, that the reason for this bill is the fact that there may be better facilities afforded to the different sections of the country and the existing authorizations for public buildings allowed.

You may recall, of course, that the last bill provided for an expenditure of \$165,000,000, and that \$15,000,000 of that was to increase the limit of cost of buildings that were authorized in 1913 and which could not be built because of the increased cost of building; that \$50,000,000 of that was allotted to buildings in the District of Columbia, and \$100,000,000 for buildings in the rest of the country. But there was a provision also that there could be expended for all purposes only \$25,000,000 a year; that you could expend only \$5,000,000 in one State, and that each State must have at least two buildings before you could expend more than \$5,000,000.

We have reached the limit of expenditure in a given year, and we have only scratched the surface of the needs of the country. It is because of this that we have given some consideration to the problem, which was occasioned by the failure of the deficiency bill last year, due to the fact that the Senate had too much to do and was unable to pass that deficiency bill before the day of adjournment came. We have lost at least a year in the building program, and so in the deficiency bill just passed we carried \$8,000,000. That \$8,000,000, added to what we already had and what we expended during this year, brings us up to the limit beyond which we are not allowed to go before the 1st of July. We are carrying all in the regular bill, which becomes effective on the 1st of July, that will be allowed under the old act for 1929, although this is only 1927 it is the fiscal year 1928, and so within the \$25,000,000 limit which the country is allowed to spend we find ourselves unable to meet the obligations that are pressing on every hand for new buildings; and that failure to meet the obligations which the exigency of the case imposes upon us is the justification for passing the pending bill.

The pending bill adds \$100,000,000 more to the \$165,000,000 already provided. It enlarges upon the amount that may be expended in a given year; it enables us to approach the problem with greater certainty of being able to take care of the urgent cases; it enables us to meet more promptly the demands of the various communities of the country; and it insures to the Members of the House and the Senate earlier consideration of the questions which they have been urging and which have been urged upon them for years.

In my own case, for example, I have been trying to get a building for Chicago since 1908.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. ELLIOTT. Mr. Speaker, I yield the gentleman two additional minutes.

Mr. COLE of Iowa. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. COLE of Iowa. Can the gentleman assure us that the revenue bill, which we passed the other day, will provide enough money to carry out this program?

Mr. MADDEN. I voted against the revenue bill because I wanted to vote in advance to save money enough to do the things that are urgently needed. [Applause.]

Mr. COLE of Iowa. May it not be necessary for the President to veto either this bill or the revenue bill?

Mr. MADDEN. Of course, I am not the President, but I voted in advance to veto it. All of this \$100,000,000 will not be expended in one year. It will take three, four, or five years to spend it all, and it will not be as great a burden upon the tax-paying public as it might seem to be on its face, but it will be an insurance to the various sections of the country that their cases will not be unjustifiably delayed. That is about what it will be.

I do not know what limit of expenditure per annum is proposed in the two bills.

Mr. ELLIOTT. Thirty-five million dollars.

Mr. MADDEN. But if it should be \$35,000,000 or \$40,000,000, that would, of course, meet the pressing needs and it might be that out of that I may be able to find a way to secure a building for Chicago, for which I got the first appropriation in 1908 and we are still waiting. However, I am not selfish on that point. I want the country taken care of in all its parts. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Illinois has again expired.

Mr. ELLIOTT. Mr. Speaker, I yield five minutes to the gentleman from Alabama [Mr. ALMON].

Mr. ALMON. Mr. Speaker and gentlemen of the House, while our Government is one of the youngest, it is still one of the richest nations of the world; yet at the same time it is a tenant government. Our Government is paying more than \$25,000,000 per annum as rentals on buildings in which to conduct the Government's business. The buildings in which private business is conducted are owned by corporations and individuals. I am one of those who believe that the business of the Government, wherever that business is of sufficient importance, should be conducted in buildings owned by the Government. A public building in any town or city will stimulate a patriotic pride in the people.

Mr. MANSFIELD. Will the gentleman yield?

Mr. ALMON. Yes.

Mr. MANSFIELD. Is it not a fact that the interest on the investment and the upkeep of Federal buildings in the average small city is more than they are paying in the way of rentals?

Mr. ALMON. That may be true, but that does not change my idea about the propriety of the Government owning the buildings in which to conduct the Government's business. At the same time I am one of those who believe that the 500 Members of the Congress of the United States are better qualified to determine where these buildings should be constructed than any two Cabinet officers or any two bureaus in the city of Washington. It was the policy of the Congress of the United States for some 60 years to provide funds for the construction of the public buildings through and by means of what is commonly known as an omnibus public buildings bill, meaning that the Members of the Congress should determine where they should be built. I was one of those who tried from 1913 until 1926 to secure the passage of another omnibus public buildings bill.

We passed one through the House and another was reported by the committee to the House, when the question came up in 1926 a fight was made by those who favored an omnibus bill, and those who favored the policy which was adopted in May, 1926, through and by means of what is known as the Elliott buildings bill. I opposed and voted against that bill. It authorized sites for buildings to be selected by the Secretary of the Treasury and Postmaster General instead of Congress. However, it is now the law and is the only way to buildings. I am going to vote for the pending bill because I realize that if there is to be any further building provided in this country in the near future it will have to be done through the policy recommended by this administration and adopted by Congress in May, 1926. I do not know whether it is going to be a success or not, but I know the administration can not succeed in its building program that has been laid out unless Congress provides the necessary funds. I believe we should provide another \$100,000,000 at this time so that it will be known that funds will be available to meet the building program. At the time the Elliott bill was enacted I said if you are going to start out on this kind of a building program you should authorize the appropriation of a sufficient amount. I said then that \$150,000,000 would not be a drop in the bucket, and now instead of making this \$100,000,000 we ought to make it at least \$200,000,000, if you are going to make a real success of the program and put buildings where they are greatly needed.

This administration is responsible for the conduct of this law. Do not give them an opportunity to say that the reason this plan or this policy has failed was because Congress would not appropriate the money with which to carry it out and make a success of it.

Mr. CROWTHER. Will the gentleman yield?

Mr. ALMON. Yes.

Mr. CROWTHER. Is there a Federal building at Muscle Shoals?

Mr. ALMON. No; there is not a building at Muscle Shoals. Sheffield, situated about in the center of the Muscle Shoals district, has been selected as one of the two places in Alabama where buildings are first to be constructed. There is very great need for a building at that place, and I sincerely hope that it will be taken care of in the next year's building program. There are other places in my district in great need of public buildings, and I expect to get them later. To pass this bill, and others to follow, is the way and only way to get them. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Alabama has expired.

Mr. ELLIOTT. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. HUDSPETH].

Mr. HUDSPETH. Mr. Speaker and gentlemen of the House: O gentlemen of the House, we hear a great deal of talk about this bill being a measure solely for one section—the North and East—and also some Members on my side want to go back to the "old pork-barrel" method. Well, these gentlemen just as well face the issue and look it in the face squarely. This House is not going back to the "pork-barrel" method of selecting one Federal building in every congressional district in the United States. I take it there are many districts in the United States similarly situated as is the district which I try to represent here, and I am for this measure. My district must have some relief, and I am going to try to get it. When I came to Congress eight years ago the population of the district I am trying to represent was about 211,000. At the present time, as estimated by various chambers of commerce, telephone directories, and other agencies and so forth, it is claimed to be about 500,000. In one or two counties out there when I first ran, the largest town they had was a prairie-dog town. To-day, within a year or two, there are towns out there that have sprung up, on account of the oil development, almost overnight. Those people must have adequate postal facilities and buildings. For instance, the town of McKamey a year or so ago was a big prairie-dog town, but to-day, I am informed, has over 10,000 people. Other oil towns like Big Lake, Rankin, Best, Wink, Pyote, and many others I could mention of equal importance.

We need some Federal buildings, because we have this same situation in about 14 of the counties out there where, as I said the other day, when you strike a pick into the ground you get oil. Six of the largest oil fields of the South were recently developed in my district, including one of the richest oil fields in the United States where they are getting gushers of 10,000 barrels daily at as shallow as 1,000 feet, the Yates oil field. The town of Iroan has sprung up there. We must have a post office, a postmaster, and the Government must rent a building.

I want to say to my friend, the gentleman from Mississippi [Mr. BUSBY], who is opposing this measure, that I tried through the old method—the one he advocates now—when I first came here, and while this district was developing, to get some public buildings established. Some of the older Members advised me as follows: "CLAUDE, introduce bills designating your places." Well, I introduced a bill to establish one, I think, in almost every county or town in my district having a population of over 2,000. I do not know of anybody who surpassed my speed limit in that respect except my colleague, the gentleman from Texas, Judge BLANTON. He had one almost proposed in every precinct in his district, as I showed you here one day. [Laughter.] Of course, I am speaking somewhat facetiously as to Judge BLANTON's bills, but he introduced quite a flock. I think he opposed this bill the last time, while I voted for it. He has got a building at Sweetwater. Well, I am glad of it. I trust every colleague of mine who needs a building will get one—especially the Texas delegation. Some say the way to get you a building designated is to fight this bill. Well, I do not believe this, as I said to my colleague and friend, FRITZ LANHAM to-day, and he agreed with me. The building committee—Mr. Schuneman, Governor Bartlett, Mr. Martin, and the architect, Mr. Wetmore—I believe are trying to handle this matter in a business way and use business methods—they have a big



problem, but I believe they will work it out fairly and squarely. They impress me as being fair men.

Mr. BUSBY. If the gentleman will permit, I want to correct him. The gentleman [Mr. BLANTON] did not oppose the bill. He simply opposed the proposition until he had promises for two places.

Mr. HUDSPETH. Oh, I think the gentleman from Mississippi is mistaken in this latter statement. I am not sure as to Mr. BLANTON's vote. There was no record vote. But my recollection is that the gentleman from Texas [Mr. BLANTON] rose against that bill when it came up under a suspension of the rules. I may be in error; but at any rate, I heard him say at one time before the bill came up he was opposed to this character of legislation. He may have changed his mind when it came up. I have been in favor of such a bill, because when you have a district like mine developing out there so rapidly with towns that had developed even before the oil boom—such as Colorado, Big Springs, Marfa, Alpine, Henville, Marlin, Pecos, Fort Stockton, and many more—which is not only the greatest livestock growing district but one that produces more wool, more oil, mohair, more cattle, more sheep, goats, and, I would say, if my friend over here from Marlin, Tom CONNALLY, were not present, probably more cotton; but we produce a great deal of cotton out there, Tom, you saw it when you went out there with the Texas Press Association last summer. You take a district like that, which has grown in eight years from 211,000 population to 500,000, if some figures sent me are correct, where they are handling the mail on the sidewalks, in the alleys, even out on the street; yes, in poorly heated and worse ventilated places. It is the duty of our Government to provide adequate, safe buildings for post offices; then, gentlemen, certainly we need some Federal buildings and lots of them—I have mentioned a number of towns where post-office buildings are needed—in my home town, El Paso, we must have a new immigration station and a new Federal office building, and if the gentleman from Mississippi [Mr. BUSBY] can tell me under his method how in the name of the shining sun I can get a building except on paper, I would like to hear it. Here is the majority over here [indicating], the Republicans. This is the only character of legislation they say they will vote for, and they are responsible for legislation here. I want to ask the gentleman from Mississippi whether, after the 4th of March, a year from next March, when the Donkey moves into the White House—and if I read the signs of the political horizon correctly, he is going to move in for four years at least—and the Elephant moves out, will my friend still be opposed to a bill of this character? If I read the signs aright, that is what is going to happen. Just what the "Burro's" name is I do not know, but "Brer" Elephant will surely have to vacate and make way for the Donkey and Democracy's triumphant entry. Will the gentleman still be against this measure?

Mr. BUSBY. Does the gentleman mean for me to answer the question? If so, I would like to have him give me an opportunity to answer.

Mr. HUDSPETH. Would the gentleman be opposed to this measure under a Democratic administration? I want to say to him that I am firmly convinced that inside of a little over a year your party and mine will handle it.

Mr. BUSBY. I am opposed to the proposition under anybody's administration, because it is wrong in principle and not recognized—

Mr. HUDSPETH. Is the gentleman serious about that? If we had a Democratic President and a Democratic Secretary of the Treasury and a Democratic Postmaster General, would the gentleman stand on this floor and fight our own party and say our party is not competent to administer this fund, as he is now saying of the present majority party? [Laughter.]

Mr. BUSBY. I have said so. If the gentleman will stop long enough for me to answer, I will say yes.

Mr. HUDSPETH. Ah, I can stop. I am not a "self-starter," but a "self-stopper." The gentleman seems to be a "self-starter" when this bill comes up, but unable to apply the emergency. I now yield to the gentleman from Florida, if he wishes to ask me a question. He so indicated a few minutes ago.

Mr. GREEN of Florida. The same condition that obtains in the district of the gentleman from Texas obtains all over Florida. May I ask how in the world we will ever get buildings unless we appropriate for them?

Mr. HUDSPETH. You can not get them in any other way except by the terms of this bill, I will say to my good friend from Florida, and we are appropriating for them under this bill. You do not want to get them simply on paper, as the gentleman from Mississippi proposes; you and I want them in our

towns and cities where urgently needed. My friend from Yazoo City, the gentleman from Mississippi [Mr. BUSBY], can go around talking about getting buildings in every congressional district whether needed or not—give all the boys a piece of pie—but he might just as well attempt to stop the last overflow of the great Mississippi River with a toothpick. Do you not know you can not get them in that way, Brother Busby?

Mr. BUSBY. I am not from Yazoo City.

Mr. HUDSPETH. Well, the gentleman is from another good place in the great State of Mississippi. Yazoo is all right.

Mr. ABERNETHY. Mr. Speaker, will the gentleman from Texas yield?

Mr. HUDSPETH. I yield to my friend from North Carolina.

Mr. ABERNETHY. Might I suggest to the gentleman from Texas [Mr. HUDSPETH] that probably the phenomenal growth in population in his district is due largely to the hustling Congressman from that district.

Mr. HUDSPETH. No, my friend; no; the great increase in population is due to the greatest people that inhabit this earth, the finest, most fertile soil, and the most genial climate, and in spite of that Congressman you so kindly referred to. [Applause.]

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

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

Mr. REED of New York. Mr. Speaker and gentlemen of the House, the picture of the growth in population so vividly drawn by the gentleman from Texas, while, perhaps, not quite so exaggerated in some parts of the country, is nevertheless quite uniformly true.

Mr. HUDSPETH. It was not an exaggeration, but a true picture that I was drawing.

Mr. REED of New York. I know that, but as to the rest of the country I say that it might be quite as pronounced as in the gentleman's district; but it is a fact, as practically every Member on the floor knows, that cities have been making a very rapid growth all over this country for a period of years.

We had long, exhaustive hearings before our committee and the conditions prevailing in most of the cities of the country were described as deplorable. It was developed at these hearings that there are towns where important mail matter has to be stored in temporary buildings that are unsafe, and in some cases stored in tents. At other places valuable mail is exposed to the rain because they are unable to cover large shipments of parcel post.

The country is interested in having some relief. When we passed the bill appropriating \$165,000,000, \$50,000,000 of which was to be used in the District of Columbia and \$15,000,000 to be used to carry out contracts authorized in 1913 that could not be completed within the limit of cost, it meant in the final analysis that the country at large under this program of an expenditure of \$25,000,000 a year would only get \$10,000,000 a year. This was a matter of bitter disappointment to every community where there was congestion in the postal business. I have no ax to grind. I had none when I introduced this bill for an extra \$100,000,000.

Now, let us analyze this House bill 278 and see what it does. It just doubles the building program. I doubt very much if we were to authorize an appropriation for more than \$100,000,000 at this time whether the organization of the Government could handle the money expeditiously and wisely until an organization had been built up to carry out a larger program. Under this program they tell us they can spend \$35,000,000 efficiently and economically. Now, it means for the first three years the country at large will get an expenditure of \$20,000,000. At the end of three years the country at large will get \$25,000,000, and at the end of five years the country at large will get an expenditure of \$35,000,000 a year.

I believe that is going to meet many urgent needs of the country. I agree with the other speaker that as soon as the organization has been built up so that the money can be expended wisely to meet the situation, that this Congress in its wisdom will give that organization more money to meet other emergency cases where the postal receipts are even less than \$20,000 a year.

Mr. BRIGHAM. Will this take care of all the buildings that are said to be necessary in the survey?

Mr. REED of New York. I can not state that, but it will go as far as the money will go, and we will be \$100,000,000 better off than we would if we did not pass this bill.

Mr. HOWARD of Oklahoma. Will the gentleman yield?

Mr. REED of New York. Certainly.

Mr. HOWARD of Oklahoma. What would be the condition if you added to this bill another \$50,000,000 or \$100,000,000 authorization?

Mr. REED of New York. As I stated, the Treasury Department and the Post Office Department were carefully questioned on this phase of the situation. You know that since 1913 we have had no building program to amount to anything. The war came on and everything was disrupted. But the Government has no organization that could take care of any more money wisely than we are appropriating in this bill. As I say, if the situation develops, and they have an organization that warrants it, we can appropriate more money. I insert an analysis of H. R. 278:

ANALYSIS OF PUBLIC BUILDING BILLS			
Act of May 25, 1926		H. R. 15340 (Reed bill)	
Authorization	\$165,000,000	Further authorization	\$100,000,000
Extension limit of cost	15,000,000		
Sites and buildings, District of Columbia	50,000,000		
Country outside of District of Columbia	100,000,000	Increase to	200,000,000
LIMITATIONS		LIMITATIONS	
Annual expenditure—Annually in District of Columbia	25,000,000	Increase to	35,000,000
1927, 1928, and 1929, per annum, outside of District of Columbia, buildings authorized in prior acts.	10,000,000		
New projects outside	5,000,000		
After third year, for new projects outside of District of Columbia	10,000,000	Makes available—After third year, for new projects outside of District of Columbia	20,000,000
After fifth year, for new projects outside of District of Columbia	15,000,000	After fifth year, for new projects outside of District of Columbia	25,000,000
	25,000,000	Unexpended balance of \$35,000,000 may be expended in any subsequent year.	35,000,000

This act contemplates a survey of the public building needs of the country and provides that the \$100,000,000 authorized for public buildings outside the District of Columbia shall be allocated to the different States, where buildings are found to be necessary, in such manner as to distribute same fairly on the basis of area, population, and postal receipts.

This bill liberalizes program without changing policy of the act of May 25, 1926.

Mr. BUSBY. Mr. Speaker, I yield five minutes to the gentleman from Oklahoma [Mr. McKEOWN].

Mr. McKEOWN. Mr. Speaker and gentlemen of the House, they say that there is no other way to get a public building except to vote for this bill and turn it over to the department to build the building. Well, gentlemen, if you will vote down this proposition, which is under suspension of the rules, and give me an opportunity to substitute the bill that I hold in my hand, I will send you all back to your offices happy, and you will be glad the bill came up. [Laughter.]

How can the department down here know where to put a public building better than I do in my own district? They talk about the needs of the country. I want to tell my good friend from Chicago that I have down in my district a town—Seminole City—that in one month collected more freight than the Rock Island collected in Chicago, and yet it does not even get honorable mention. From this city the Rock Island collected \$7,000,000 in freight in six months. The postal money orders in that town amounted to \$849,957.10. They sold \$46,158 worth of stamps and registered 16,000 letters. They received 18,000 registered letters and 10,000 to 15,000 letters daily. And yet that town will have no more chance of getting a public building in this bill than the proverbial grasshopper has in a turkey pen. [Laughter.]

Now, I am not going to chide you, but, as my good friend from Texas says, there may be a change in the administration next year.

Mr. HUDSPETH. Oh, there will be; no question about that. [Laughter.]

Mr. McKEOWN. Well, if it does come I will be here fighting this legislation just the same, because I am not willing to vote to abrogate the powers of Congress and put it in the hands of a bureau. As far as my experience has gone, the Democratic bureaus do not respect Congress any more than the Republican bureaus. [Laughter and applause.]

You turn this over to the bureau and the administration shifts and then you gentlemen will be here with me fighting this proposal, because you will not get any more out of a Democratic

administration than you get out of the Republican administration. That is what is going to happen.

Now, let us deal in this matter with common sense. We all know down deep in our hearts that you have shifted the responsibility when you take it off your own shoulders to say where the money shall go.

You have a lot of promises on paper, but it takes the cold coin of Uncle Sam to build houses, and Congress can say where that coin is to go just as well as the department can, and you know it, and you will be standing here five years waiting for these buildings to be erected. If you vote this down and let me put this bill in, you can go home this evening happy, because you will have gotten something for your districts and rendered the country a real service by saving \$100,000,000. [Applause and laughter.]

Mr. BUSBY. Mr. Speaker, I yield one minute to the gentleman from Ohio [Mr. CHALMERS].

Mr. CHALMERS. Mr. Speaker, I spoke on this bill when it was up for consideration during the last session of the Sixty-ninth Congress. At that time I said that I was an optimist, that I believed in men and their promises, that God was in His heaven, and all is right with the world.

My friends, I am going to be frank with you. If Toledo, Ohio, does not get an adequate Federal building out of this \$100,000,000 for the country at large my optimism and belief in men will get an awful jolt, because I have had a definite promise from the joint committee that if the Reed bill became a law Toledo would get its Federal building. This is as it should be.

I represent one of the most urgent projects in the United States. I call your attention to the fact that the present building is utterly and hopelessly inadequate to the Federal requirements in our city. The building was built in the early eighties. It was completed and opened in 1888. You will please note that in 1880 the city of Toledo had a population of 50,137 people. In 1890 the population was 81,434. To-day greater Toledo has more than 350,000 inhabitants. This will show an increase in population since the present Federal building was conceived of a city of 300,000.

The ranking minority member of the Committee on Public Buildings and Grounds, Judge LANHAM, of Texas, has well said:

There are some cities under contemplation which have grown since they have had a Federal building from 25,000 population to 150,000 or 200,000 population, and certainly they must be more urgent cases, although they have an inadequate Federal building, than some towns of 200,000 or 300,000 people where rented quarters may be occupied temporarily, at least, without very serious inconvenience.

This describes the Toledo situation exactly. The postal needs in Toledo are not pressing, but those of the Government generally, especially of the Internal Revenue Bureau and of the United States district court, are very urgent. When the present Federal building was built in Toledo a grand-jury room was provided in the attic, a room about 20 feet square, with one dormer window about 6 feet above the floor. There were no near-by toilet facilities. At that time only men served on the jury. Now, under the law, we have mixed juries of men and women. There is no jury room for either petit or grand juries. When the court room is not in use for trial purposes petit juries occupy the crowded library, thus excluding its use for library purposes. At times the grand jury occupies the court room. This is not always possible, and when impossible the grand jury goes to one of the three rooms in the district attorney's office, on another floor, a very cramped and inconvenient situation.

At times there are three petit juries in action at the same time—one in the library, one in the judge's private chambers, and one hearing a case in the court room. There is no witness room. Witnesses when not permitted to sit in the court room occupy benches in the corridor. There is no room for court commissioners. Sometimes their hearings are held in the marshal's office, a room 20 feet square, with a counter running across the middle of it. Prisoners, bondsmen, and witnesses elbow each other; and the improprieties which the contacts give rise to, both in commissioners' hearings and in trials, are frequent and grave.

Judge John M. Killits has been district judge of the Toledo district for the past 18 years. He is one of the most efficient, conscientious, and learned judges in the United States. In a letter which I received from him recently Judge Killits says:

That the building was poorly constructed in the first place; its walls have settled and cracked. The location is so noisy from the street clatter that frequently windows must be closed in the summer when court is in session. Since I have occupied this position the work of this division has so grown that it now exceeds that of more than half

the districts of the country. In 1910 there was 1 deputy marshal, 2 deputy clerks, and 1 assistant district attorney with a stenographer, taking care of the court's work. Now there are 5 deputy marshals, 5 deputy clerks, 2 assistant district attorneys, and 2 stenographers. This greatly increased force is cramped into quarters which were barely adequate in 1910. Sanitary and toilet accommodations are nothing less than abominable.

My colleagues, I urge the passage of this bill.

Mr. ELLIOTT. Mr. Speaker and gentlemen of the House, a statement was made on the floor a few moments ago that no hearings had been conducted on this bill or on the triangle bill which is to follow it. I can not let that go unchallenged. The fact is that in the last session of Congress both of these propositions were given exhaustive hearings, the triangle bill passed the Senate and came to the House, and we added to it the Reed bill which is before you to-day and brought it over here, and the two bills combined in one passed this House by an overwhelming vote. I think only 26 Members voted against it.

Mr. BLACK of Texas. Mr. Speaker, will the gentleman yield?

Mr. ELLIOTT. Yes.

Mr. BLACK of Texas. Can the gentleman give us information as to what the hearings showed the assessed value of the land was in the triangle district?

Mr. ELLIOTT. The only thing that I know of in the hearings was \$17,000,000. That is my recollection.

Mr. COLE of Iowa. On what basis is property assessed in Washington—on the cash value?

Mr. ELLIOTT. The gentleman knows as much as I do about that. It was assessed at that sum for the purpose of taxation in the District.

Mr. COLE of Iowa. Is that assessment at cash value?

Mr. ELLIOTT. That is something you can not tell about, in any place, under any law that I have ever had any experience with. Where they are supposed to assess at full value, they may do it and they may not.

On May 25, 1926, we passed what was known as the public buildings bill. That bill provided that \$100,000,000 should be available in construction work throughout the country; that \$50,000,000 should be available for construction in the District of Columbia and \$15,000,000 more to be added to a fund for the purpose of constructing buildings which were authorized in the act of 1913, and previous acts, for the purpose of increasing the limits of cost so that those buildings could be erected and that program worked out. Under the terms of the original bill \$25,000,000 was all that was available in any one year; \$10,000,000 of this had to go to the District of Columbia, \$10,000,000 outside, and \$5,000,000 each year to carry out this program of 1913, so that that left only \$10,000,000 available under that act to go to the country. That act was also case-hardened; in other words, that if any portion of that \$25,000,000 was not used in that year or in any one year it could not be carried over into the next year. There was also a provision in that act that directed the Secretary of the Treasury and the Postmaster General to make a survey of the country and report back to Congress what they found in regard to needs for public buildings throughout the United States. They came back here with a report showing that it was necessary to spend not only \$100,000,000 but nearly \$200,000,000 to take care of those buildings outside the District. So that caused us to bring out this bill, and we were satisfied that the condition of business affairs of the country had gotten to a point that it would stand for an additional appropriation each year, and we put in this bill an authorization for \$35,000,000 instead of \$25,000,000, this additional \$10,000,000 all to go to the country. In addition, we limbered up the law in this respect, that if this year they will only use \$30,000,000 of this appropriation, or less, the amount that was not used could be carried into next year and become available then.

Mr. BURTNESS. Will the gentleman yield for a question?

Mr. ELLIOTT. I will.

Mr. BURTNESS. I desire to ask a question in reference to the construction of the present law. The gentleman will recall the last proviso put in paragraph 4 of the bill passed last year was to the effect that estimates should be made for two buildings in each State provided cities with receipts of \$10,000 or \$20,000 each did not have buildings. I understand that at first the department construed that to mean there should be two besides the buildings provided for in section 3 of the act. But before the report came out dated January, 1927, they construed the law to this effect, that any building included in section 3 would be counted as one of the two buildings. Now, what does the chairman say in reference to that point?

Mr. ELLIOTT. My construction is this: Section 3 provided for constructing the buildings of 1913 and previous acts, and has nothing to do with that provision providing for two buildings in each State, and regardless of how many buildings the

State has under section 3 of the act it does not relieve the Government from building the two buildings.

Mr. BURTNESS. In other words, estimates should be made for two buildings regardless of the number of buildings carried in section 3.

Mr. ELLIOTT. That is right.

Mr. MANSFIELD. Will the gentleman yield?

Mr. ELLIOTT. I will.

Mr. MANSFIELD. As I understand it we have authorized \$165,000,000 heretofore. This bill will add another \$100,000,000, making \$265,000,000.

Mr. ELLIOTT. Yes.

Mr. MANSFIELD. Now, as I understand it, \$367,548,000 will care for all the buildings that are eligible under the law?

The SPEAKER. The time of the gentleman has expired.

Mr. ELLIOTT. I am sorry my time has expired.

The SPEAKER. The question is on the motion of the gentleman from Indiana to suspend the rules and pass the bill.

The question was taken, and the Speaker announced that two-thirds having voted in favor thereof—

Mr. BUSBY. Mr. Speaker, I ask for a division.

The House again divided; and there were—ayes 275, noes 27.

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

#### ACQUIREMENT OF CERTAIN LANDS WITHIN THE DISTRICT OF COLUMBIA

Mr. ELLIOTT. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 483) authorizing the Secretary of the Treasury to acquire certain lands within the District of Columbia to be used as sites for public buildings.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 483) authorizing the Secretary of the Treasury to acquire certain lands within the District of Columbia to be used as sites for public buildings

*Be it enacted, etc.,* That to enable the Secretary of the Treasury to acquire economically and at an early date adequate sites for suitable accommodations in the District of Columbia for the executive departments and independent establishments of the Government not under any executive department, and suitable grounds, parking, and approaches thereto, the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926, is hereby amended so as to authorize and direct him to acquire, by purchase, condemnation, or otherwise, all the lands obtainable with the funds that may be appropriated, including buildings and other structures, included within the triangle bounded by Pennsylvania Avenue and B Street, extending from Fifteenth Street to Sixth Street NW., and reservations A, B, C, and D, except property owned by the United States or the District of Columbia, as such lands appear in the records of the office of the surveyor of the District of Columbia.

SEC. 2. There is hereby authorized to be appropriated, in addition to the amounts authorized in said act of May 25, 1926, and without regard to the limitations contained in the first paragraph of section 5 of such act, the sum of \$25,000,000, or so much thereof as may be necessary to carry out the provisions of this act.

SEC. 3. The buildings constructed under said act approved May 25, 1926, when completed and ready for occupancy shall be turned over to the Office of Public Buildings and Public Parks for care, maintenance, and protection, including the furnishing of heat, gas, and electricity therein, together with all machinery, tools, equipments, and supplies to be used in connection therewith.

The SPEAKER. Is there a second demanded? If not, the question is on the motion to suspend the rules and pass the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

#### PRESIDENT'S MESSAGE—PERRY'S VICTORY MEMORIAL COMMISSION

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, was ordered to be printed, with illustrations, and referred to the Committee on the Library:

*To the Congress of the United States:*

I transmit herewith for the information of the Congress the Eighth Annual Report of Perry's Victory Memorial Commission for the year ended December 1, 1927.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 17, 1927.

#### PRESIDENT'S MESSAGE—INTERNATIONAL CONGRESS OF ENTOMOLOGY (S. DOC. NO. 29)

The SPEAKER also laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, was ordered printed and referred to the Committee on Foreign Affairs:

*To the Congress of the United States:*

I transmit herewith a report from the Secretary of State inclosing a recommendation from the Secretary of Agriculture that the Congress be requested to adopt a resolution authorizing and requesting the President to invite foreign governments to be represented by delegates at the International Congress of Entomology, to be held in the United States in 1928.

It will be noticed that because of the close relationship between entomology and agriculture the Department of Agriculture is especially interested in the international aspects of this science, which it considers of very great importance to this country. As it would seem, therefore, that the participation of foreign governments in the congress mentioned would be in the public interest, I recommend to Congress the passage of the joint resolution. No appropriation is requested.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 17, 1927.

PRESIDENT'S MESSAGE—FRENCH STEAMSHIP "MADELEINE" (S. DOC. NO. 24)

The SPEAKER also laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, was ordered printed and referred to the Committee on Foreign Affairs:

*To the Congress of the United States:*

I transmit herewith a report from the Secretary of State in relation to a claim presented by the Government of France against the Government of the United States on account of the losses sustained by the owner of the French steamship *Madeleine* as the result of a collision between it and the U. S. S. *Kerwood*, which at the time of the collision was being operated by the War Department, and I recommend that an appropriation be authorized to effect a settlement of this claim in accordance with the recommendation of the Secretary of State.

CALVIN COOLIDGE.

THE WHITE HOUSE,  
Washington, December 17, 1927.

PRESIDENT'S MESSAGE—JOHN ADOLF ET AL.

The SPEAKER also laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, was ordered printed and referred to the Committee on Foreign Affairs:

*To the Congress of the United States:*

I transmit herewith a report concerning the claims against the United States presented by the German Government on behalf of the heirs or representatives of the German nationals, John Adolf, Hermann Pegel, Franz Lipfert, Albert Wittenburg, Kahl Behr, and Hans Dechantsreiter, for various amounts aggregating \$461.59, which have been covered into the general fund of the Treasury Department as required by the statutes relating to the disposition of effects and unpaid wages of deceased seamen on American vessels, it appearing that each of the German nationals referred to lost his life while in the status of seaman in the American merchant marine. The report requests that the Congress be asked to authorize the appropriation of the sum necessary to pay these claims.

I recommend that, in order to effect a settlement of these claims in accordance with the recommendation of the Secretary of State, the Congress authorize an appropriation of the sum of \$461.59.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 17, 1927.

PRESIDENT'S MESSAGE—SUN JUI-CHIN

The SPEAKER also laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, was ordered printed and referred to the Committee on Foreign Affairs:

*To the Congress of the United States:*

I transmit herewith a report by the Secretary of State, respecting a claim against the United States, presented by the Chinese Government for compensation arising out of an assault in China on Mr. Sun Jui-chin on June 11, 1923, by a private in the Marine Corps, a member of the legation guard, with a request that the recommendation of the Secretary of State, as indicated therein, be adopted, and that the Congress authorize the appropriation of the sum necessary to pay the indemnity.

I recommend that, in order to effect a settlement of this claim in accordance with the recommendation of the Secretary of State, the Congress, as an act of grace, and without reference to the legal liability of the United States in the premises, authorize an appropriation in a sum equivalent to \$500 Mexican.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 17, 1927.

PRESIDENT'S MESSAGE—WILLIAM WISEMAN

The SPEAKER also laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, was ordered printed and referred to the Committee on Foreign Affairs:

*To the Congress of the United States:*

I transmit herewith a report from the Secretary of State in regard to the services in behalf of the United States of William Wiseman, British vice consul at Salina Cruz, Mexico, during the period from April 12, 1914, to December 13, 1917, when, with the permission of the British Government and at the request of this Government, he had charge of the American consulate at Salina Cruz and of American interests in the district surrounding that place. The conclusion reached by the Secretary of State has my approval, and I recommend that the Congress authorize an appropriation of \$9,200 to be paid to Mr. Wiseman in recognition of the services which he so generously rendered.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 17, 1927.

PRESIDENT'S MESSAGE—REPORT OF GOVERNOR OF PORTO RICO (H. DOC. NO. 121)

The SPEAKER also laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, was ordered printed and referred to the Committee on Insular Affairs:

*To the Congress of the United States:*

As required by section 12 of the act of Congress of March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes," I transmit herewith, for the information of the Congress, the twenty-seventh annual report of the Governor of Porto Rico, including the reports of the heads of the several departments of the government of Porto Rico and that of the auditor, for the fiscal year ended June 30, 1927.

I recommend that the report of the Governor of Porto Rico, without appendices, be printed as a congressional document.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 17, 1927.

PRESIDENT'S MESSAGE—SAMUEL RICHARDSON

The SPEAKER also laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, was ordered printed and referred to the Committee on Foreign Affairs:

*To the Congress of the United States:*

I transmit herewith a report by the Secretary of State requesting the submission anew to the present Congress of the matter of a claim against the United States presented by the British Government for the death on November 1, 1921, at Consuelo, Dominican Republic, of Samuel Richardson, a British subject, as a result of a bullet wound inflicted presumably by a member or members of the United States Marine Corps, which formed the subject of a report made by the Secretary of State to me on April 3, 1926, and my message to the Congress dated April 5, 1926, which comprise Senate Document No. 92, Sixty-ninth Congress, first session, copies of which are furnished for the convenient information of the Congress.

Concurring in the recommendation made by the Secretary of State, that in order to effect a settlement of this claim the Congress, as an act of grace and without reference to the legal liability of the United States in the premises, authorize an appropriation in the sum of \$1,000, I bring the matter anew to the attention of the present Congress, in the hope that the action recommended may receive favorable consideration.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 15, 1927.

PRESIDENT'S MESSAGE—AREND KAMP AND FRANCIS GORT (S. DOC. NO. 30)

The SPEAKER also laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, was ordered printed and referred to the Committee on Foreign Affairs:

*To the Congress of the United States:*

I transmit herewith a report regarding two claims presented by the Government of the Netherlands against the Government of the United States for compensation for personal injuries sustained by two Netherlands subjects, Arend Kamp and Francis Gort, while the U. S. S. *Canibas* was loading on May 1, 1919, at Rotterdam.

I recommend that, in order to effect a settlement of these claims in accordance with the recommendation of the Secretary of State, the Congress, as an act of grace and without reference to the question of the legal liability of the United States in the

premises, authorize an appropriation in the sum of \$1,000, \$500 of which is to be paid to Mr. Arend Kamp and \$500 to be paid to Mr. Francis Gort.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 17, 1927.

PRESIDENT'S MESSAGE—RELATIVES OF EDWIN TUCKER (S. DOC. NO. 20)

The SPEAKER also laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, was ordered printed and referred to the Committee on Foreign Affairs:

To the Congress of the United States:

I transmit herewith a report from the Secretary of State, concerning a claim against the United States, presented by the Government of Great Britain for compensation to the relatives of Edwin Tucker, a British subject who was killed by an United States Army ambulance in Colon, Panama, on or about December 6, 1924. The report requests that the recommendation as indicated therein be adopted and that the Congress authorize the appropriation of the sum necessary to compensate the claimants in this case.

I recommend that in order to effect a settlement of the claim in accordance with the recommendation of the Secretary of State, the Congress, as an act of grace and without reference to the legal liability of the United States in the premises, authorize an appropriation of \$2,500.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 17, 1927.

LEAVE OF ABSENCE

Mr. AYRES, by unanimous consent (at the request of Mr. HOCH), was granted leave of absence, for one day, on account of illness.

ORDER OF BUSINESS

Mr. TILSON. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. The gentleman from Connecticut asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. TILSON. Mr. Speaker, there is one more bill which it is intended to urge for passage before the holiday recess, and that is the bill known as the alien property bill, which heretofore has been under consideration in the House. There remains 1 hour and 20 minutes for general debate on that bill. It is hoped that if the Members will keep a quorum of the Committee of the Whole we may be able to finish the general debate on the bill to-day. The remaining consideration of the bill under the five-minute rule we may finish to-morrow, provided there is a quorum present at all times, so that no time is lost in the consideration to-morrow. But it is absolutely necessary that a quorum should remain here until that bill is passed. The day will be held in reserve in case it is not finished to-morrow; but if it is finished to-morrow, it is hoped that Wednesday's session will be but a formal session. I hope the Members will give us their presence as much as possible until that bill is out of the way, a quorum being absolutely necessary until the bill is passed.

SETTLEMENT OF WAR CLAIMS

Mr. GREEN of Iowa. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 7201, the alien property bill.

The SPEAKER. The gentleman from Iowa moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 7201.

Mr. GREEN of Iowa. Pending that motion, I would like to know how the time stands?

The SPEAKER. One hour and 20 minutes remain, to be equally divided between the gentleman from Iowa and the gentleman from Mississippi [Mr. COLLIER]. The question is on agreeing to the motion of the gentleman from Iowa.

The motion was agreed to.

The SPEAKER. The gentleman from Michigan [Mr. MAPES] will please take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 7201, with Mr. MAPES in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 7201, which the Clerk will report by title.

The Clerk read the title of the bill, as follows:

A bill (H. R. 7201) to provide for the settlement of certain claims of American nationals against Germany and of German nationals against the United States, for the ultimate return of all property of German nationals held by the Alien Property Custodian, and for the equitable apportionment among all claimants of certain available funds.

Mr. GREEN of Iowa. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. BURTON]. [Applause.]

Mr. BURTON. Mr. Chairman and gentlemen of the committee, I hope this bill may pass and that quickly and without any amendment. There is a very large number of conflicting claims between the Governments of the United States and of Germany, and there are potent reasons why a settlement should be promptly made. The background for this measure shows very careful attention given by the Committee on Ways and Means and also contemporaneously and at an earlier date by the Mixed Claims Commission. If I am any judge of popular opinion, the overwhelming sentiment both in the United States and Germany is in favor of the settlement proposed in the bill, notwithstanding the fact that it is not altogether satisfactory and is the result of compromise.

In the first place, we ought to maintain the most friendly relations with the present Government of Germany. Between that Government and the one against which we declared war in 1917 there is a startling contrast. The express language of our declaration was a declaration of war against the Government of Germany, an organization which for militaristic spirit and a desire for imperialism surpassed any country of our time, but the present Government of Germany is one which is taking a leading part for the peace of the world. They have learned their lesson, we may say, and the dominant forces in that country now look forward to an era of peace with all nations.

There are three special reasons why we should think favorably of this settlement. In the first place, the claims of other governments against Germany were taken up by ex parte commissions. The amount of the claims was very greatly exaggerated. One hundred and thirty-two billion marks was the first claim or the equivalent of about \$30,000,000,000. In contrast, the claims of American nationals were adjudicated by an international commission. The next reason is the fairness and the unusual confidence of the German people in the Government of the United States. They agreed that the arbiter on the Mixed Claims Commission, according to the treaty of August, 1922, should be one of our own nationals. That is almost unprecedented. Justice Day was first chosen and then Judge Parker. Again, should the present provisions for payment fail, the German Government continues to be responsible for the amounts of the findings on these awards.

There are several objections made to this settlement which do not trouble me. The first is that possibly the Germans may obtain the amounts due to them at an earlier date than the American claimants. Is there any valid objection to this? In the first place, we should be generous. In the next place, we have a vast amount of their property from which liquidation can be accomplished and claims can be paid. The gentleman from Tennessee the other day deprecated the long delay in coming to any arrangements for payment by Germany. I am not troubled by that either. It was not until the latter part of 1922 that we began to settle our claims for loans to the Allies. We were technically at war with Germany until July, 1921. Germany was prostrate. There were bread lines in all her cities, and thus there was every reason why we should be considerate. Another objection is that the limit of the amount to be paid for ships which we took over, for the radio station, and for patents is fixed at \$100,000,000. It is maintained that this a large figure. But bear in mind that is an unusual provision. In arbitrations the ordinary rule is not to fix any limit and this is for our benefit rather than otherwise. Again the objection is made that insurance companies are to receive the amounts due to them, some \$35,000,000. On this question let me say that the universal rule of law is that an insurance company is subrogated to the claims of the assured. That is true in private transactions and it is true in international law.

Mr. BLACK of Texas. Will the gentleman yield?

Mr. BURTON. Yes.

Mr. BLACK of Texas. The point of those who oppose the bill upon that ground is not that the insurance companies would not have the right of subrogation against the Government of Germany but, as I understand this bill, the taxpayers of the United States will pay in part at least those claims and then will perhaps in the future be reimbursed by the Government of Germany. But suppose the German Government falls down on its payments, what then?

Mr. GREEN of Iowa. The gentleman is mistaken in that. We would not pay a dollar on those claims.

Mr. BLACK of Texas. Then where is the money to come from?

Mr. BURTON. My time is limited and I can not yield further. If any other rule were adopted, if the payments by the insurance companies were final, and there were no grounds of claim against the country which, by submarines or other methods, destroyed our ships, it would be an encouragement in the future to resort to ruthless methods, it would be an encouragement to destroy, because it would be known that the country guilty of the destruction would escape liability. That universal principle, as I said, pertains not only to private wrongdoers but also to governments. There have been some half dozen cases in which arbitrations have been held to which the United States has been a party, and the insurance companies have been indemnified out of the awards against foreign countries. The French indemnity of 1831 was the first, and there have been some seven in all involving countries in the Old World and in the New. Among them I might mention the London commission of 1853; the Van Ness convention with Spain in 1834; the Danish indemnity, 1830; the Peruvian indemnity, 1841; the Chinese indemnity, 1858; and the British Claims Commission, under article 12 of the treaty of Washington, 1871.

Another point in favor of these claims is that there were separate awards made to each insurance company, and it is the universal principle in such cases, supported by the statute of 1896, that the Government holds the amounts that are paid as trustee for the claimants. The statute to which I have referred is as follows:

*Be it enacted, etc.,* \* \* \* Trust funds: Hereafter all moneys received by the Secretary of State from foreign governments and other sources, in trust for citizens of the United States or others, shall be deposited and covered into the Treasury.

The Secretary of State shall determine the amounts due claimants, respectively, from each of such trust funds, and certify the same to the Secretary of the Treasury, who shall, upon the presentation of the certificates of the Secretary of State, pay the amounts so found to be due.

Each of the trust funds covered into the Treasury as aforesaid is hereby appropriated for the payment to the ascertained beneficiaries thereof of the certificates herein provided for. \* \* \* (Feb. 27, 1896. Supp. Rev. Stat., vol. 2, 1892-1901, p. 449.)

On this point I will read briefly from a decision made by Judge Parker, umpire of the Mixed Claims Commission:

But where a demand is made on behalf of a designated national, and an award and payment is made on that specific demand, the fund so paid is not a national fund in the sense that the title vests in the nation receiving it entirely free from any obligation to account to the private claimant, on whose behalf the claim was asserted and paid and who is the real owner thereof. Broad and misleading statements susceptible of this construction are found in cases where lump-sum awards and payments have been made to the demanding nation covering numerous claims put forward by it and where the tribunal making the award did not undertake to adjudicate each claim or to allocate any specified amount to any designated claim. It is not believed that any case can be cited in which an award has been made by an international tribunal in favor of the demanding nation on behalf of its designated national in which the nation receiving payment of such award has, in the absence of fraud, or mistake, hesitated to account to the national designated, or those claiming under him, for the full amount of the award received. So far as the United States is concerned, it would seem that the Congress has treated funds paid the nation in satisfaction of specific claims as held "in trust for citizens of the United States or others."

It is true that in the settlement of the *Alabama* claims the amounts were not paid to insurance companies, but there was a very vital difference. Individual claims were not presented, and the award of \$15,500,000 was made to the Government of the United States. This situation differs so radically that different principles should prevail. Before the Mixed Claims Commission there was a specific award made to each of the insurance companies. The "Old Roman," as we called him in Ohio, Mr. Thurman, a man who was never very partial to the capitalistic elements of the country, very strongly asserted in the discussion of the *Alabama* award that the insurance companies should have been paid out of the amount.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. GREEN of Iowa. Does the gentleman desire more time?

Mr. BURTON. I would like to have an additional minute.

Mr. GREEN of Iowa. Mr. Chairman, I yield the gentleman one additional minute.

Mr. BURTON. In conclusion, I wish to say that this case has been very thoroughly considered. There has been an agreement between the representatives of all classes of claimants, and it is not only just but expedient that we permit the agreement to be carried out. It has a bearing upon all arbitrations. If we seek here to interfere with the findings that were made, we discourage arbitrations in the future. [Applause.]

Mr. GREEN of Iowa. Mr. Chairman, I desire recognition for one minute in order to answer the inquiry propounded by the gentleman from Texas [Mr. BLACK] as to where this money is to come from.

The only money that is to be appropriated in this matter is for the purpose of paying for the ships, the radio stations, and so forth. We have to pay for these anyway, whether we pass the bill or not, because it was agreed between Secretary Kellogg and those making the arrangements with reference to reparations, that if we confiscated these ships, this would be taken out of the reparations payments. Therefore if we do not pay them under the bill, we will pay them in that way.

Mr. BLACK of Texas. If the gentleman will permit, I was not addressing my inquiry at all to the payment for the ships.

Mr. GREEN of Iowa. There is no other appropriation made.

Mr. BLACK of Texas. One moment. If the insurance companies are to be paid for losses for which they have already collected large premiums, from what fund are they to be paid?

Mr. GREEN of Iowa. The gentleman will find that on page 24 of the report. Twenty per cent of German property to be temporarily retained, \$40,000,000; German share of unallocated interest fund, \$25,000,000; mixed claims receipts—2¼ per cent to September 1, 1928, \$23,000,000; one-half of the appropriation for ships and radio stations, \$25,000,000. There is a total available for the payment of all the American claims, not simply the insurance claims, of \$113,000,000.

Mr. BLACK of Texas. I understand that; but a part of this fund that will be paid to the insurance companies is a part of the general fund that will be appropriated out of the Treasury of the United States; is not that correct?

Mr. GREEN of Iowa. It is only out of that part that is appropriated for the payment of the ships and the radio stations.

Mr. BLACK of Texas. And also to the payment of the insurance company claims and general claims of American claimants.

Mr. GREEN of Iowa. No; there is no appropriation made for that.

Mr. BLACK of Texas. Well, we will discuss that when we get to that section of the bill. I think I can then make my position perfectly clear.

Mr. GREEN of Iowa. I want to add on another point that we do not take any of the German property in the sense of appropriating or confiscating it. There are to be certificates issued for it, and in due time the certificates are to be taken up and paid.

Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman and gentlemen of the committee, the financial settlements to be made as a result of the Great War must of their nature be most complex. The Dawes reparation, the debt settlements, and all negotiations between our late enemies and our allies in the very nature of things must be difficult and intricate. No scheme can be devised which will be satisfactory and fair alike to all interested parties. It is not to be expected that any bill having to do with the subjects covered by the present bill will be accepted by all without some protest. It would seem, however, that House Resolution 7201 comes as near to it as humanly possible, and it is therefore to be hoped that this measure, the result of painstaking study by our officials, drafted with care and reported unanimously by the Ways and Means Committee, will receive so nearly a unanimous vote in this body as to convince the people of the world that it embodies the best judgment of Congress on the subject.

It is not my purpose to argue the merits of this bill or to point out its defects, if any there are, but rather to join with others in an effort to explain just what the bill will accomplish and the methods that will be employed. I start with only one premise, namely, that the exercise of the power vested in Congress by a Supreme Court decision which legalizes confiscation of property of former alien enemies is repugnant to the thoughts of the people of this country. Time and again President Wilson reiterated the fact that we entered the war from absolutely unselfish motives, and to-day this House has the opportunity to demonstrate the truth of his statement, which was undoubtedly approved by the citizens of this country.

So much time has elapsed since the establishment of peace in 1921 that the inference might be drawn that this country either contemplates confiscation of alien enemy property or

desires to profit unduly by further delay in its return. This erroneous impression must not be allowed to prevail in foreign countries. Further postponement of legislation will only add to the complications and materially increase the interest account.

There are three major propositions combined in this one bill and I wish to deal with each one very briefly and separately:

First. The return of property of German nationals seized under the trading with the enemy act and now held by the Alien Property Custodian.

Second. The settlement of claims of German nationals against the United States for ships, patents, and a radio station taken over and used by this Government.

Third. The settlement of claims of American citizens against the German Government.

These are the three major propositions dealt with in the bill, but combined with them is the method of procuring funds, as well as their equitable apportionment for the above-mentioned purposes. All these points are so completely set forth in the report accompanying this bill that it hardly seems necessary to refer to them in detail. Assuming, however, that some slight explanation and a brief résumé of these subjects may be of value to the Members of the House, I will endeavor to present them in as simple language as possible.

The statement that it is impossible to describe simply a complex and intricate matter applies as well to this subject as to taxation.

The intention of the Government not to confiscate but to return the property in the hands of the Alien Property Custodian has been plainly shown by the passage of the so-called Winslow bill, whereby all accounts of \$10,000 or under have been paid. This of itself both established a precedent and showed the disposition of Congress toward this seized property. There is no more logic in settling accounts of \$10,000 and under than there is in paying those of over \$10,000, provided both classes of claims have the same merit. By paying those of less than \$10,000, more than one-half of the amounts originally in the hands of the Alien Property Custodian have been returned. If these claims are just and equitable, of course, there can not be an arbitrary line set at \$10,000. It is just as right and fair to pay the larger claims as it is the smaller ones. This bill calls for the payment of 80 per cent of the remaining property held by the Alien Property Custodian. It is not intended to confiscate the remaining 20 per cent, but to say to the holders of those claims that they must wait for final settlement until other financial arrangements are completed. This method of settlement was also agreed upon and acceptable to Germany. Germany is rapidly recovering from its worst financial condition as a bankrupt nation. This method, while criticized sometimes by our own people, I think it is important to say was agreed to by the representatives of Germany. Rather than wait until these payments can be made by Germany, we are taking other means of relieving our own citizens. Alien property rightfully belongs to its alien owners or their legal heirs. Likewise, American citizens are entitled to similar treatment by Germany. This is the reason why full payment will not immediately be made under this bill. We certainly owe to our citizens as just and fair treatment as we are disposed to accord to our late enemies.

The claims of American citizens have been passed upon by the Mixed Claims Commission established under an agreement dated August 10, 1922, composed of an American, a German, and Judge Parker as umpire. While these claims are similar to those of the nationals of other countries against Germany, it is necessary to have a definite form of settlement owing to the fact that Great Britain established, as it were, a clearing house for its nationals, offsetting their claims against the claims of German nationals. This method is not one that this country would be apt to approve.

While the Mixed Claims Commission is authorized to pass upon the merits of the claims and fix the amounts due, it has no authority in any way to designate or arrange the form of payment. This is a matter entirely within the hands of Congress, and it is with that problem that we are faced at the present time.

There is a third class of claims known as the claims of German nationals against the United States. As has been frequently stated, these cover ships, patents, and a radio station taken over and used by the United States. These claims have not as yet been adjudicated or passed upon. This bill sets up the machinery for such approval.

While this bill does not name the arbiter, no one is being considered for the position except the man who has made such a success as umpire of the Mixed Claims Commission. The interests of both countries will be safe in his hands and justice will be done to all concerned.

#### CLAIMS ON ACCOUNT OF SHIPS, RADIO STATION, AND PATENTS

Acting under the authority given him by Congress the President of the United States seized ships belonging to German nationals, a radio station, and certain patents.

In accordance with the joint resolution under which the ships were seized the value of the ships was appraised by a naval board of survey. This board reported an aggregate value of all the ships of approximately \$33,000,000.

The appraisal was purely an ex parte proceeding. It seemed to your committee that the shipowners should have an opportunity to present their side of the case. The shipowners have claimed an aggregate value of approximately \$300,000,000. The bill proposes that an arbiter will determine, after an opportunity to be heard has been given the owners, the just compensation which should be paid by the United States for the ships, the radio station, and the patents. It is impossible to predict, of course, what the aggregate final determinations will be. I would suppose that the values will probably be somewhat in excess of the values determined by the naval board of survey. Under the agreement entered into the aggregate amount which the United States will ultimately be called upon to pay can not exceed \$100,000,000.

Inasmuch as the lowest estimate, including interest to January 1, 1928, is approximately \$50,000,000, the bill provides for the immediate appropriation of this amount. If the arbiter determines an amount in excess of \$50,000,000, his reports will be transmitted to Congress for additional appropriation.

Under the agreement the owners of the ships, the radio station, and the patents will receive, as soon as the proceedings of the arbiter will permit, the immediate payment of 50 per cent of their awards and the ultimate payment of the remainder.

The above outlines the three main problems dealt with in the bill. There are, however, two or three additional points to which I would like to refer briefly.

#### AWARDS OF THE UNITED STATES GOVERNMENT

During the consideration of the legislation by the committee and on the floor of the House, it has frequently been asked: Why should the payment to the United States of the amount of its awards be postponed?

In the first place, the United States has no lien against any property as security for the payment of its claims. Secondly, the Government of the United States is expected to endure. It should not be concerned with a postponement of payment, even if that postponement is for a relatively long period of time, so long as it will receive payment eventually. And lastly, it must be borne in mind that all the negotiations were conducted by the United States Government. If, as a result of those negotiations, we are receiving an insufficient sum to make proper payments on all the awards of the Mixed Claims Commission, it seems to me that the United States Government should accept the responsibility and, under the circumstances, should be willing to give a priority to its citizens.

#### INSURANCE AWARDS

There has been considerable interest displayed in the payment of awards of insurance companies. It seems to me that the actual consideration should be laid before the House.

Awards of the Mixed Claims Commission are absolutely final and binding, so far as they evidence a direct financial responsibility of Germany for the payment of the amounts awarded. I have heard no one assert that Germany should not pay, at least eventually, all the amounts properly due from her.

It has been contended that the payment of the insurance-company awards should be postponed. As a matter of fact that is, for all practical purposes, exactly what the bill does. The insurance-company awards, at least in so far as they amount to any material sum of money, are in excess of \$100,000. Many of them greatly exceed this amount. Under the bill, the final payment of all these awards will not take place within 22 years.

The testimony before the Committee on Ways and Means shows conclusively that the insurance companies who have received awards did not profit by their war-risk insurance. In fact some of them even lost money. Although the rates were advanced appreciably because of the additional risks, it was stated before the committee that their rates were, as a practical proposition, fixed by the rates established by the Bureau of War Risk Insurance, which was in competition with the private insurance companies.

Furthermore, there is a complete answer to the contention. Twenty-four million three hundred thousand dollars' worth of claims of the United States are based upon the right of subrogation under the insurance policies written by the Bureau of War Risk Insurance—exactly the same kind of claims held by the insurance companies. In addition, I think we are safe in

saying that this entire amount represents profit to the United States on its war-risk insurance business.

The balance of the awards of the United States, \$17,715,000, represents claims on account of damages to vessels owned by the United States and operated by the Shipping Board or the United States Railroad Administration.

Section 5 of the bill provides for the establishment of a special fund to be made up of four items, as follows:

First. Twenty per cent of amounts now held by the Alien Property Custodian.

Second. The unallocated interest fund, approximately \$25,000,000.

Third. Fifty million dollars appropriation for the payment of ship claims.

Fourth. All receipts in respect of claims against Germany by reason of awards of Mixed Claims Commission.

In this brief résumé of the purposes of this bill I have avoided all references to the terms of treaties which must underlie any form of agreement or settlement. These have been explained to you by the chairman of the Ways and Means Committee and by the gentleman from Mississippi [Mr. COLLIER]. They are also included in the report accompanying the bill. I preferred to make my statement in as simple and plain form as possible, without legal complications or phraseology.

No one claims that the form of settlement proposed by this bill is perfect. On the other hand, it is the best proposition which those who have the matter in hand can offer, due to the many complexities. It would seem to me that those not approving it should offer constructive suggestions of changes rather than destructive criticism.

The bill should become law promptly for the best interests of all claimants and the Government.

Mr. COLLIER. Mr. Chairman, I yield 30 minutes to the gentleman from Georgia [Mr. Cox].

Mr. COX. Mr. Chairman and my colleagues, it is apparent to all that this bill under discussion will pass this branch of the Congress, but in spite of this certainty I wish to hold it long enough to mark it with the earnest protest of at least one Member of the House. The bill partakes both of a national and international character and should be discussed in the light of international practices and domestic law. I am opposing the bill chiefly because it incorporates the idea of confiscation, which is repugnant to the sentiment of the country, as expressed in our fundamental law and the law of nations. This country at its very inception committed itself in the first treaty that it ever made, which was with France, to the doctrine of non-confiscation of alien private property as a result of war. The other great powers had for many hundreds of years been departing from the old doctrine of confiscation that was greatly extended under the rule of the Roman Empire and had done much toward the refinement and humanizing of international law. In 1785 we entered into a treaty with Prussia whereby provision was made for the protection of life and property and the peaceful pursuit of trade of the subjects and citizens of both countries in time of war. This treaty was renewed in 1799 and again in 1828.

The statement has been made on the floor in debate that it was not made with Germany, therefore leaving the House to assume that we were not bound thereby so far as Germany was concerned. I would like to call the attention of the committee to the fact that both Germany and the United States have always regarded the treaty as applying to the whole German Empire. In a correspondence between the Secretary of State and the German minister in 1871 the treaty was considered as extending to the whole of Germany. This recognition was again given in the treaty in 1884, when our Government protested discriminatory rates threatened by German railways. It was again recognized in a decision rendered by our Supreme Court in the case of *Disconto Gesellschaft v. Umbright* (208 U. S. 570), in which Mr. Justice Day said:

This treaty is printed as one of the treaties in force in compilation of 1904, page 643, and has undoubtedly been recognized by the two governments as still in force since the formation of the German Empire.

Similar rulings were made in later decisions rendered by the same court. There is further authority for the contention that the treaty was in force with the whole of the German Empire found in a general order issued by the greatest living soldier, General Pershing, to the American Expeditionary Forces in France, July 1, 1918. The order, among other things, contained the following:

By the treaty of Berlin, 1799, still in force, the United States of America and the King of Prussia solemnly pledged themselves to the world and to each other \* \* \* the obligations of this treaty will

be scrupulously observed unless and until substantially violated by Germany, in which case further orders will be published from these headquarters.

So we may conclude that the argument that the treaty was not with the whole of Germany can not prevail. It is my contention, Mr. Chairman, that the Prussian treaty was in force and binding upon the contracting parties until August 25, 1921, when the treaty of Berlin was made.

Under the trading with the enemy act of October 6, 1917, creating the office of Alien Property Custodian and later amendments thereto, all property in the country belonging to aliens was seized. While I contend that this was in violation of our commitments under the Berlin treaty, yet it was an authorized exercise of the war powers of the Government. However, a study of the debates in both the House and the Senate had upon this bill will disclose the fact that no contention was made that the property of the alien should be or was to be confiscated.

In other words, the purpose of the bill was to sequester all such property; that is, take control of it and put it beyond the possibility of being used by the enemy in the waging of war against us. Some time before we entered the war the Secretary of State, with presidential sanction, stated in substance that in case of war with Germany that the property of the Germans located in this country would be protected, and that there would be no confiscation. President Wilson in his proclamation of April 6, 1917, declared—

All alien enemies are enjoined to preserve the peace toward the United States \* \* \*. And so long as they shall conduct themselves according to law, they shall be undisturbed in the peaceful pursuit of their lives and occupations and be accorded the consideration due to all peaceful and law-abiding persons, except so far as restriction may be necessary for their own protection and for the safety of the United States.

Again in later messages to the Congress he reannounced this same policy to be followed by the Government.

In his letter to Pope Benedict XV, he said:

The American people have suffered intolerable wrongs at the hands of the Imperial German Government, but they desire no reprisal upon the German people, who have suffered all things in this war that they did not choose.

To now pass legislation that embodies the idea of confiscation would be to overturn our national policy, to violate our treaty obligations, do violence to our domestic law, and shock world confidence. We must in the treatment that we give the subject of the bill be mindful of treaties existing at the time of our entrance into the war.

Mr. HOOPER. Is not the gentleman from Georgia confounding seizure of German property with confiscation of German property?

Mr. COX. I shall come to that question in a moment and undertake to answer the gentleman.

Some Members, as I understand, are under the impression that this 20 per cent of the alien property and the unallocated interest is in fact held by the Government as security for the payment of the claims of our nationals against the German Government. This is not quite accurate, for as I interpret the bill, this fund made up in large part with the property of the alien is appropriated to the payment of the claims of our nationals against the German Government.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. COX. Certainly.

Mr. GREEN of Iowa. Certainly, the 20 per cent is taken now, but provision is made for its repayment. It is held as security.

Mr. COX. Not as security. Let me direct the gentleman's attention to the report of the Senate Committee considering this bill at the last session of Congress. I read you from the report:

The House bill provided for the return of 80 per cent of the property of German nationals held by the Alien Property Custodian and the temporary retention of the remaining 20 per cent and its application to the payment of the claims of American citizens.

Mr. GREEN of Iowa. Exactly, "temporary retention."

Mr. COX. Yes; but applied to the payment of claims against the German Government. Now, while these two questions, that is, the return of alien property and the payment of our nationals are somewhat related, they are not so much so that treatment must be given at one and the same time. We owe one duty to the alien enemy and another to our nationals. We owe it to the enemy to return his property without regard to the question of the payment of our nationals. This property represents invest-



ments made here upon the invitation of the Government. Aliens came here and spent a lifetime in the accumulation of a large part of this property in question. It represents their savings. To all intents and purposes, they were citizens of this country. They simply had failed to become naturalized. Shall the property of such be taken and be used for the payment of the claims of our nationals which, in many instances, represents the loss of profits on transactions had in time of war and nothing more? Such a procedure, to my mind, is indefensible. The treaty of Berlin contained the following stipulation:

All property of the Imperial German Government, or its successor or successors, and of all German nationals, which was, on April 6, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America, or of any of its officers, agents, or employees, from any source or by any agency whatever \* \* \* shall be retained by the United States of America and no disposition thereof made, except as shall have been heretofore or specifically hereafter shall be provided by law until such time as the Imperial German Government \* \* \* shall have made suitable provision for the satisfaction of all claims against said governments, respectively.

When we made the London agreement, adopting the Dawes plan, we made, I respectfully contend, "suitable provision" for the payment of our nationals, as provided for in the treaty of Berlin. What other provisions for the payment of our nationals have we the right to demand? In other words, is it our right to disregard the provisions of the London agreement and demand of Germany that she make other and further agreements by way of "suitable provision"?

Mr. OLIVER of New York. Mr. Chairman, will the gentleman yield?

Mr. COX. Yes.

Mr. OLIVER of New York. But who must define the term "suitable"?

While I agree with a large part of the gentleman's argument, that the German alien property is held as a trust fund, I can not go any further, because the treaty of Berlin puts it on the Congress of the United States to determine the definition of the word "suitable."

Mr. COX. Yes; but entering into the London agreement and accepting allocations under the Paris agreement subsequently made, we committed our nationals, who were, of course, compelled to act through the Government to an arrangement whereby claims were to be paid, and of course this arrangement deferred the time of payment to such extent as to mean no payment at all in a large sense, not in the lifetime of many of the claimants.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. COX. Yes.

Mr. GREEN of Iowa. If there was any acceptance by Congress at all, it was not evidenced by any action thereon.

Mr. COX. Does the gentleman mean with reference to the treaty of Berlin?

Mr. GREEN of Iowa. The treaty of Berlin was ratified, but I am talking about the 2½ per cent awarded out of the reparations. We took that as that was all the Allies would let Germany pay us. They would not let Germany pay us any more.

Mr. COX. Yes; but in the arrangements made our nationals were represented by our Government, and the Government accepted it.

Mr. WAINWRIGHT. Will the gentleman, for the benefit of some of us who are not as familiar with the terms of the treaties as apparently the gentleman is, tell us exactly what provision was made under the Dawes plan by the German Government to pay the claims of American citizens against the German Government?

Mr. COX. I must not permit myself to be drawn away from the main discussion by answering questions which, so far as the purpose of my discussion is concerned, is without relevancy.

Mr. WAINWRIGHT. In the simplest terms, what was the provision made by the Dawes plan for the payment of American claims against the German Government?

Mr. OLIVER of New York. Two and a quarter per cent, \$10,700,000 a year.

Mr. GREEN of Iowa. Will the gentleman state before he gets through how he would dispose of the German and the American claims?

Mr. COX. I will with pleasure. Anything less than the complete return of the alien private property would, in my judgment, discredit the country. Pardon me here. I want to refer to another provision of the bill. That is, that clause that is intended to vest the power in the Alien Property Custodian

to make further and additional seizures. It is almost unbelievable that such a suggestion would be made here 10 years after the end of the war. Why permit further seizures and further outrages perpetrated against the peaceable alien, amounting in a large part to a confiscation of his property?

The argument is offered that the reason for this provision is to enable the custodian to treat all property alike. With reference to the claims of our nationals, I concede that the Government owes them the duty to exert all of its powers, permitted under the law, to see that their claims are paid. Frankly, I am prepared to support a measure under which this Government would be authorized to make settlement of these claims, at least in large part and upon a reasonable basis.

Mr. GREEN of Iowa. I do not think I fully understand the gentleman from Georgia. Does he mean that he would pay German claims in full and our Government should make appropriation to pay the American claims?

Mr. COX. I would pay the German nationals. I would restore all the German property.

Mr. GREEN of Iowa. And make appropriation to pay the American claims?

Mr. COX. Yes, in part and under certain conditions.

Mr. BLACK of Texas. Will the gentleman yield?

Mr. COX. Yes.

Mr. BLACK of Texas. Upon what grounds would the gentleman base the suggestion in having the Government of the United States assume the obligation of the German Government for the destruction of its property?

Mr. COX. That is a question the answer to which almost destroys the argument. This is my answer, however. The arrangements made between the United States and Germany whereby the claims of our nationals were to be paid, amounted to such a sacrifice of the interest of claimants that it would appear that there is justification for the Government assuming some responsibility. At any rate, the assurance is given by the proponents of this bill that nobody will lose anything, that the alien will receive all of his property with interest, and our national collect his full claim. If this is so certain as is contended, then would it not be better that the Congress return the property belonging to the alien, pay our own nationals and subrogate itself to the rights of its nationals whose have been or may be adjudicated by the Mixed Claims Commission? In other words, the Government can better finance these claims than individuals. This whole bill, so far as future payments are concerned, to both the alien and our national, is put upon the certainty of Germany meeting her obligations under the Dawes plan.

If Germany fails to pay, then the alien fails to receive the balance due and claimants against Germany would likewise suffer. That is, this happens so far as provision made by this bill is concerned. If the statement of policy of the bill is to be taken as binding upon the Congress, then this Government substitutes its liability for that of Germany, because of the assurance here given that the alien will receive his property and our claimants the satisfaction of their demands.

Mr. BOWLING. Is it not contrary to our treaty with Germany to hold the German property as hostage or security whereby our nationals may secure what is coming to them? Is that lawful?

Mr. COX. I think it is in violation of the treaty.

Mr. BANKHEAD. As I understand the gentleman, he thinks it not only in violation of the terms of the treaty but a transgression of public morality.

Mr. COX. Yes; I agree with the gentleman.

In the last Congress there was introduced what was known as the Mills bill. It was killed off by the indictment drawn against it by the gentleman from Texas [Mr. GARNER], who denounced it as a "colossal steal." The reason for this was that it provided that the United States should settle the claim of its nationals against Germany, subrogating itself to the rights of the claimant, making collections according to the terms of the Dawes plan. In this connection I want to say that this bill embodies those same principles, because if the statement of policy is held as binding upon the Congress then there is a substitution of the liabilities of this Government for Germany so far as the payment of the claims of our nationals against Germany are concerned. The bill further authorizes an appropriation of \$50,000,000. One half is to go to the payment of claims for ships that were seized by the Government, the other half into this fund out of which our nationals are to be paid, and this represents, to the extent that it goes, the payment on the part of this Government of claims that its nationals hold against the German Government.

My colleagues, this bill should not pass for many reasons that are convincing to me. It is confiscatory in principle and in fact.

It violates our solemn treaties and domestic law. It is a positive injustice to those who trusted us in casting their lot in our midst, many loyal supporters of the Government, and citizens to every intent and purpose, the only trouble being they had not become naturalized. It appropriates their property to the satisfaction of claims of great interests, whose claims represent the loss of profits on transactions carried on during the war. The bill interferes with the rights of contract because of the limitations fixed upon payment. It injures world confidence in the permanency of our laws and in the binding force of our international engagements, thereby endangering our trade and commerce, the extension and improvement of which is necessary to the future prosperity of the country. It is a measure which is not reflective of the public will, because, as I believe, a well-advised public would not support a measure that brings reflection upon the Government and injures its standing in the family of nations. It is a poor compromise and a credit to no one. I take the position that it should not pass. I have no hopes of its being defeated nor of anything that I have said influencing results, but I am persuaded that if you should approach consideration of the bill with an open mind and free of the war spirit that affects your judgment that you would denounce the measure as a wicked proposal to do injustice to innocent people, to reverse a sound policy of government, the observance of which has meant so much to the advancement of the Republic as a great and just world power. [Applause.]

Mr. GREEN of Iowa. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. CHINDBLOM].

Mr. CHINDBLOM. Mr. Chairman, a great Democratic statesman for whom, in spite of my rather intense Republicanism, I have always had a very high admiration, once said in a grave crisis, "It is a condition and not a theory that confronts us." I would be happy to vote for such a bill as has been suggested by the gentleman from Georgia [Mr. Cox]. I did favor, and I might say I would still favor, the Mills bill. I would like to return all of the German property immediately, and I would like to make provision for the immediate payment of the claims of American nationals. I would go even as far as the gentleman from Georgia in voting an appropriation out of the Federal Treasury to make that complete settlement possible. If the gentleman thinks it can be done, let him test it by a motion to recommit this bill. It is impossible. Everybody knows it is. Not being able to get all I want, but still being convinced that our Government and our people should take as immediate steps as possible to clear up this situation, I am willing to vote for the best compromise legislation that has yet been proposed. The gentleman says the bill implies confiscation. I do not think so. It does mean the complete return of alien property ultimately and a substantial doing of justice to all parties concerned. The gentleman said that 20 per cent of German property is being confiscated. It is not. It is being put in this special deposit fund temporarily, as are other assets, in order that payment may immediately be made of the most pressing claims, both of Germans and of Americans. It is merely temporarily withheld, but even interest is paid upon it and will be paid upon it until all of the 20 per cent has ultimately been returned. There is only one item upon which interest will not be paid and that is upon the unallocated interest, and to pay interest upon that would be to pay compound interest.

The gentleman said the London agreement did make a suitable arrangement for the payment of American claims. Who is to determine whether that was a suitable arrangement? The provision was put in for the benefit of the United States, and why should not the United States itself, through its Congress, determine when a suitable arrangement has been made? I do not think this bill is in violation of the treaty of Berlin or of the London agreement.

Mr. GREEN of Iowa. There has never been any claim of that kind on the part of the Germans.

Mr. CHINDBLOM. The gentleman [Mr. Cox] asks what will be done if Germany fails to make payment under the provisions of the Dawes agreement. We might speculate, of course, as to the future; but we have a treaty with Germany; we have an arrangement with Germany, and we are making commitments of our own in this very legislation. If we can not presume that these arrangements will be carried out in good faith we might as well stop all attempts at any legislation of any kind. That is purely speculation. We have as much right to say that with the present spirit of Germany and with the present control of the politics of Germany there is no question that the payments provided for under the Dawes arrangement will be made by the German Government.

I want to call attention to a very peculiar situation here with reference to these two funds or these two sets of claims

on the part of Germany on the one side and America on the other.

The total amount of German property held by the Alien Property Custodian on October 31 last amounted in value to \$245,000,000 in round numbers. The total claims of the United States of America and its nationals against Germany on January 1, 1928, will amount to \$247,000,000 and some odd hundred thousand—\$245,000,000 on the one side and \$247,000,000 on the other.

This bill is framed so that by the use of the special-deposit fund and by the payment of the reparations under the Dawes agreement, while it may take a term of years, ultimately both of these obligations—our obligation for the German property held by the Alien Property Custodian and the obligations of Germany to the Americans and to the United States Government—will be paid off and offset one against the other.

There remains only the fund of \$50,000,000. The gentleman from Georgia spoke of a fund of \$100,000,000. There is no such fund. There will be a fund of \$50,000,000—

Mr. COX. I think the gentleman misunderstood me.

Mr. CHINDBLOM. If I did, I am glad to be corrected.

Mr. COX. I said there was an appropriation of \$50,000,000.

Mr. CHINDBLOM. There will be an appropriation of \$50,000,000. I think that the gentleman said, "One-half of the appropriation will go to pay claims of German nationals and one-half will go to the special-deposit fund." The fact is that the whole of the \$50,000,000 will go into the special-deposit fund. It will be appropriated out of the Federal Treasury for the payment of just claims against the United States of the owners of the ships, the radio station at Sayville, N. J., and the patents which were seized by the United States during the war.

Mr. COX. Is not \$25,000,000 used for the payment of the German claims?

Mr. CHINDBLOM. Twenty-five million dollars will go into this deposit fund in 1928 and another \$25,000,000 will go into the deposit fund later, in 1929. The whole \$50,000,000 will go into this deposit fund, but the whole fund, including the resources from every angle, will be used to pay German claims as well as American claims. This appropriation is only temporarily being placed in this deposit fund for that purpose, but will ultimately be used to pay German claims on ships, radio station, and patents.

We do not know how much will be needed for that purpose. I have heard the argument that a limitation of \$100,000,000 is too high. I do not know whether, ultimately, it will be too high or not. Some 10 or 11 years ago there was a valuation of \$33,000,000, as I remember it, placed upon the ships alone by a Navy board; but if we are going to make settlements in full, if we are going to follow the same lines we have followed throughout in these settlements and pay interest on deferred payments, we may find the ultimate claims will be a great deal more than \$33,000,000 or \$50,000,000; but the amount that ultimately shall be paid will be determined by an arbiter appointed by the President of the United States, and I say there never was a more liberal offer by any government in the world in the settlement of an international dispute or of international claims than that which was made by Germany in this case when she voluntarily gave to the President of the United States sole authority, without any action on her part, to appoint the arbiter who shall determine what sums shall be paid to German nationals for the acquisition of these ships and for the radio station and the patents.

I am not going into any long, detailed discussion of the plan which is involved here. It is rather involved; it is rather intricate and complex; but your committee, which has considered this matter, went over it thoroughly and reached, I think, the unanimous conclusion that this is the only practical manner in which this matter can now be adjusted. And there is the further argument that the parties involved have agreed to it. The German claimants have agreed to it, American nationals having claims against Germany have agreed to it, and it requires only the sanction and the consent of the Congress of the United States.

It is rather odd, Mr. Chairman, that the debate upon this bill began in 1926 upon the same date as in 1927, the 16th day of December. On the 18th of December last we passed the bill in the House by a vote of 281 to 66. There is no substantial difference between this bill and the bill that was then passed. Let us again ring in the yuletide by the passage of a bill which will make for friendliness, for peace and good will between nations which but a short decade ago were at arm's length in the throes of war. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

The gentleman from Iowa has six minutes remaining and the gentleman from Mississippi two minutes remaining.

Mr. GREEN of Iowa. Mr. Chairman, I can not say much in six minutes, so I will allow the gentleman from Mississippi to control the remainder of the time.

Mr. COLLIER. Mr. Chairman, I yield four minutes to the gentleman from New York [Mr. JACOBSTEIN].

Mr. JACOBSTEIN. Mr. Chairman, I rise to speak on the bill only because I fear I may have been misunderstood in my attitude toward it by what I said the other day in criticism of the claims of private insurance companies. I still feel that there is a criticism that might be made of it, but I did not mean to imply that I was not in favor of the bill. I am in favor of it and will vote for it. Last year I voted for it, and I shall vote for it again when an opportunity is presented.

It is not an ideal bill. Perhaps an ideal bill can not be expected under the circumstances, with all the conflicting elements and conflicting interests. I think the Ways and Means Committee deserve commendation and gratitude for presenting to the House a bill which we can with a clear conscience vote for. It does not pay back 100 per cent to the German nationals, which I think we should have done five years ago. I think also that it is unfortunate that property interests are given preference over the interest of human life.

I was very much interested in the statement made by that distinguished statesman, the gentleman from Ohio [Mr. BURTON], when he said that we ought to pay the claims of the insurance companies in order to establish the principle that property should be paid for when destruction is made on the high seas.

Mr. GREEN of Iowa. Death claims are to be paid for.

Mr. JACOBSTEIN. I am glad the bill provides that death claims shall be paid, but there are certain personal claims that are not paid for at all; only those are paid for where dependents are left behind. Human life is not regarded as valuable as property. I wish by the same token that we might appraise human life as valuable as we do property in this bill.

I should like to see the claims of the United States Government put on a par with the claims of the insurance companies, but they are not. I should like to see the bill amended and the change making the American Government claims on a par with the private insurance companies. But I shall vote for the bill because it is nine-tenths of the whole and because I realize that it is the only thing that can be had. Justice delayed is justice denied.

About \$500,000,000 is involved in the settling of war claims under this bill. Approximately half of this huge amount will be paid to German citizens whose property was seized during the World War. The other half will be paid over to American citizens whose property was either seized or destroyed by the German Government, and for which no restitution has been made. Uncle Sam appears both as a creditor and as a debtor; as a creditor he will be paid for losses resulting from destruction of ships, and so forth; as a debtor Uncle Sam will compensate German interests for the ships, patents, and radio plants seized by our Government.

But there is involved not only half a billion dollars but a great principle of international law. It has always been the honorable and traditional policy of our Government not to confiscate property of private citizens even of our enemy. Our great statesmen from Alexander Hamilton to the present time have declared confiscation to be repugnant to our sense of justice and public morals.

On the other hand, our Government can not and should not allow our own citizens to suffer loss of property or damages due for loss of life. Fortunately a compromise has been affected in this bill by which the interests of both parties are mutually conserved. It is not a perfect bill, but the best compromise measure that has been submitted to Congress since the problem has been up for solution.

Justice delayed is often justice denied. Our citizens and German citizens have waited 10 long years for the settlement and payment of their adjudicated claims. I shall gladly vote for this bill because it is a solution of one of the most complicated problems resulting from the World War.

It is true the interested parties will not be paid in full at once. The German citizens will receive 80 per cent immediately, 20 per cent of their property being withheld as security and also to make possible the payment of American claimants at once, in part at least. The American claimants will be paid about 60 per cent immediately, and up to 80 per cent before the Germans recover their unpaid balance. Then both parties share equally thereafter as the fund accumulates for this purpose.

Our Federal Treasury will not be called on to pay out one cent, except as it pays for the ships, patents, and radio equipment it seized and used for its own purposes. Even if no settlement were made as provided for in this bill, our Government would directly or indirectly pay for this seized property.

The half billion dollars will be paid out first from funds now in the hands of the Alien Property Custodian, seized from and belonging originally to the German citizens; next from interest which has accumulated on this seized property; and then from the annual payments to be made, or already made, by the German Government as part of the reparations due us from Germany and stipulated in agreements already made.

It will probably take 25 years to clean up this settlement in full. Uncle Sam is the most deferred creditor. Under this bill the Federal Treasury will be the last to be paid off. Individuals, both American and German, will get most of their claims paid within 5 years, and in full in about 15 years.

It is not a perfect but at least is a practical and a just settlement.

I like especially that feature of the bill which calls for full and immediate payments of all claims for personal injury and loss of life, and all property claims under \$100,000. The large property claims are made to wait. I don't like the idea of paying off large insurance claims of companies which profited during the war before our own Government is paid off.

For 10 years the American and German claimants have been waiting for the return of their property and settlement of their claims. Because I believe a graver injustice would be done in further delay, I am for the passage of the bill and for the early settlement of these claims. [Applause.]

Mr. HASTINGS. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record by printing therein a statement made before the committee with respect to this bill by ex-Senator R. L. Owen.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HASTINGS. Mr. Speaker, under permission granted by the House I am inserting a statement prepared by former Senator Robert L. Owen, of Oklahoma, with reference to the Alien Property Custodian bill now under consideration:

STATEMENT OF HON. ROBERT L. OWEN WITH REGARD TO THE RETURN OF ALIEN PROPERTY AND SETTLEMENT OF AMERICAN CLAIMS BEFORE COMMITTEE ON WAYS AND MEANS

Gentlemen of the committee, in considering the return of German alien property and the settlement of American claims, your attention is respectfully invited, first, to the interests of the United States and the importance of its fixed policies with regard to the safety of private property.

OUR DOMESTIC INTERESTS

During the last century international law had developed a policy of giving complete protection to private property in the event of war, and practically all of the civilized nations respected this policy of protecting private property. The United States for a hundred and fifty years has maintained this policy firmly without a single departure. In 1802 it paid Great Britain approximately \$3,000,000 to settle claims arising from confiscatory acts of individual States during the preceding war. The reason for this policy was as stated by Jefferson, Hamilton, and others responsible for the Constitution of the United States—that is, that when individuals confided themselves and their property to the hospitality and protection of our Government; when they loyally subjected themselves to our laws; when they paid taxes and created values by their industry and intelligence, there arose an implied contact between such individuals and the Government that they were entitled to protection, even if the foreign government of which they might be subject, should engage the United States in war.

Obviously, such individuals were innocent of making war, and the making of war by our Government could not be justly held to break the social compact, implied or actual, between them and our Government. Our Government, therefore, by the Constitution does pledge protection of their property against confiscation by numerous provisions. In consequence of this policy long pursued, the United States became a haven to which men might repair confiding in the safety of their private property invested in the United States. As an obvious result, hundreds of millions of dollars came to America and were invested in America, and the United States became of increasing industrial, commercial, and financial importance. Huge sums of money were borrowed from abroad and invested in the United States, by which our railroad system was built up and many industries were transplanted from abroad to the United States as a place both of profit and safety.

If we should now confiscate the German alien property and hold these individuals responsible for the alleged wrongdoing of the old German Imperial Government, or of the present democratic German Republic, we should be serving notice on all the world that the ancient and honor-

able standards set in the United States for the safety of private property could no longer be relied on.

Obviously this would be a very serious reason to prevent in future the free flow of capital for investment in the United States from abroad and would thus interfere with the greater future prosperity which America might otherwise attain. It would be against our present domestic financial interest.

Moreover, it would be against the honor and good repute of the United States abroad, because such an act, in violating our executive and legislative promises, would lower in the estimate of the world the good name of the United States Government, which has the opportunity now of setting a standard of high principle throughout the world. This is peculiarly the case because by the treaty of Versailles private property of aliens was in effect confiscated by Great Britain, by France, by Italy, by Belgium. These Governments have injured their own standing by this disregard and violation of the rights of private property, a fatal principle which led, perhaps, to the extreme disregard of private property by the communists and bolshevik throughout Europe. Is it to the national interest of America to stand strenuously against the Bolshevik doctrine or any doctrine which disregards the rights of private property upon which civilization itself is based. For that reason the domestic policy of the United States should stand steadily for the safeguarding of private property and complete protection to the owners of the German alien property now held by the United States Government, as well as for the protection of the American claimants whose property has been put in jeopardy by war and who now seek the protection of their own Government in the measures which your honorable committee is considering.

#### OUR FOREIGN INTERESTS

It is of equal importance to the United States in relation to our foreign affairs that we should treat private property as a sacred right.

The United States during the last 10 years has had an enormous development in its industrial, commercial, and financial life, and the present known outstanding investments of the United States and its nationals abroad exceed \$20,000,000,000.

If we treat the right of private property lightly or inconsiderately we thereby set a false precedent which may be infinitely injurious to the United States. If we confiscate private property invested in the United States in disregard of our own Constitution and legislative pledges, we should not be surprised if other nations should avail themselves of such an evil precedent to confiscate the private property of our citizens and bring on international complications of dangerous consequences. The great friction which has taken place between our Government and other governments where American property has been put in jeopardy on a serious scale will readily occur to your honorable committee. The German alien property, amounting possibly with its reductions to \$200,000,000, is only one-hundredth part of the American investments abroad.

Our foreign economic interests, therefore, require that we should not put in jeopardy such interests by establishing a bad precedent. We should not be influenced by those nations who have in the stress and excitement at the ending of the great war violated this principle. It is clearly evident that their present financial embarrassment and difficulty of getting credits on a favorable basis are partly due to the sense of insecurity which has been brought about by this unwise policy. Their grave blunder in disregarding their own previous better policies is a warning to us and not an example.

Therefore, in considering the question of the German alien property and the settlement of American claims, our own national, domestic, and economic interest should be well considered as of the greatest importance in guiding our action in regard to such settlements.

America has now the opportunity to maintain and set precedents of far-reaching consequences to the great future of the United States and to the world itself. We feel justified, therefore, in submitting to your honorable committee the further consideration which justifies your committee in recommending to Congress the complete settlement of these questions.

#### THE HONOR AND DIGNITY OF THE UNITED STATES

Separate and apart from all economic considerations is the honor and dignity of the United States. The devotion of the American people to their Government is due to the fact that they entertain a profound respect and love for the Government of the United States, because they know that that Government is incapable of conscious wrong, that they are justified in entertaining the deepest sentiment of honor and respect for that Government, that the Government fulfills every just obligation, that its dignity and its honor are kept immaculate by the representatives of the American people. And nothing could make amends to have this faith of the people weakened in any degree by an act of Congress or by an omission to act by Congress, which would show that the Congress of the United States was in any way indifferent to the legislative and executive pledges and commitments of this Government. So that our honor and our dignity alike require the most scrupulous consideration in disposing of this important question.

We therefore feel every confidence in submitting the following observations with regard to the questions before your committee:

First. The question of the return of the German alien property.

#### GERMAN ALIEN PROPERTY RETURN

We submit that the German alien property owners should have relief at the present session of Congress.

For nine years they have been deprived of their property. Even if Congress acts now it will take from one to two more years to make the settlements. Their need has been and is known to be serious.

It is conceded that as private individuals, trusting their large investments entirely to the protection and the justice of the United States, they were not responsible for the World War, which was ruinous to them.

#### TREATY PROVISIONS

They came under the mutual protection of the Government of the United States and of the former Imperial Government of Germany, under the special treaty provisions of the United States and Prussia of 1799, article 23, as renewed by article 12 of the treaty of 1828, and of the principles declared by the United States in the Jay treaty of 1794, article 10.

The treaty between the United States and Prussia of 1799 provided as follows:

"ART. 23. If war should arise between the two contracting parties, the merchants of either country then residing in the other shall be allowed to remain nine months to collect their debts and settle their affairs; and may depart freely, carrying off all their effects without molestation or hindrance; and all women and children, scholars of every faculty, cultivators of the earth, artisans, manufacturers, and fishermen, unarmed and inhabiting unfortified towns, villages, or places, and in general all others whose occupations are for the common subsistence and benefit of mankind, shall be allowed to continue their respective employments and shall not be molested in their persons, nor shall their houses or goods be burnt or otherwise destroyed, nor their fields wasted by the armed force of the enemy into whose power by the events of war they may happen to fall; but if anything is necessary to be taken from them for the use of such armed force, the same shall be paid for at a reasonable price.

"And it is declared that neither the pretense that war dissolves all treaties, nor any other whatever, shall be considered as annulling or suspending this and the next preceding article; but on the contrary, that the state of war is precisely that for which they are provided, and during which they are to be as sacredly observed as the most acknowledged articles in the law of nature and nations."

This article was renewed by article 12 of the treaty of 1828, in force when the property was taken over. (See vol. 2, Malloy Treaties and Conventions, p. 1494.)

Article 10 of the Jay treaty of 1794 provided:

"Neither the debts due from individuals of one nation to individuals of the other, nor shares, nor moneys, which they have in the public funds, or in the public or private banks, shall ever in any event of war or national differences be sequestrated or confiscated, it being unjust and impolitic that debts and engagements contracted and made by individuals, having confidence in each other and in their respective governments, should ever be destroyed or impaired by national authority on account of national differences and discontents."

The United States Government in pursuance of this just policy under the treaty of January 8, 1802, paid Great Britain some \$3,000,000 to make good acts of confiscation against British subjects practiced by some of the States in the Revolutionary War.

#### UNITED STATES CONSTITUTION

They came under the special protection of the Constitution of the United States, which having taken every precaution to secure the protection of private property, declares as a fundamental principle:

"The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures."

It expressly declares that this right "shall not be violated."

It declares that private property shall not be taken for public use without just compensation. It makes no provision for taking private property for private use, even with compensation.

Amendment 5 especially declares:

"No person shall be deprived of life, liberty, or property without due process of law."

The word person, as used in this amendment, is not confined to a citizen, but covers any person of foreign allegiance domiciled in America or doing business in America.

The Constitution provides adequate means of protecting property rights against private as well as public trespass.

The Constitution makes the principle of holding private property inviolably binding on the 48 States, and says:

"Nor shall any State deprive any person of life, liberty, or property without due process of law."

The Constitution forbids any State to pass any bill of attainder or law impairing the obligation of a contract.

These constitutional provisions were based on the principles enunciated by Thomas Jefferson, Alexander Hamilton, Benjamin Franklin, George Washington, and were based upon fundamental justice, sound morals, and wise international policy.

The authors of the Constitution held that when the Government admits foreigners, or invites them to bring property into the country, to pay taxes, to obey and uphold the law, the Government thereby tacitly pledges protection and security to such tax-paying foreigners. That such aliens subject to the civil and criminal law in war as well as in peace, by their loyal obedience to the law, are entitled to protection. That the seizure of their property, therefore, and its confiscation, would not only violate the implied contract of hospitable residence, but would violate every rule of justice and equity.

In his Camillus Letter 18, Alexander Hamilton said:

"No power of language at my command can express the abhorrence I feel at the idea of violating the property of individuals, which, in an authorized intercourse in time of peace, has been confided to the faith of our Government and laws on account of controversy between nation and nation. In my view every moral and every political sense unite to consign it to execration."

Alexander Hamilton, in 1794, discussing the treaty between the United States and Great Britain, urging the doctrine of the protection of private property, said:

"Moreover, the property of the foreigner within our country may be regarded as having paid a valuable consideration for its protection and exemption from forfeiture; that which is brought in commonly enriches the revenue by a duty of entry. All that is within our territory, whether acquired there or brought there, is liable to contributions to the Treasury in common with other similar property. Does there not result an obligation to protect that which contributes to the expense of its protection? Will justice sanction, upon the breaking out of a war, the confiscation of a property which, during peace, serves to augment the resources and nourish the prosperity of a State? \* \* \* Reason, left to its own rights, would answer all these questions in one way and severely condemn the molestation on account of a national contest, as well of the property as of the person of a foreigner found in our country, under the license and guaranty of the laws of previous amity."

It was under this policy that the United States paid Great Britain some \$3,000,000 to make good certain acts of confiscation against British subjects practiced by some of the States in the Revolutionary War.

The United States Supreme Court has held, through John Marshall, Chief Justice (*U. S. v. Percheman*, 7 Peters 51), that while in waging war the United States has, as one of its war powers, the right to confiscate, still—

"The modern usage of nations, which has become a law, would be violated; that the sense of justice and of right, which is acknowledged and felt by the whole civilized world, would be outraged if private property should be generally confiscated and private rights annulled."

The United States never has, even in war, in a hundred and fifty years confiscated alien private property.

#### CONFISCATION WOULD VIOLATE EXECUTIVE PLEDGES

When this country was threatened with the renewal of the submarine warfare, and war was contemplated, and the probable consequences, and alien property owners began to withdraw deposits from America, the President of the United States on February 18, 1917, through the Department of State, made the following official declaration:

"The Government of the United States will under no circumstances take advantage of a state of war to take possession of property to which, under international understanding and recognized law of the alien, gives it no just claim or title. It will scrupulously respect all private rights alike of its own citizens and subjects of foreign States."

The President of the United States said on April 2, 1917:

"We have no quarrel with the German people. We have no feeling toward them but one of sympathy and friendship. \* \* \* We are but one of the champions of the rights of mankind. We shall be satisfied when these rights have been made as secure as the faith and freedom of the United States can make them."

The President on April 6, 1917, pledged the protection of all enemy aliens and said they would be "accorded the consideration due to all peaceful and law-abiding persons, except so far as restrictions may be necessary for their own protection and for the safety of the United States."

The President, replying to Pope Benedict, said, referring to the Germans in Europe, that the American people "desire no reprisal upon the German people, who have themselves suffered all things in this war which they did not choose."

In his message to Congress December 4, 1917, he said:

"No nation or people shall be robbed or punished because the irresponsible rulers of a single country have themselves done \* \* \* wrong."

The President said on April 6, 1918:

"We ourselves propose no injustice, no aggressions. We are ready whenever the final reckoning is made to be just with the German people."

#### CONFISCATION WOULD VIOLATE LEGISLATIVE PLEDGES—TRADING WITH THE ENEMY ACT

The trading with the enemy act, approved October 6, 1917, shows on its face, by its context, by the manner of its presentation to Congress, by the testimony before the committees, by the reports of the committees of Congress, by the debates in Congress, that it had no intention whatever to confiscate alien property or to dishonor the pledges made by the President of the United States and by the Secretary of State immediately preceding the presentation of this bill to Congress.

The act was intended as a war measure to control trade and communication between citizens of the United States and citizens of Germany to prevent alien property being used to the disadvantage of the United States during the war, to give complete security to alien property, and to safely return it after the war or to make a just settlement, as promised by the President.

This act was drawn under the direction of the President of the United States and passed at the request of his administration for the above purpose. It was elaborately explained to Congress by Hon. Robert Lansing, Secretary of State; Hon. William C. Redfield, Secretary of Commerce; Hon. Charles Warren, Assistant Attorney General; Dr. Edward E. Prentiss, Chief of the Bureau of Foreign and Domestic Commerce, under whose direction the act was drawn, before the committee May 29, 1917, page 13, that the bill was intended for the protection of alien property. Secretary Redfield, speaking for Mr. Lansing, in his presence said:

"The creation of an Alien Property Custodian is a novelty and is in line with that same effort toward equity which impels us to indicate an earnest desire to show to the people with whom, unfortunately, we are engaged in war, that here is the opposite of confiscation and here is the opposite of requisition."

Mr. Lansing said that the act "will put it in the hands of the Government to protect the property and it will avoid any lawless acts against it."

Mr. Warren said: "It is merely a temporary taking over of an enemy property; its conservation is in the hands of the Alien Property Custodian."

Both the Senate committee report and the House committee report (*H. Rept. 685, 65th Cong., and S. Rept. 113, 65th Cong.*) expressly declare the same principles and that the act did not contemplate confiscation.

The debates in Congress demonstrated the same purpose exclusively.

Mr. MONTAGUE said the act of taking over the property was done "to conserve the interests of America in this great struggle, and at the same time its final and honest payment to the creditors is made more secure."

Mr. De Walt said: "This property is not confiscated at all." He also said that the bill was not in violation of The Hague convention of 1907, which expressly provides for the protection of private property on land, and said: "It was in conformity with that idea that the proclamation of the President as early as last June was made, reaffirming the doctrine that private property should not be confiscated and that the provisions of this bill were made as they are."

Upon the suggestion of Mr. Stafford that Congress might, after the war, neglect to act, that it would have the effect of confiscation, Mr. Snook said: "Does the gentleman think that Congress will assume that position? Has the gentleman so little confidence in the Congress of the United States as to think it will not act fairly and justly with those men?"

#### COURT DECISIONS

The courts decided against confiscation in Pennsylvania Supreme Court (266 Pa. St. 189) and said: "The trading with the enemy act is not for confiscation of property; it is rather for its preservation. While, if the President so directs, the money or property of an alien enemy may be taken by the Government for its own purposes, the owner does not part absolutely with it if, after the end of the war, his claim to it shall be settled as Congress shall direct." This decision was confirmed by the United States Supreme Court.

In the Forty-sixth New York Supreme Court Reports, page 175, the court says: "In the exercise of its plenary power in this matter, Congress might have provided for the confiscation of enemy property, but it did not do so. The act on its face is plainly not confiscatory."

The decision of the Supreme Court in the case of the *United States v. Chemical Foundation* does not negative this sound doctrine. The issue of the *Chemical Foundation* case was whether title passes to the *Chemical Foundation* by sale of the patents by the *Alien Property Custodian* to that corporation. The court held that as a matter of law that the sale during the war of said property was valid, but this does not mean confiscation even in time of war, because the promise of the President of the United States and of the Congress of the United States to make

just settlement after the war sufficiently cover the case and left an open forum for the settlement of any claim for damage arising. No individual instance had occurred under which the Alien Property Custodian should have disregarded the rights of an alien property owner that would change the purpose of the executive and legislative branches of the Government to which we have referred above.

Hon. Charles Evans Hughes, Secretary of State, in an address at Philadelphia, November 23, 1923, said: "A confiscatory policy strikes not only at the interest of particular individuals but at the foundations of international intercourse, for it is only on the basis of security of property, validly possessed under the laws existing at the time of its acquisition, that the conduct of activities in helpful cooperation is possible. \* \* \* rights acquired under its laws by citizens of another state, a state is under an international obligation appropriately to recognize, it is the policy of the United States to support these fundamental principles."

#### THE LANGUAGE OF THE ACT

The language of the act shows the act was intended as a war measure only to control trade and communication between citizens of the United States and citizens and residents of Germany, and to prevent alien property being used to the disadvantage of the United States during the war, to give security to alien property and safely return it after the war or settle damage done.

The Alien Property Custodian, section 6, was empowered to receive all money and property belonging to a nonresident enemy.

German citizens in the United States holding property were not molested in person or property unless, as in a few negligible cases, by presidential proclamation they were declared enemies.

The Alien Property Custodian was to receive the property, "to hold, administer, and account for the same under the general direction of the President, and as provided in this act." But the President was expressly pledged not to confiscate but to protect the property and faithfully account for it when the war is over.

The alien property owners residing in Germany left their properties in the United States under the pledge of a German-American treaty, under the constitutional protection of the United States, under the unbroken policy of 150 years, under the protection of The Hague Convention of 1907, and the international obligation of the United States, under the executive pledges of the Secretary of State and of the President of the United States, and were perfectly justified in doing so. To confiscate the property now or to continue to retain it with the effect of confiscation would clearly dishonor the pledges made by the Chief Executive of the United States, and the obligations of the Congress itself.

The Alien Property Custodian was "vested with all of the powers of a common law trustee in respect of all property other than money," and "under such rules and regulations as the President shall prescribe, may manage such property and do any act or things in respect thereof," necessary to prevent waste. "To protect such property to the end that the interests of the United States in such property and right of such person as may ultimately become entitled thereto or to the proceeds thereof, may be preserved and safeguarded." This language is entirely inconsistent with the confiscation of the property.

Section 12 declares: "After the end of the war any claim of any enemy or of an ally of an enemy to any money or other property received and held by the Alien Property Custodian, or deposited in the United States Treasury, shall be settled as Congress shall direct." This language was discussed in Congress and its meaning explained to be that an honest accounting should be made to the owner and the return of the property or its value after the war was ended.

Section 16 imposed a penalty for willful violation of the provisions of the act that "any property, funds, security, or other articles or documents, or any vessel," etc., "concerned in such violation shall be forfeited to the United States."

This language is entirely inconsistent with the idea that the property was intended to be confiscated by the United States except for a willful violation of the act itself. At a later date, March 28, 1918, the President of the United States was authorized to acquire the title of the docks, piers, warehouses, wharves, and terminal equipment facilities on the Hudson River, now owned by the North German Line Dock Co. and the Hamburg-American Line Terminal & Navigation Co., two corporations of the State of New Jersey, if he shall deem it necessary for the national security and defense: *Provided*, That if such property can not be procured by purchase, then the President of the United States is authorized and empowered to take over for the United States the immediate possession and title thereof. If such property shall be taken over, as aforesaid, the United States shall make such compensation therefor, to be determined by the President. Upon the taking over of said property by the President, as aforesaid, a title to all such property so taken over shall immediately vest in the United States.

But the President was fully committed by his own proclamation and by the policy of the Government not to confiscate, but to account for such property uprightly. A plan for such adjustment is now being considered by your honorable committee, upon the recommendation of

the Secretary of the Treasury, representing the President of the United States. The language of this latter amendment shows there was no intent to confiscate.

On March 28, 1918, the act was further amended to give the custodian under the President the power to dispose of such properties, by sale or otherwise, "in like manner as though he were absolute owner thereof." This amendment was necessary to enable the custodian, as trustee, to convey a title free from doubt to protect the property itself. It often became necessary to dispose of assets which otherwise might be perishable, but there was no negation whatever of the duties of the trustee to continue to act faithfully as a trustee, nor was there any modification of the pledge by Congress, after the end of the war, to make a just settlement, as promised by the President.

It was under this act, as amended, that the chemical patents relating to explosives, gases, medicines, etc., were sold to the Chemical Foundation before the end of the war. The Chemical Foundation was not organized for profit but for public fiduciary purposes, to make available to the chemical industries of the United States the important patents necessary for war-making purposes and for purposes of defense. The Supreme Court held at the October term, 1926, that there was no conspiracy or fraud in such sale and that a good title passed regardless of the consideration paid. The reasoning is clear, and there is nothing inconsistent with the trading with the enemy act in this decision for the very sound reason that the owners of the patents were provided a remedy in the law itself, and because the executive and legislative branches of the Government were pledged to a just settlement when the war was over, and no injustice is done under these circumstances. Only in the event that a fair and just settlement were refused could a complaint of injustice be made.

The Alien Property Custodian has advised the return of the property.

#### THE CAUSES OF THE DELAY IN RETURNING GERMAN ALIEN PROPERTY

The treaty of Versailles, officially terminating the war, went into effect January 10, 1920. It was submitted to the Senate of the United States and subjected to a prolonged discussion which finally terminated at the close of the Wilson administration in a refusal to accept it.

The new administration of the Sixty-seventh Congress came into power March 4, 1921. On July 2, 1921, the Knox-Porter resolution was passed declaring the war at an end and declaring that the United States and its nationals were entitled to all rights accruing under the terms of the armistice signed November 11, 1918, or under the treaty of Versailles, or as to one of the principal allied and associated powers.

It further provided (sec. 5): "All property of the Imperial German Government or its successor or successors, and of German nationals which was on April 6, 1917, in, or has since that date come into, the possession or under control of, or has been the subject of a demand by the United States of America, or of any of its officers, agents, or employees from any source, or by any agency whatever \* \* \* shall be retained by the United States of America, and no disposition thereof made except as shall have been heretofore, or specifically hereafter shall be provided by law, until such time as the Imperial German Government \* \* \* or their successor or successors, shall have respectively made suitable provision for the satisfaction of all claims against said Government of all persons, wheresoever domiciled, who owe permanent allegiance to the United States of America and who have suffered through the acts of the Imperial German Government or its agents \* \* \* since July 31, 1914, loss, damage, or injury to their persons or property, directly or indirectly, whether through the ownership of shares of stock in German \* \* \* American or other corporations, or in consequence of hostilities or of any operations or war or otherwise," etc.

The Knox-Porter resolution also demanded the "most-favored-nation" treatment; and confirmation to the United States by Germany of "all fines, forfeitures, penalties, and seizures imposed or made by the United States of America during the war, whether in respect to the property of the Imperial German Government or German nationals" \* \* \* "and shall have waived any and all pecuniary claims against the United States of America."

Retaining the German alien property except and until provided by law was already the United States statute law under the trading with the enemy act and Germany being required to agree to it was merely a method of requiring Germany to agree to existing law until Germany made "suitable provision" which Germany was anxious to do.

The obvious intention of the Knox-Porter resolution was not to confiscate German property but to retain it until the German Government had complied with the demands made.

The German Government did comply to the extreme limit of its capacity by the treaty of Berlin. (Hearings, Part III, pp. 17-24.)

#### THE BERLIN TREATY

On the 25th of August, 1921, the plenipotentiaries of the German Commonwealth and of the United States entered into a treaty of peace, reciting the armistice, the treaty of Versailles of June 28, 1919, and the Knox-Porter resolution of July 2, 1921, as follows:

"Being desirous of restoring the friendly relations existing between the two nations prior to the outbreak of war"—

Article I. "Germany undertakes to accord to the United States and the United States shall have and enjoy all the rights, privileges, indemnities, reparations, or advantages specified in the aforesaid joint resolution of the Congress of the United States of July 2, 1921, including all the rights and advantages stipulated for the benefit of the United States in the treaty of Versailles, which the United States shall fully enjoy, notwithstanding the fact that such treaty has not been ratified by the United States."

At the time of the Berlin treaty, August 25, 1921, the German Government was under the military, financial, and commercial control of the allied and associated powers. The treaty of Versailles had been enforced by a famine blockade, and the threat of an immediate resumption of war if the Government of the German Commonwealth refused to submit to the treaty of Versailles as dictated.

The President of the United States in October, 1918, had demanded the abdication of the German Imperial Government, William II and his dynasty, against which the Government of the United States had waged war. William II and the Hohenzollern dynasty abdicated prior to the armistice of November 11, and on November 9, 1918, a revolution took place in Germany to establish such a government as that demanded by the President of the United States, and desired by an overwhelming majority of the German people.

Frederick Ebert, leader of the German social democracy, on November 10, assumed the chairmanship of the council of people's commissioners. The hereditary rulers and other German kings, princes, and nobles, followed the action of William II. They all stipulated abdication or acquiesced in their deposition. The military masters of Germany were overthrown. The United States had accomplished its declared purpose in waging the war.

On November 30, regulations for an election were framed to elect representatives to a constitutional convention. These regulations established the principles of universal, direct, secret, and equal suffrage for all German men and women of 20 years of age or more on the date of election. Proportional representation was established. The election was held January 19, 1919, and a provisional government was established February 10, 1919. The convention was composed of 423 delegates from 38 districts, elected by proportional representation.

Social Democrats	163
The Center (Catholic)	90
German Democratic (progressive)	75
German National People's Party (conservative)	42
German People's Party	22
Independent Social Democrats (radical)	22

The monarchist element was thus demonstrated by proportional selection to have been practically eliminated by this vote of the German people. The constitution of the German Commonwealth was adopted on July 31, 1919, and became effective by executive order August 11, 1919. A new cabinet had been organized by Gustavus Bauer. (See Constitution of the German Commonwealth by Monroe and Holcomb, Harvard University, published by the World Peace Foundation, 40 Mount Vernon Street, Boston.)

Under this treaty seeking to "restore friendly relations" with the German people shall we confiscate any part of the private property of the citizens of Germany and now in time of peace violate our executive and legislative pledges to them on the theory it will profit us in money to do so?

#### THE GERMAN LAW OF EXPROPRIATION

The term "reich" now means "commonwealth" or "republic," representing a national union of states.

Section 1, article 1, declares as follows: "The German Commonwealth is a republic. Political authority is derived from the people."

Article 7 provides, among other things, for jurisdiction in conjunction with the States of—

"12. The law of expropriation." (Confiscation is not recognized.)

Article 153 recites: "The right of private property is guaranteed by the constitution. Its nature and limits are defined by law. Expropriation may be proceeded with only for the benefit of the community and by due process of law. There shall be just compensation in so far as is not otherwise provided by national law. If there is a dispute over the amount of the compensation there shall be a right of appeal to the ordinary courts in so far as not otherwise provided by national law."

Article 178 declares as follows:

"The constitution of the German Empire of April 16, 1871, and the law of February 10, 1919, relating to the provision of government of the commonwealth are repealed.

"The other laws and regulations of the empire remain in force in so far as they do not conflict with this constitution. The provisions of the treaty of peace signed on June 28, 1919, at Versailles, are not affected by the constitution."

The other laws and regulations of the empire remaining in force provide that the expropriation of private property is a matter of state law under which a private property owner may have his property ap-

propriated for public purposes upon just compensation, with a right of hearing in the state court. In this manner the rights of private property of a German citizen is protected under the German state law. The German Government in agreeing to the Berlin treaty that the German Government accords to the United States the right to retain all private property of German citizens in the United States until suitable provision was made by the German Government for the satisfaction of all claims against that Government would have had no option even if confiscation of vested private property had been contemplated. But that Government had no reason to believe, it is respectfully submitted, that when the German Government did everything in its power to make suitable provision that then the United States would resort to confiscation of the private property of the German nationals under American protection if the American claims were not fully and immediately liquidated on a cash basis.

The German Government therefore had no constitutional right to authorize the confiscation of the property of German nationals under the Weimar constitution.

It is perfectly obvious that the German Government had no intention of authorizing the confiscation. It merely surrendered to the requirement of the Government of the United States and accorded to the United States the right, which Congress had already taken, to retain the property of German nationals until the German Government made suitable provision for the satisfaction of the demands of American claimants.

But even if the German Republic had had the right to confiscate, and if the treaty of Versailles had authorized confiscation, even if the German Government had intended to authorize confiscation, the German Republic is not competent to modify the Constitution of the United States nor to modify the social compact of the United States with private persons holding property in the United States, nor to modify nor interfere with the contract relation arising from the executive and legislative pledges of the United States to protect the private property of individuals who are under the safeguard of our laws.

The United States has persistently refused to recognize the existing Government of Russia for many years on the ground that the Russian Government had systematically violated the sacred principle of the rights of private property and was undertaking to spread this pernicious doctrine elsewhere. The United States can not afford itself to violate this principle.

Hon. A. W. Mellon, Secretary of the Treasury, in his public letter of April 19, 1926, in discussing the question of Germany's action in attempting to make suitable provision for the satisfaction of American claims, as provided under the Knox-Porter resolution and the Berlin treaty, said:

"A creditors' committee investigated Germany's economic capacity and found that 2,500,000,000 gold marks (\$625,000,000) per annum was Germany's entire capacity to meet her treaty obligations. \* \* \* German creditors accepted their committee's recommendation as embodied in the Dawes plan, and by the Paris agreement divided the total annuity among the creditors. The United States signed the Paris agreement and thereby accepted the Dawes plan. By the Paris agreement the annuity for the payment of the American mixed claim was fixed at 45,000,000 gold marks (\$11,000,000)."

The German Republic therefore has made suitable provision for the satisfaction of the American claims, unless it is held that where Germany has paid to the utmost of her capacity such provision is still not "suitable." Such an interpretation of the Berlin treaty is unreasonable. The purpose of the Knox-Porter resolution was to put pressure to bear on Germany and compel Germany to do her utmost to pay these claims. Germany has done her utmost and her utmost has been fixed by the entente allies and accepted by the United States. If this be not "suitable provision," the term is a mockery.

#### CONGRESSIONAL ACTION UNDER THE TRADING WITH THE ENEMY ACT

The Congress of the United States under the trading with the enemy act has released all of the property held by many of the persons whose property was held by the Alien Property Custodian, even where such persons have had their property taken over lawfully under said act by the Alien Property Custodian. The property of all persons, German alien property owners, who by the operation of the Versailles treaty had become citizens of other newly erected nations, or had become citizens of other governments under the treaty of Versailles, such as the German citizens who now are residents of Schleswig-Holstein, or of Alsace and Lorraine, or who became citizens of Belgium when Eupen and Malmédy were attached to Belgium; or of German citizens who became citizens of Czechoslovakia, or became citizens of Poland, as in Danzig and the Danzig Corridor, and in other portions of eastern Germany attached to Poland; or who now are citizens of Yugoslavia, showing that Congress had no intention to confiscate this property and had actually released all of the holdings belonging to thousands of former German citizens who came within certain categories.

Moreover, the House of Representatives passed the Winslow bill on February 23, 1923, by a vote of 300 to 11, directing the return of all German alien property to German owners up to an amount of \$10,000,

showing that with regard to such persons Congress did not intend to confiscate their property but ordered it returned.

It is incredible that Congress intended to confiscate the property remaining after such action of Congress in ordering the full return to innumerable individuals as above set forth. The reason for retaining any portion of the property was obviously in the interest and for the benefit of the American claimants whose advocates naturally desired to have these claims settled before the claims of all the German nationals had been finally disposed of. It was in deference to their wishes that a portion of the property was still retained and, due to a parliamentary compromise, which enabled a partial settlement to be made at that time with the smaller owners.

#### THE AMERICAN CLAIMS AGAINST THE GERMAN REPUBLIC

The question arises, What course should Congress take in regard to the American claims against the German Republic?

During the last session of Congress the Secretary of the Treasury, Hon. A. W. Mellon, with the approval of the President of the United States (hearings), proposed that the United States should finance the American claims and be reimbursed such advances by Germany out of 100,000,000 gold marks payable annually, using \$30,000,000 of accumulated interest which had been obtained on German alien property funds, but not allocated. The use of this interest was agreed to by the representatives of the German owners of the alien property, so that by this settlement the American claimants would not be compelled to wait for a period so long as to be destructive of their rights, and so that the return of the German alien property might be immediately made without the objection of those who feel that the German alien property should be retained until the American claims were liquidated.

The objection was made that to use the credits of the Treasury of the United States to liquidate the American claims would be unjust to the Treasury because in the event that the German Government should default in making the payments pledged by the German Government to the United States it would inflict a possible loss on the Treasury which would be against the interest of the taxpayers of the United States.

The matter was somewhat strongly put by saying it was equivalent to Treasury money paying German debts. These objections deserve a careful consideration.

The amount of the indebtedness of the German Republic to the United States on account of the Army of occupation costs is \$250,000,000, without interest. The amount which would be due to the American claimants and the United States, less the amounts available, would be approximately \$200,000,000, making a total of \$450,000,000, less credits and cross-entries of \$100,000,000 or more, to be liquidated by the payment of \$23,820,000 (100,000,000 gold marks) per annum.

The Treasury can obtain this money due to liquidate the American claims for approximately 3¼ per cent. The United States is committed not to charge interest on the Army occupation cost, so that the liquidation under the plan of paying the United States 100,000,000 gold marks per annum would liquidate the fund within a reasonable time, unless Germany defaulted.

There is no probability of Germany defaulting this debt, which is peculiarly a debt of honor which the German Government fully recognizes, and Germany is otherwise obligated to pay these debts even if the Dawes plan were modified. The debt due to the United States by Germany under such an arrangement would amount to a little over 30 cents per capita per annum of the German population for the annual payment of \$23,800,000 per annum. Germany is one of the most thoroughly organized industrial communities in the world.

But the objection still lies against the use of the Treasury fund for payment of American claims—if Germany should default—and it is therefore necessary to inquire further whether or not the financing of the American claims by the Treasury is or is not justified, in view of a possible risk.

Primarily the obligation to pay the American claims rests upon Germany, the German Republic, and is freely acknowledged. But in the contingency of German default we have a right to inquire whether the United States is not obligated as a matter of law, as a matter of sound policy, as a matter of good conscience, to protect the American claims in such event.

#### THE UNITED STATES IS OBLIGATED TO PROTECT THE AMERICAN CLAIMS

In times of peace a citizen who pays his taxes and supports the law is entitled to the protection in his life and property by his government, and the United States is charged with the duty of meeting the expense of protecting the life and property of the citizen through the processes provided, and private property can not be taken without just compensation. If he is assaulted, the Government of the United States goes to the expense of prosecuting those who are guilty of the assault.

But in times of war the citizen must do more than pay his taxes—he must offer his life itself for the protection of his government. He must pay extraordinary taxes; he must be prepared to subordinate every private interest for the public safety, and a reciprocal obligation arises in times of war with the government. The government should protect the citizen to the extent of its power against any injury by the operation of the government itself.

The government in time of war declares war for the purpose of protecting the larger interests of all of the people, and if in protecting all of the people by war a citizen is subjected to an extraordinary loss due to this act of the government in declaring war, or due to the policies laid down by the government during the war, the losses should not be allowed to fall disproportionately upon the citizens, but should be apportioned upon all of the people in whose interest war or the policies of war were declared.

An American citizen who suffered a great loss in Germany as a result of the declaration of war, or on the sea because of war policies adopted by the Government, is entitled to look to his Government for redress if the German Government, which is primarily responsible, should default in the liquidation of such claim.

The American claimants have a primary claim against Germany but a secondary claim against the United States. If Germany defaults, it is the duty of the American Government to protect its citizens, nevertheless.

This is the exact principle recognized by France in rebuilding the devastated regions—France paid the cost of repairing and rebuilding the destroyed property and looks to Germany to repay; why should the United States be less considerate of its citizens or less just and fair to its own people who have suffered?

The American citizens having property in Germany are under the mutual protection of the German Government and of the American Government by international treaty between Germany and the United States, and also under The Hague convention, which pledges the citizen safety of private property in war, and if Germany defaults in this obligation, the citizens who relied upon the mutual obligations of Germany and the United States to safeguard their property have a right to look to the United States Government for payment.

#### THE UNITED STATES AS TRUSTEE

The United States was chargeable with the duty as the representative and trustee of its citizens to see to it that its citizens were protected in their private property rights as against the German Imperial Government and its successor, the German Republic. A private citizen can not safeguard himself against a foreign government; he must rely upon his own government to protect him, and the responsibility of his own government to protect him is perfectly manifest. The United States recognizes this obligation in passing the Knox-Porter resolution and the Berlin treaty, and in the international agreement, establishing the Mixed Arbitral Commission, and in its negotiations obtaining 45,000,000 gold marks with which to liquidate the obligations of the German Republic to the American claimants.

But the United States is not only responsible for the discharge of this duty but for the discharge of the duty in a competent manner. The United States Government may not by negligence imperil its own citizens' rights without responsibility.

It is a notorious fact that when Germany had quick assets available to pay the Army occupation costs, and the American claimants in 1918, 1919, 1920, etc., the United States, by its negligence, failed to collect the amount even of the Army occupation costs from the Reparation Commission established by the allied and associated powers. Was not this a grave negligence of the Government of the United States of which the American claimants would be the victims unless now the American Government assumes the responsibility of the loss, if any, from a future possible German default?

The United States, when Germany had quick assets, made no demand on Germany for payments to protect the American claimants, which was its bounden duty to do. Since, therefore, the United States by its negligence has put the American claimants in danger of the possibility of loss in the event that the German Republic might default, the United States, chargeable with the duty of protecting its own citizens against its own negligence in this matter, should take the risk, if any there be, of German default.

#### THE PARIS AGREEMENT

The United States having by its negligence failed to secure the assets necessary to meet the Army occupation costs, and the amounts due the American claimants, went to Paris January 24, 1925, when the Dawes plan was adopted, six years after the armistice, and demanded a participation at that belated date and obtained from the allied powers the agreement that the United States should have 55,000,000 gold marks as first lien for the protection of the Army occupation costs, and, second, 45,000,000 marks out of the Dawes reparation fund, after certain primary charges had been made, including the 55,000,000 gold marks. In other words, the United States, acting as representative of the American claimants, obtained a first lien for itself and a second lien for the benefit of the *cestui que trust*—the American claimants.

It should be clear that the United States as trustee, according to the principles, practices, and underlying reasons of the law of equity, should not take advantage of the American claimants in this manner by giving itself preferential treatment. Moreover, the United States obtained the 100,000,000 gold marks on the ground, as stated by its representative in Paris, that the United States had no other means available for meeting these charges. It was perfectly clear that under the Con-



stitution of the United States the executive and legislative pledges of the United States that the German alien property could not be confiscated and used as a means of meeting the Army occupation costs or pay the American claimants. Having on this ground obtained the 100,000,000 gold marks under the Dawes plan, the United States, in effect, confessed that the American claimants had no security in the alien property in the hands of the United States. This implied confession that the alien property was not a security leaves the Government all the more responsible.

If the Government attempted to confiscate the German alien property, it would lose the right to retain the 100,000,000 gold marks per annum, which it got allowed at Paris on the representation that the alien property was not available.

For this reason, since the United States can not plead the right to confiscate the German alien property as a means of meeting the American claims, the United States, as a matter of common fairness, should recognize its duty to give the American claimants the position of preferred creditors against the 100,000,000 gold marks, finance them, and take the possible risk, if any, of having Germany default.

This policy is a wise policy from a national standpoint, because it is of grave importance that the citizens of the United States should be able to rely upon their Government to protect them in the event of war against the consequences of governmental acts or governmental policies. The strength of the Government of the United States is based upon the devotion of its citizens and the attachment of the citizens to the Government must depend upon the Government giving full protection to the citizen in his just rights.

For these reasons the United States should, as a matter of right, as a matter of good conscience, as a matter of sound policy, take the risk, if any, of Germany defaulting. The actions of the Government of the United States in protecting its citizens against the contingencies of war are shown by many instances during the war where the Government organized special instrumentalities for the protection of the citizen against the extraordinary demands of war, such as the War Finance Board, where the Government used its credits on a huge scale to protect the citizens against the injuries which war otherwise would have inflicted; where the Government, for instance, used its own credit to the extent of \$200,000,000 to finance loans through the farm-loan banks to the farmers of the Nation. The Government is now spending \$500,000,000 per annum for the protection and restoration of citizens injured by war (through the Veterans' Bureau). It set up machinery for personal insurance during the war for citizens who enlisted under the colors; it provided pensions for them. It set up marine insurance for the protection of its citizens when the American insurance companies were unable or unwilling to bear the risk of marine insurance.

It is of great importance that the policy laid down in the Berlin treaty of restoring friendly relations between the German people and the American people should be carried out by liquidating all of these unsettled claims of German nationals and of American nationals.

The settlement of these claims would release a very large volume of frozen credits, which would immediately flow into the channels of industry, of commerce, of finance. A very large part of these funds would be invested in American cotton, cottonseed oil, petroleum and its by-products, in metals, agricultural products, manufactured products, and the United States would be the beneficiary of increased revenue, of increased commerce passing through our ports, and from internal revenue.

The premises considered, we respectfully submit that a sound national policy justifies the immediate return of the German alien property and the liquidation of the American claims.

ROBERT L. OWEN.

Mr. GREEN of Iowa. Mr. Chairman, I ask that the Clerk read the first paragraph of the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That this act may be cited as the "settlement of war claims act of 1928."

Mr. GREEN of Iowa. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MAPES, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 7201, the alien property bill, and had come to no resolution thereon.

#### ST. LOUIS & O'FALLON RAILWAY CASE DECISION

Mr. NEWTON. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. NEWTON. Mr. Speaker, about a week ago there was handed down by a statutory United States court in the eighth circuit in a decision in the so-called O'Fallon case wherein there was considered the so-called recapture provision of the trans-

portation act. The decision is a very important one. It will have a good deal of effect upon future determination of valuation proceedings under the recapture provision, and I ask unanimous consent to extend my remarks by inserting a copy of the opinion as rendered by the judges.

The SPEAKER. Is there objection?

Mr. BLACK of Texas. Reserving the right to object, anyone who wants a copy of the O'Fallon case can obtain it.

Mr. NEWTON. At the price of \$15.

Mr. BLACK of Texas. Oh, no.

Mr. NEWTON. That is what the clerk advised me at the time.

Mr. BLACK of Texas. A certified copy, of course, but when printed it will be available.

Mr. MAPES. Has the gentleman considered having it printed as a House document?

Mr. NEWTON. I have not.

Mr. MAPES. Would it not be well to consider it?

Mr. BLACK of Texas. If it is printed in this way, it will be printed in very fine type so that nobody will read it. If the gentleman wants it to be read, it should be put in readable form.

Mr. NEWTON. I have a copy of the opinion myself, and my thought was that Members might be interested in reading it.

Mr. BLACK of Texas. If it is printed at all, we would like to have it in readable form. If it is printed in the Record it will be in such fine print that no one cares to read it. I hope the gentleman will withdraw his request and proceed in a different way to secure what he desires.

Mr. NEWTON. I will do that.

Mr. Speaker, in view of the colloquy occurring, I ask unanimous consent to have the opinion referred to in my remarks printed as a House document.

The SPEAKER. Is there objection?

Mr. CONNALLY of Texas. Reserving the right to object, how much space will it occupy?

Mr. NEWTON. I have not any idea.

Mr. CONNALLY of Texas. It ought to be limited to five or six copies. I do not object, but it ought to be limited to five or six copies, as that is about as many as will read it.

Mr. COOPER of Wisconsin. Will the gentleman from Minnesota tell me just the character of the O'Fallon decision? Is that the one that the Supreme Court held that the reproduction cost—

Mr. NEWTON. Oh, no; it is not the Supreme Court of the United States at all. It is a statutory court composed of two circuit judges and the district judge sitting on an appeal.

Mr. COOPER of Wisconsin. In a court of appeals?

Mr. NEWTON. No; not in a court of appeals, but on the appeal from the Interstate Commerce Commission valuation of the recapture provision in the case of a small railroad in the city of St. Louis. It is the first time that that particular statute has come up for a judicial review.

Mr. COOPER of Wisconsin. And the court, as I remember, affirms the reasoning of the Interstate Commerce Commission?

Mr. NEWTON. The court did not affirm the reasoning, but it did affirm the findings and valuation of the commission.

Mr. HOCH. Two of the judges were of opinion that it was not necessary to pass upon the commission's method of valuation in determining the cases before it. The third judge held that it was necessary, and he not only upheld the order of the commission, but the commission's valuation.

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

There was no objection.

#### THE PUBLIC BUILDINGS BILL AND THE USE OF INDIANA LIMESTONE

Mr. GARDNER of Indiana. Mr. Speaker, I desire to extend my remarks on the public buildings bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. GARDNER of Indiana. Mr. Speaker, to-day H. R. 278, the public buildings bill, passed the House by more than a two-thirds majority, without a record vote, and under suspension of the rules, and I take this opportunity of expressing myself in favor of the building program. While the district I have the honor to represent does not receive a Federal building under this bill, yet I am in favor of a building program; and in order that a building program for the construction of Federal buildings may go forward I voted for the bill. I am in favor of a building program for the reason that the Government and the country at large are sorely in need of many Federal buildings. I hope this building program will be carried on as rapidly as

possible, and I hope that those charged with the duty of the location of these buildings will locate them in accordance with the greatest needs of the country.

And in connection with the building program I want to call the attention of my colleagues, and those charged with the duty of constructing these buildings, to the Indiana limestone, the Nation's building stone. Indiana limestone, or Bedford limestone, as it is commonly called, is produced near Bedford, Lawrence County, Ind. Practically all of this building stone is located in two counties in the State of Indiana—Lawrence County, in the district I represent, and Monroe County, in the district represented by my colleague, Mr. GREENWOOD. This stone is truly the Nation's building stone because there is no other material that finds so wide a field of usage from the finest structures to those purely utilitarian in character. In fact, there is no other quarry deposit in the world furnishing a material that is so universally used. Few people realize that from these two counties in southern Indiana about 35 per cent of all the building stone used throughout the entire United States is quarried, and that these two counties supply about 65 per cent of all the finished building stone used by the entire country.

It is safe to say that there is no other building stone in the world that can equal this product of southern Indiana for beauty and general utility, and that there has been no other quarry opened anywhere in the world, from the time of the building of King Solomon's temple down to the present time, that has supplied a stone that has been so generally useful for building purposes, a stone which possesses to such a marked degree the combination of beauty, permanence, and fine weathering properties. There is no other stone that is so easily worked, and so low in cost, that is at the same time as durable and strong.

It is on the basis of genuine structural merit and moderate cost that enables this product of southern Indiana to be so widely distributed and so extensively used. About 30,000 carloads of this stone are shipped from these two counties annually, amounting to over 11,000,000 cubic feet. The Government has already used this fine stone in many of its buildings because it could obtain no better material, and the use of this Indiana product is always in line with the demand for proper economy in Government expenditures. There are over 50 mills, or cutting planes, of the Indiana limestone district. About one-third of the product of these quarries is cut and finished at these mills. The remainder of this product is shipped out in the rough state to cutting planes and stoneyards in all parts of the country. It is therefore a national industry and every cut-stone yard in the United States is a producer of finished Indiana limestone for building purposes. The building industry, in fact, has come to depend upon the Indiana product as one of the basic materials of construction, and its importance to the construction industry as a whole is well known to those who are familiar with this great industry. This industry employs many laborers, many skilled laborers, and it is one of the greatest and most helpful industries in the State of Indiana.

Some of the more important Government buildings constructed of Indiana limestone, the Nation's building stone, are: Treasury Department Annex, War Risk Insurance Building, Department of Interior Building, Bureau of Printing and Engraving, Medical Science Building, United States Chamber of Commerce Building.

Six State capitols: Georgia, Kentucky, Indiana, Nebraska, Mississippi, and Oklahoma.

United States assay office, New York, and eight Federal reserve banks: Boston, New York, Richmond, Chicago, Minneapolis, St. Louis, Kansas City, and Dallas.

Numerous post offices and Federal buildings, including those at Ithaca, N. Y.; Huntington, W. Va.; Indianapolis and Kokomo, Ind.; Cadillac, Mich.; Decatur, Ill.; Columbia, S. C.; Oklahoma City and Muskogee, Okla.; El Paso, Amarilla, and Paris, Tex.; Santa Barbara, Calif.

Courthouses and city halls too numerous to mention, including such fine buildings as those at Albany and Plattsburg, N. Y.; Memphis, Tenn.; Kenton and Eaton, Ohio; Shreveport, La.; Newton, N. C.; Tremont, Nebr.; Grand Junction, Colo.; Tulsa, Okla.

State office buildings and memorials, such as those at Harrisburg, Pa.; Springfield and St. Louis, Mo.; Indianapolis, Ind.; and Nashville, Tenn.

Large Scottish Rite and other Masonic temples at Washington, D. C.; Springfield, Mass.; Nashville, Tenn.; Indianapolis, Ind.; Detroit, Mich.; St. Louis, Mo.; Topeka, Kans.; Omaha, Nebr.; Little Rock, Ark.; Oklahoma City and Guthrie, Okla.

I have called attention to only a few of the buildings in various parts of the country constructed of Indiana limestone for

the purpose of showing that this stone has already been recognized as a national building stone, and I take pleasure in recommending for the use of the construction of Federal buildings the Indiana limestone.

#### FARMERS' FINANCE CORPORATION MEASURE

Mr. LANKFORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on farm-relief legislation.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. LANKFORD. Mr. Speaker, I desire again to call attention to my bill (H. R. 77) to create the Farmers' Finance Corporation with authority to make loans through the banks to the farmers, provided the producers planting 75 per cent of the particular commodity sign contracts with each other, with the bank, and with the corporation authorizing and empowering a commodity council to control production so as to probably not produce a surplus and also to control marketing so as to secure a reasonable and fair price.

A council selected from the friends of the farmer would be authorized for each commodity. The duties of the farmers, the council, the banks, and the corporation are made definite and clear in the bill.

The individual farmer gets the loan, if he desires it. He pays no bonus, commission, fees, taxes, or equalization cost. He pays only a low rate of interest in the event he avails himself of the loan privilege and the interest he pays is set aside as a surplus for him and his fellow farmers.

The individual farmer could borrow the average amount for which his commodity has sold since January 1, 1917, and therefore his price would be stabilized at the average. The loan would enable him to hold his own cotton or other commodity for a fair price. In order to protect the corporation, the bank, his fellow farmers, and himself he agrees to make such fair curtailment of his acreage as is made by all other planters of the particular commodity and as will help him get a reasonable price for his carry-over and also for his new production.

The producers of each commodity would only be bound by their own expressed consent, and then only those who so contract. By this plan the Congress would simply offer to the farmers a plan something on the order of the 50-50 plan now offered the States in highway construction and other matters. The Federal Government would offer to help the farmers become absolutely free to manage their own products and, as never before, to name and fix a fair and reasonable price for the sale of their own commodities.

The Federal Government would only ask as a consideration for this new freedom of the farmers their pledge that they would deal squarely with each other and with the Government's corporation and do that which is best for them and all concerned in the matter of production and marketing. We would be offering to help the farmers provided they would help themselves.

The bill would give the farmers a chance to become masters of their own fortunes and, in my humble judgment, is a more satisfactory farm-relief measure than heretofore written.

The farmers would handle their own commodities and get their full value with no unnecessary profit to middlemen or absorbed by expensive marketing machinery. The farmer and his fellows would receive for their commodities the highest possible reasonable price from the manufacturers and exporters and would get all of the price, without deductions for fees, commissions, or other so-called marketing expenses.

The farmer's friends, not his enemies, would control his destinies and there would be no dangerous bureaucratic control of his rights. There would be only absolutely necessary governmental agencies, with well-defined duties and powers.

The bill is not in the interest of any organization, corporation, or any man or set of men other than the farmer, is drawn with his sole and only interest in view, and yet is not unfair or unjust to anyone.

The bill has a complete referendum and recall, and would not go into effect unless the producers of 75 per cent of a particular commodity so elected, and would not remain of force unless satisfactory to at least 75 per cent of such producers.

In my humble judgment, the bill provides a complete solution of the overproduction problem, meets every reasonable objection to other farm relief bills, and without equalization fees, expensive machinery, or red tape puts the farmer on an absolute parity with those engaged in other industries or enterprises. It helps the farmer directly, not indirectly, makes clear his every right, raises no mooted questions or difficult issues, makes him the master of his own problems, and assures him the prosperity to which he is so justly entitled.

The overproduction problem is the most serious of all, and all efforts to control production by arbitrary law, sales taxes, equalization fees, or low prices to the producer are objectionable and oftentimes very obnoxious. Let us work out a plan to let the farmers solve this problem by mutual contracts of their own rather than by law or force. If this plan will solve the overproduction problem, it must be admitted that it is a most effective scheme.

Some say that the farmers will not sign the contracts provided for in the bill, and therefore there will be no adequate control of production. Of course, if the farmers do not agree to the terms of the bill, then it will not go into effect. It is my humble judgment, however, that there is so much merit in the bill that the farmers of the country will approve its terms and do their part in bringing the provisions of the bill into full force and effect in their behalf.

Let us do our part. Knowing the farmers as I do, I feel confident that they will do theirs. I know it has been said that the farmers will not get together or act in concert. In their behalf, I deny the charge.

They will organize if we make organization worth while for them. They organized the greatest nation on earth long before the days of the big factories, railroads, big cities, and big commercial and industrial organizations.

It is hard, though, for the farmers to organize efficiently while they are being plundered and slaughtered like a covey of baited doves, from every side and by almost everybody. Let us given them legislation not as a mere jesture to get their vote in the next election, nor as a bait to get them partially together that they may be the more easily exploited and slaughtered by their enemies, but that they may work together of their own accord in their own behalf, free from outside interference, with the same governmental assistance given other peoples and industries, winning for themselves and their children a new freedom of equality and establishing once and forever their own independence in their own affairs.

ADDRESS OF HON. JOHN Q. TILSON

Mr. TILSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by inserting an address made by me on October 14 last in the city of York, Pa., on the occasion of the observance of the one hundred and fiftieth anniversary of the meeting of the Continental Congress in York.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. TILSON. Mr. Speaker, under leave granted by the House I here insert an address delivered by me October 14, 1927, on the occasion of the celebration of the one hundred and fiftieth anniversary of the meeting of the Continental Congress at York, Pa.

The address is as follows:

CELEBRATION OF THE ONE HUNDRED AND FIFTIETH ANNIVERSARY OF THE MEETING OF THE CONTINENTAL CONGRESS AT YORK, PA. CONNECTICUT IN THE CONTINENTAL CONGRESS AT YORK

My presence here is due to two influences—first, the earnest invitation of my good friend Doctor MENGES, the distinguished Representative in Congress from this district, and, second, my appointment under a concurrent resolution as a member of a committee of Congress to represent the Congress of the United States in the observance of the one hundred and fiftieth anniversary of the meeting of the Continental Congress at York.

It was suggested by the committee in charge of the historical program that as a Representative of the State of Connecticut in Congress it would be appropriate for me to tell something of the part my own State played in the important work done during the momentous session of the Continental Congress held here. Before proceeding, however, to make particular reference to the part played by any one State it is necessary to outline very briefly the general situation at that crisis of our national life so that each part may be the better fitted into the whole picture.

When the Continental Congress met at York on September 30, 1777, only a little more than a year had passed since the Liberty Bell had rung out the glad news that a new nation had been born to take its place along with the other free and independent nations of the world. With high hopes the brave but still feeble youngster had embarked upon the perilous sea of national life, but the voyage thus far had not been a very prosperous one. The clouds were particularly dark and gloomy at this time. General Washington had been defeated at the Brandywine and the road opened for General Howe to march into Philadelphia. It was necessary that the Congress remove to another place. Lancaster was at first chosen, but even in those days the principle of safety first prevailed and York was substituted, so that "the Susquehanna should flow between Congress and the enemy." I am glad to have this opportunity to visit this historic city of refuge and look it over, for in case Congress should again be chased out of its customary meeting place your beautiful city of to-day would be most inviting.

In the autumn of 1777 a critical and very trying period had been reached in our national history, so that the conduct of the Continental Congress at this juncture became a matter of the most serious moment. Samuel Adams voiced the general feeling when he said: "Our affairs are said to be desperate, but we are not without hope and not without courage. The eyes of the people of this country are upon us here, and the tone of their feeling is regulated by ours." Such was the spirit in which the session of Congress held here began its labors. The deeds performed were in accord with this spirit and the fact that the military situation was, indeed, well-nigh desperate makes all the more illustrious those deeds that were prompted by honor and courage, rather than by self-interest and cowardice. You will recall that it was while Congress sat here that the Conway cabal was brought out into the open which had for its purpose the supplanting of Washington in command of the Army; and it was here that Congress, after some doubt and scheming, wisely determined to remain true to that great figure in our national history.

In the period of deepest gloom during the sitting of the Congress here two notable events transpired that greatly encouraged those in charge of and responsible for the destinies of the new Republic. The first was the defeat of Burgoyne at Saratoga. Creasy gives this as one of the 15 decisive battles of the world. Without attempting to decide the much-disputed question as to whether it is entitled to be so ranked, it can be said with certainty that it was the most critical battle of the war. Burgoyne's campaign was well conceived. Its purpose was to open up the line of Lake Champlain and the Hudson River, thus driving a wedge through the heart of the distraught country and thereby connecting with the British force already in possession of New York City and vicinity. Had Burgoyne won at Saratoga the result would have been to effectively separate the entire New England group of States from the other States, thus rendering cooperation impossible. It was a notable victory for the American troops and added much to the repute of General Gates as an army commander. The glory of his achievement, however, has been somewhat dimmed by the unfortunate connection of his name with the attempt to supplant Washington as Commander in Chief of the American forces.

The second of the great events of the period to cheer patriot hearts was the open alliance with France which brought to our country in the time of its greatest need Rochambeau and De Grasse with an army and a navy from France.

The two notable events mentioned stand out like mountain peaks in the period of the York session, but they do not obscure the long list of noteworthy actions of a practical character on the part of Congress, all necessary for the maintenance of an armed force in the field. It was most necessary of all that the several States should act together and not separately, and so it came to pass that here in York were formulated and adopted the Articles of Confederation that served the purpose of holding the country together for the time being. It has become the fashion to belittle the value of the Articles of Confederation, because they did not create a government of sufficient strength to withstand all the decentralizing influences of a postwar period. Let those who are disposed to minimize the wisdom and utility of the articles reflect that it was 1777 and not 1787 that saw their genesis. An attempt then to agree upon a constitution like that adopted in 1787 would have meant the complete disruption of the newly formed Union. Weak as the Articles of Confederation were as the framework of a self-sustaining government in times of peace—and they have been characterized, somewhat accurately, to be sure, as "a rope of sand"—nevertheless they served as a possible basis of unity for the newly formed group of Colonies now trying to function as a nation under the stress of war. The articles were probably as strong a binding force as would have been accepted at the time, and having served a most important purpose at a most critical stage, they should be reverently regarded as constituting one of the most important documents in our history.

The all-absorbing business throughout the session of Congress held here was carrying on the war. Washington's army at Valley Forge was in a deplorable condition. Finances were at a low ebb. In order to get either men or money it was necessary for the States to cooperate with Congress, and to secure anything like uniform cooperation was an almost impossible undertaking. The States were jealous of each other and much disposed each to let the other States do it. So throughout the session we find one appeal after another for all sorts of things necessary for the conduct of the war. Some States nearer the scenes of military activities realized more fully the situation and responded with greater alacrity than others; but it was an uphill fight the young Nation was making and against great odds.

It is with pardonable pride, I hope, that I here record Connecticut as one of the States that responded nobly to the requests coming to the governor either directly or through the delegation in Congress. Our very able and industrious State librarian at Hartford, Mr. George S. Goddard, has prepared for my use a digest of all the matters to which the attention of Gov. Jonathan Trumbull was called during the period covered by the session at York, either by the direction of Congress or by the Connecticut Delegates, and it is a pleasure to note the very satisfactory response in almost every case. For instance, a

letter from General Washington, dated October 21, 1777, urges the States to fill up their depleted battalions, and calls attention to the fact that the only States reporting having even recruiting officers appointed are Connecticut and New Jersey.

After the surrender of Burgoyne, Congress placed under the supervision of Governor Clinton, of New York, the defenses of the Hudson, and directed him to call on the militia of Connecticut and Massachusetts for aid.

Connecticut is called upon by Congress in a number of instances to aid in transporting and storing salt, clothing, and other necessary articles for the Army—in all instances responding favorably.

The measures taken by Connecticut for providing public stores are formally approved by a resolution of Congress, as is also the appointment as commissary of one Henry Champion, who seems to have been an early Connecticut edition of Herbert Hoover as food administrator.

In the light of present conditions in Connecticut as regards its iron industry and forests, two other formal resolutions of the Congress while at York are of special interest. On October 30, 1777, a resolution requests Connecticut to have the workmen at the Salisbury furnace cast mortars for Continental Army use under the instruction of General Knox, while on December 4, 1777, Connecticut is asked, along with New Hampshire, Massachusetts, and New York, to preserve pine timber suitable for masts. No doubt Connecticut then complied fully with those requests, but would now find difficulty in complying with either.

The introduction of the record of service of Connecticut men in the War of the Revolution, compiled by the Connecticut adjutant general's office, thus sums up the contribution by Connecticut to the military forces of the Revolution:

"A total of 30,000 men may be considered as a reasonable estimate of men from Connecticut engaged in the military service. Of this number some 10,000 represent continental soldiers—men who enlisted for long terms and served in the field outside of the State under Washington's immediate command. A complete record would embrace several thousand additional names, especially of the militia. From expressions used by Governor Trumbull in his correspondence and other sources, it is apparent that, barring a small loyalist element in the western part of the State, nearly every able-bodied man in Connecticut rendered, or was enrolled as notified and prepared to render, some kind of service during the Revolutionary War. The exposed situation of the State, with entire coast subject to incursions and ravages by the enemy and her proximity to the several fields of operations in Massachusetts, Rhode Island, and New York, required her to be in a constant state of preparation. On this account, and because of the size of her population, then relatively large, she was regarded as one of the four strong States supporting the cause, ranking in capacity next after Massachusetts, Virginia, and Pennsylvania."

Connecticut also served well the cause of the Revolution during the dark period of the York session through the men sent as Delegates to represent the State in the Continental Congress. One serious mistake made by the States sending Delegates to the Congress then and which, by the way, is still often made by constituencies in sending Representatives to Congress, was in making frequent changes in their delegations. Before one Delegate had served long enough to fully understand his task it too often happened that the lure of the bench or some other more attractive State position would draw him away. Connecticut was no exception to this rule. Each State was asked to keep three Delegates in attendance, and yet in the short space of nine months during which the Congress sat in York it was necessary for Connecticut to send seven different men in order to keep filled a delegation of three Members.

In spite of all the adverse conditions surrounding it the personnel of the Continental Congress usually ranked high in ability. A number of those who had signed the Declaration of Independence and some of those who were later to help frame the Constitution were Delegates from time to time. Of the seven Connecticut Delegates who served in Congress during any part of the session at York, four had signed the Declaration of Independence—Williams, Huntington, Wolcott, and Sherman—and one, Roger Sherman, signed all four of the great papers of the forming of the Nation—the Association of 1774, the Declaration of Independence, the Articles of Confederation, and the Federal Constitution.

The seven men who represented Connecticut, with their respective periods of service, are as follows:

- Eliphalet Dyer from October, 1777, to April, 1778.
- Richard Law from October, 1777, to February, 1778.
- William Williams from October, 1777, to February, 1778.
- Samuel Huntington from February, 1778, to June, 1778.
- Oliver Wolcott from February, 1778, to June, 1778.
- Roger Sherman from April, 1778, to June, 1778.
- Titus Hosmer from June 23, 1778.

Of these seven Connecticut Delegates who attended the session at York, five were college graduates—Dyer, Law, Wolcott, and Hosmer being Yale men and Williams a graduate of Harvard. All but Wolcott had legal training either as attorneys in practice or on the bench. Williams does not seem to have practiced, but was a judge of the county court. Wolcott studied medicine with his brother, Dr. Alexander Wolcott, and

Williams studied theology. Dyer received a degree of doctor of laws from Yale in 1787. All of the delegates had had experience in State (or colonial) legislative and judicial bodies for years. With the exception of Sherman, and possibly Hosmer, the Delegates came from families of influence, whose members were accustomed to public office. The Wolcotts, Huntingtons, and Dyers were prominent in government circles. Richard Law was the son of Governor Jonathan Law. The exception, Roger Sherman, however, proved one of Connecticut's greatest statesmen in spite of the handicap of being a self-made man.

The seven sons of Connecticut to whom I have referred served their country worthily, some of them conspicuously, here and elsewhere, thereby bringing credit to the State they represented and making for themselves honored names to be handed down to posterity.

There remains to me now but a word further, and that is on behalf of the House of Representatives at Washington to congratulate you, the good people of York, upon the enterprise and courage you have displayed in promoting and carrying through so successfully this very notable celebration. You have accomplished something preeminently worth while in thus recalling to the minds of people everywhere the events of a crucial period in our national history that has not received the attention its importance deserves.

Here ends what I have to say on this historic occasion, but as I have made reference to seven worthy men of honored memory in my own State it will not be deemed inappropriate if I here add as an appendix to my remarks a very brief biographical sketch of each of them, the data for which were furnished by the State librarian at Hartford.

Eliphalet Dyer was born in Windham, September 14, 1721. Graduated at Yale, 1740. Studied law in Windham, admitted to the bar, 1746. His real entry into public life was in connection with the project for establishing a colony in the valley of the Susquehanna. He was an original member of the Susquehanna company. In August, 1763, he went as an agent for the Susquehanna company to England to obtain confirmation from the crown of the company's title to the Wyoming Valley. He was not successful in this, but his ability as an advocate, or at least his reputation, is shown in that he was appointed a special agent for the colony to conduct the Mohegan Indian case. He declined this appointment. He was a member of the Stamp Act Congress, September, 1765, judge of the superior court; delegate to the First Continental Congress and active in the governor's council and on the committee of safety. Died in his 86th year, May 13, 1807. His services as an earnest, prudent patriot were highly valued.

Richard Law was born in Milford, March 7, 1732/3, son of Governor Jonathan Law. Graduated at Yale, 1751. Studied law with Jared Ingersol. Admitted to the bar, 1755. He began his public service as a representative to the general assembly in October, 1765, and during his career he filled offices in the assembly, was on the New London County bench and on the superior court bench. He was appointed to the Continental Congress in 1774 and 1776 but did not attend until 1778. In 1786 he was made chief judge of the superior court and later became district judge of Connecticut under the Federal Constitution. He was mayor of New London in 1784. He assisted Roger Sherman in revising the Connecticut statutes. Died January 26, 1806. It has been said of him that "as an advocate his style was pure and correct but not copious and flowing. He was distinguished more as a learned lawyer, a close logician, a fair special pleader, than as an eloquent orator. His talents were better adapted to a court than a jury."

William Williams was born in Lebanon, April 28, 1731. His father and grandfather were ministers. Graduated at Harvard, 1751. Studied theology. During the French and Indian War he went on a military expedition to Lake George in 1755. He returned much dissatisfied with the British commanders and their attitude toward the Colonials. His political life began when at the age of 25 he was made town clerk, an office he held 45 years. He represented Lebanon in the general assembly and was in that body, either in the lower or upper house, practically all of his life. The records of the council of safety are in his handwriting. In fact, the amount of manuscript in the Connecticut archives bearing either his name or in his writing, is stupendous. He was judge of the Windham county court, signer of the Declaration of Independence, and member of the Connecticut convention for the ratification of the Federal Constitution.

The aim of Mr. Williams in his political career was said to have been "to merit the title of an honest politician." He had the unlimited confidence of his fellow citizens in private life as well. He married Mary, the daughter of Governor Trumbull. Nearly all of his personal fortune was spent in the war. He kept his house open at all times to soldiers, entertaining during the winter of 1781 the officers of a regiment stationed in his town.

It is stated that Benjamin Huntington remarked to Colonel Williams, "I am in no danger of being hung, for I have neither signed the Declaration nor written anything against the British Government." "Then, sir," replied Williams, "you deserve to be hung for not having done your duty."

Samuel Huntington was born in Windham, July 3, 1731, of a respectable family which immigrated to this country at an early period. Huntington was financially unable to get a college training, but studied law and was admitted to the bar in 1758. His practice became exten-

sive and his reputation firmly established. He was a Delegate to Congress 1776-1781; signer of the Declaration of Independence, and President of Congress 1779-1781. After his resignation from Congress he was in the council of the State. He was chief justice of the superior court and governor of the State. His manner was reticent and retiring, his shyness being often mistaken for pride. As a judge he was dignified in deportment, courteous to the bar, and much respected by those with whom he came in contact. His decisions were impartial and his attitude firm. By some he has been ranked next to Governor Trumbull for popularity in that period of the State's history.

Oliver Wolcott was born in East Windsor, November 20, 1726. Graduated at Yale, 1747. He was a descendant of a public-spirited family, his father being Gov. Roger Wolcott. After an experience as captain of a company in defense of the northern frontiers against the French, he studied medicine with his brother, Dr. Alexander Wolcott, and began his practice in Goshen. His activities soon became political. He was sheriff of Litchfield County when it was first organized; representative in the general assembly and member of the governor's council, 1771-1786. He was a Delegate to the Continental Congress and a signer of the Declaration of Independence. He was particularly active in the raising of militia during the Revolution. His residence in what was then one of Connecticut's frontier towns gave him opportunity to assist in the defense of the Hudson and in raising men for the frequent alarms. He was a brigadier general of the State and was in command of regiments sent to New York in 1776 and in the Saratoga campaign in September and October of 1777. His time was divided between civil and military public service. In 1793 Yale gave him the honorary degree of doctor of laws. He died at Litchfield December 1, 1797, aged 71.

President Dwight says: "Wolcott was remarkably distinguished for intrepidity, firmness, incorruptible integrity, strong, bold conceptions, and a peculiar decision of character. At the same time his sensibility was quick and exquisite. The sight or even the narration of a mean, dishonest, or an ungenerous action appeared to give him a chill and changed his countenance."

Roger Sherman was born at Newton, Mass., April 19, 1721. He removed to New Milford, Conn., in 1743. His father was a farmer and not wealthy, so that it was necessary for Roger Sherman to acquire his education through his own efforts. He worked as a shoemaker until after he was 22 years of age. Connecticut has not only a learned blacksmith in Elihu Burritt but a distinguished shoemaker in Sherman in her hall of fame. Before Sherman was 33 years of age he had been admitted to the bar, had occupied various civil offices of the colony, had been member of both houses of the assembly, and judge of the court of common pleas. He was actively in favor of Connecticut's claim to the Susquehanna title. He was a Delegate to Continental Congress and the one man to sign all four great papers of the forming of the Nation—the Association of 1774, the Articles of Confederation, the Declaration of Independence, and the Federal Constitution. He died at New Haven July 23, 1793.

Although he lacked the graces of polished society, his influence and statesmanlike qualities won recognition. We read that he "showed the highest qualities of a statesman in knowing how to compromise and when to be firm," and that he possessed "a remarkable sagacity in judging not only what measures were best for a community, but what the people were willing to bear. His influence over men was greatly strengthened by his strong sense of justice."

Patrick Henry ranked him with the greatest statesmen of his time and acquaintance. Gen. Winfield Scott placed him as fourth in importance of the chief actors in the revolutionary period and formation of a new government.

Thomas Jefferson spoke of him as a "man who never said a foolish thing."

Titus Hosmer was born at Watertown, Conn., 1736; graduated at Yale, 1757. He began the practice of law in 1760. His attendance at the York session of Congress was confined to the latter part of June, and therefore his name does not hold the place of prominence of the other delegates. He was speaker of the lower house of the State assembly, was made judge of the maritime court in 1780, and was considered influential in creating sentiment for vigorous measures against Great Britain. Noah Webster regarded him, with William Samuel Johnson and Oliver Ellsworth, as one of the three greatest sons of Connecticut, but upon what grounds this claim is to be maintained the great lexicographer does not make entirely clear.

#### ADJOURNMENT

Mr. GREEN of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 20 minutes p. m.) the House adjourned until to-morrow, Tuesday, December 20, 1927, at 12 o'clock noon.

#### COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Tuesday, December 20, 1927, as reported by the clerks of the several committees:

#### COMMITTEE ON APPROPRIATIONS

(9 a. m.)

Interior Department appropriation bill.

(10 a. m.)

Independent offices appropriation bill.

(10.30 a. m.)

War Department appropriation bill.

#### INTERSTATE AND FOREIGN COMMERCE COMMITTEE

(10 a. m.)

To promote the unification of carriers engaged in interstate commerce (H. R. 5641).

#### COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

A meeting to hear Admiral Magruder.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

241. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination of Edgartown Harbor, Mass.; to the Committee on Rivers and Harbors.

242. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination of St. Augustine Harbor, Fla.; to the Committee on Rivers and Harbors.

243. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination of Guyandotte River, with a view of preventing the said river from further encroaching upon the public streets of and private property in the village of Barboursville, W. Va.; to the Committee on Rivers and Harbors.

244. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination of Key West Harbor, Fla.; to the Committee on Rivers and Harbors.

245. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination of St. Cloud Canal, Fla., connecting the lake at St. Cloud with the lake at Kissimmee; to the Committee on Rivers and Harbors.

246. A letter from the Secretary of War, transmitting a report from the Chief of Engineers on preliminary examination of Darien Harbor and Rifle Cut, Ga.; to the Committee on Rivers and Harbors.

247. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Thunderbolt Harbor, Ga.; to the Committee on Rivers and Harbors.

248. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination of New River Inlet, Fla.; to the Committee on Rivers and Harbors.

249. A letter from the Secretary of War, transmitting a report from the Chief of Engineers on preliminary examination of Wekiva River, Fla.; to the Committee on Rivers and Harbors.

250. A letter from the Secretary of War, transmitting a report from the Chief of Engineers on preliminary examination and survey of Horn Harbor, Va. (H. Doc. No. 124); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

251. A letter from the Secretary of War, transmitting report of expenditures on account of appropriation "Contingent expenses, War Department," during the fiscal year ending June 30, 1927; to the Committee on Expenditures in the Executive Departments.

252. A letter from the Secretary of War, transmitting report of expenditures on account of appropriation "Contingencies of the Army" during the fiscal year ending June 30, 1927; to the Committee on Expenditures in the Executive Departments.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII.

Mr. JOHNSON of Illinois: Committee on Military Affairs. H. R. 802. A bill to correct the military record of Curtis P. Wise; without amendment (Rept. No. 24). Referred to the Committee of the Whole House.

Mr. WRIGHT: Committee on Military Affairs. H. R. 871. A bill for the relief of William Earhart; without amendment (Rept. No. 25). Referred to the Committee of the Whole House.

Mr. SPEAKS: Committee on Military Affairs. H. R. 1072. A bill for the relief of George Adams; without amendment (Rept. No. 26). Referred to the Committee of the Whole House.

Mr. FURLOW: Committee on Military Affairs. H. R. 2272. A bill for the relief of William Morin; without amendment (Rept. No. 27). Referred to the Committee of the Whole House.

Mr. BOYLAN: Committee on Military Affairs. H. R. 2284. A bill for the relief of Lucius Bell; without amendment (Rept. No. 28). Referred to the Committee of the Whole House.

Mr. JAMES: Committee on Military Affairs. H. R. 2294. A bill for the relief of George H. Gilbert; without amendment (Rept. No. 29). Referred to the Committee of the Whole House.

Mr. WAINWRIGHT: Committee on Military Affairs. H. R. 3041. A bill for the relief of Alfred St. Dennis; without amendment (Rept. No. 30). Referred to the Committee of the Whole House.

Mr. GLYNN: Committee on Military Affairs. H. R. 3049. A bill for the relief of Alexander Ashbaugh; without amendment (Rept. No. 31). Referred to the Committee of the Whole House.

Mr. GLYNN: Committee on Military Affairs. H. R. 3192. A bill for the relief of John Costigan; without amendment (Rept. No. 32). Referred to the Committee of the Whole House.

Mr. FISHER: Committee on Military Affairs. H. R. 3440. A bill for the relief of Alvin H. Tinker; without amendment (Rept. No. 33). Referred to the Committee of the Whole House.

Mr. SPEAKS: Committee on Military Affairs. H. R. 3993. A bill for the relief of Adam B. Ackerman, alias B. Aunkerman; without amendment (Rept. No. 34). Referred to the Committee of the Whole House.

Mr. FROTHINGHAM: Committee on Military Affairs. H. R. 4027. A bill for the relief of the widow of Warren V. Howard; without amendment (Rept. No. 35). Referred to the Committee of the Whole House.

Mr. FISHER: Committee on Military Affairs. H. R. 5255. A bill for the relief of Jacob F. Webb; without amendment (Rept. No. 36). Referred to the Committee of the Whole House.

Mr. SPEAKS: Committee on Military Affairs. H. R. 5424. A bill for the relief of Anthony Schwartzenberger; without amendment (Rept. No. 37). Referred to the Committee of the Whole House.

Mr. McSWAIN: Committee on Military Affairs. H. R. 6364. A bill for the relief of Edward Tigh; without amendment (Rept. No. 38). Referred to the Committee of the Whole House.

Mr. JOHNSON of Illinois: Committee on Military Affairs. H. R. 6579. A bill for the relief of James W. Kingon; without amendment (Rept. No. 39). Referred to the Committee of the Whole House.

#### CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 3497) granting an increase of pension to Marcel H. Poirier; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3679) granting an increase of pension to Abe Cohen; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5292) for the relief of Mattie Holcomb; Committee on Claims discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 6169) for the relief of John H. Grout; Committee on Claims discharged, and referred to the Committee on Foreign Affairs.

A bill (H. R. 6782) for the relief of George F. Newhart, Clyde Hahn, and David McCormick; Committee on Claims discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 6896) for the relief of the Alaska Products Co.; Committee on Claims discharged, and referred to the Committee on Ways and Means.

A bill (H. R. 7044) granting an increase of pension to Banner Chandley; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GRIEST: A bill (H. R. 7900) granting allowances for rent, fuel, light, and equipment to postmasters of the fourth class, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. MURPHY: A bill (H. R. 7901) to regulate the liability of the parties for accidents occurring at grade crossings on steam, electric, and other railways; to the Committee on the Judiciary.

By Mr. BOWLING: A bill (H. R. 7902) granting the consent of Congress to the State highway department of the State of Alabama to construct a bridge across the Coosa River, near Wetumpka, Elmore County, Ala.; to the Committee on Interstate and Foreign Commerce.

By Mr. ABERNATHY: A bill (H. R. 7903) to authorize the erection at Clinton, Sampson County, N. C., of a monument in commemoration of William Rufus King, former Vice President of the United States; to the Committee on the Library.

By Mr. CARSS: A bill (H. R. 7904) to transfer to the city of Duluth, Minn., the old Federal Building, together with the site thereof; to the Committee on Public Buildings and Grounds.

By Mr. COCHRAN of Missouri: A bill (H. R. 7905) to enforce the fourth and fifth amendments to the Constitution of the United States, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 7906) to amend the World War adjusted compensation act, as amended; to the Committee on Ways and Means.

By Mr. FRENCH: A bill (H. R. 7907) to prevent deceit and unfair prices that result from the unrevealed presence of substitutes for virgin wool in woven or knitted fabrics purporting to contain wool and in garments or articles of apparel made therefrom manufactured in any Territory of the United States or the District of Columbia, or transported or intended to be transported in interstate or foreign commerce, and providing penalties for the violation of the provisions of this act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LEHLBACH: A bill (H. R. 7908) to authorize the granting of leave to ex-service men and women to attend the annual convention of the United Spanish War Veterans and auxiliary in Habana, Cuba, in 1928; to the Committee on the Civil Service.

By Mr. PEAVEY: a bill (H. R. 7909) to authorize the maintenance and renewal of a timber frame trestle in place of a fixed span at the Wisconsin end of the steel bridge of the Duluth & Superior Bridge Co. over the St. Louis River between the States of Wisconsin and Minnesota; to the Committee on Interstate and Foreign Commerce.

By Mr. ZIHLMAN: A bill (H. R. 7910) amending the act approved April 30, 1926, entitled "An act amending the act entitled 'An act providing for the comprehensive development of the park and playground system of the National Capital,'" approved June 6, 1924; to the Committee on the District of Columbia.

Also, a bill (H. R. 7911) to define and punish vagrancy in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BRAND of Georgia: A bill (H. R. 7912) to exclude from the mails certain newspapers containing matter printed in foreign languages; to the Committee on the Post Office and Post Roads.

By Mr. ALMON: A bill (H. R. 7913) granting the consent of Congress to the highway department of the State of Alabama to construct a bridge across the Elk River on the Athens-Florence road between Lauderdale and Limestone Counties, Ala.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 7914) granting the consent of Congress to the highway department of the State of Alabama to construct a bridge across the Tennessee River near Whitesburg Ferry on Huntsville-Lacey Springs road, between Madison and Morgan Counties, Ala.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 7915) granting the consent of Congress to the highway department of the State of Alabama to construct a bridge across the Tennessee River near the Scottsboro, on the Scottsboro-Fort Payne road, in Jackson County, Ala.; to the Committee on Interstate and Foreign Commerce.

By Mr. CANFIELD: A bill (H. R. 7916) granting the consent of Congress to the Madison Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio; to the Committee on Interstate and Foreign Commerce.

By Mr. CARTWRIGHT: A bill (H. R. 7917) granting a pension to the regularly commissioned United States deputy marshals of the United States District Court for the Western District of Arkansas, including the Indian Territory, now the State of Oklahoma, and to their widows and their dependent children; to the Committee on the Judiciary.

By Mr. COOPER of Wisconsin: A bill (H. R. 7918) to amend the World War veterans' act, as amended; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 7919) to provide that funds appropriated for the care and relief of Indians of Wisconsin under the direction of the Secretary of the Interior shall be expended through certain public agencies of the State of Wisconsin; to the Committee on Indian Affairs.

By Mr. GREGORY: A bill (H. R. 7920) authorizing and directing the Secretary of Agriculture to establish and maintain a dairy and livestock experiment station at or near Mayfield, Ky.; to the Committee on Agriculture.

Also, a bill (H. R. 7921) granting the consent of Congress to A. Robbins, of Hickman, Ky., his heirs, and legal representatives and assigns, to construct, maintain, and operate a bridge across the Mississippi; to the Committee on Interstate and Foreign Commerce.

By Mr. RANKIN: A bill (H. R. 7922) to amend section 601 of the World War adjusted compensation act; to the Committee on Ways and Means.

By Mr. SWING: A bill (H. R. 7923) providing that funds appropriated for the care and relief of Indians of California under the direction of the Secretary of the Interior shall be expended through certain public agencies of the State of California; to the Committee on Indian Affairs.

By Mr. WAINWRIGHT: A bill (H. R. 7924) to prohibit the training of any person after his twenty-fourth birthday in the citizens' military training camps; to the Committee on Military Affairs.

By Mr. KELLY: A bill (H. R. 7925) authorizing the maintenance of a bridge over the Monongahela River, between the borough of Glassport and the city of Clairton, in the State of Pennsylvania; to the Committee on Interstate and Foreign Commerce.

By Mr. JAMES: A bill (H. R. 7926) to place a retired officer of the Army on the retired list as a major general; to the Committee on Military Affairs.

By Mr. KEMP: A bill (H. R. 7927) granting the consent of Congress to the Louisiana Highway Commission of the State of Louisiana to construct, maintain, and operate a bridge across the Atchafalaya River, at Melville, La.; to the Committee on Interstate and Foreign Commerce.

By Mr. OLDFIELD: A bill (H. R. 7928) to authorize the President to classify certain positions under the civil service act; to the Committee on the Civil Service.

By Mr. FURLOW: A bill (H. R. 7929) to give military status and discharges to the members of the Russian Railway Service Corps, organized by the War Department under authority of the President of the United States for service during the war with Germany; to the Committee on Military Affairs.

By Mr. BRITTEN: A bill (H. R. 7930) to amend section 24 of the act approved February 28, 1925, entitled "An act to provide for the creation, organization, administration, and maintenance of a Naval Reserve and a Marine Corps Reserve"; to the Committee on Naval Affairs.

By Mr. DARROW: A bill (H. R. 7931) to amend section 4 of the act entitled "An act to provide for the equalization of promotion of the officers of the Staff Corps of the Navy with officers of the line," approved June 10, 1926, and for other purposes; to the Committee on Naval Affairs.

By Mr. HOUSTON of Hawaii: A bill (H. R. 7932) to authorize appropriations for construction at military posts, and for other purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 7933) to fix salaries of certain judges of the Territory of Hawaii; to the Committee on the Judiciary.

By Mr. BLOOM: A bill (H. R. 7934) to amend section 300 of the World War veterans' act, 1924; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 7935) to amend Title III of the World War veterans' act, 1924, as amended; to the Committee on World War Veterans' Legislation.

By Mr. BLACK of New York: A bill (H. R. 7936) to create the United States board of alienists; to the Committee on the Judiciary.

By Mr. FURLOW: A bill (H. R. 7937) to authorize mapping agencies of the Government to assist in preparation of military maps; to the Committee on Military Affairs.

Also, a bill (H. R. 7938) to regulate sales by utilities in the Army; to the Committee on Military Affairs.

Also, a bill (H. R. 7939) to authorize settlement of damages to persons and property by Army aircraft; to the Committee on Military Affairs.

By Mr. HAUGEN: A bill (H. R. 7940) to establish a Federal farm board to aid in the orderly marketing and in the control

and disposition of the surplus of agricultural commodities in interstate and foreign commerce; to the Committee on Agriculture.

By Mr. HAWLEY: A bill (H. R. 7941) amendatory of the act of March 26, 1908 (35 Stat. L. p. 48), as amended by the act of December 11, 1919 (41 Stat. L. p. 366); to the Committee on the Public Lands.

By Mr. McKEOWN: A bill (H. R. 7942) authorizing an appropriation of \$1,000,000 for the purchase of cottonseed, kafir seed, milo maize seed, and seed grain to be supplied to farmers in the pest-stricken areas of the State of Oklahoma; to the Committee on Agriculture.

By Mr. MEAD: A bill (H. R. 7943) to amend the act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920, and acts in amendment thereof, approved July 3, 1926; to the Committee on the Civil Service.

By Mr. MOORE of Virginia: A bill (H. R. 7944) to authorize appropriations for construction at military posts, and for other purposes; to the Committee on Military Affairs.

By Mr. WINGO: A bill (H. R. 7945) providing for a mine-rescue station and equipment at Fort Smith, Ark.; to the Committee on Mines and Mining.

By Mr. WINTER: A bill (H. R. 7946) to repeal an act entitled "An act to extend the provisions of the homestead laws to certain lands in the Yellowstone Forest Reserve," approved March 15, 1906; to the Committee on the Public Lands.

By Mr. DAVILA: A bill (H. R. 7947) for the relief of officers and enlisted men of the United States military forces who served in Porto Rico from May 26, 1900, to April 23, 1904; to the Committee on Military Affairs.

By Mr. WATSON: A bill (H. R. 7948) to extend the times for commencing and completing the construction of a bridge across the Delaware River; to the Committee on Interstate and Foreign Commerce.

By Mr. ROY G. FITZGERALD: A bill (H. R. 7949) to amend section 4826, Revised Statutes, as amended by act of June 7, 1924, Forty-third Statutes at Large, page 519 (Title 24, sec. 131, Code of U. S. Laws), by extending the privileges of the National Home for Disabled Volunteer Soldiers to disabled nurses; to the Committee on Military Affairs.

By Mr. COLTON: A bill (H. R. 7950) to promote the development, protection, and utilization of grazing resources on public lands, to stabilize the range stock-raising industry, and for other purposes; to the Committee on the Public Lands.

By Mr. GIBSON: A bill (H. R. 7951) to amend subchapter 1 of chapter 18 of the Code of Laws for the District of Columbia, relating to degree-conferring institutions; to the Committee on the District of Columbia.

By Mr. VESTAL: A bill (H. R. 7952) to extend the benefits of the Hatch Act, the Adams Act, the Purnell Act, and the Smith-Lever Act to the Territory of Alaska; to the Committee on Agriculture.

By Mr. MANLOVE: A bill (H. R. 7953) to amend the act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920, and acts in the amendment thereof; to the Committee on the Civil Service.

By Mr. LEA: Joint resolution (H. J. Res. 112) to amend the act of May 29, 1884, as amended, the act of February 2, 1903, and the act of March 3, 1905, as amended, to include poultry within their provisions; to the Committee on Agriculture.

By Mr. FISH: Joint resolution (H. J. Res. 114) requesting the Secretary of War and the Secretary of the Navy to adjust the differences between the football teams of the Army and Navy; to the Committee on Military Affairs.

By Mr. BLOOM: Joint resolution (H. J. Res. 115) authorizing the Postmaster General to make a just and equitable compensation for the past use in the Postal Service of a certain invention and device for the post marking of mail packages and for the more permanent cancellation of postage stamps during the time the said device was in use by the Post Office Department, not exceeding or going beyond the life of the letters patent thereon; to the Committee on the Post Office and Post Roads.

By Mr. SMITH: Joint resolution (H. J. Res. 116) authorizing the selection of a site and the erection of a memorial monument to the pioneers of the Nation in Washington City, D. C.; to the Committee on the Library.

By Mr. ZIHLMAN: Joint resolution (H. J. Res. 117) entitling all employees of the United States Government in the District of Columbia to pay for Saturday, December 24, the same as any other holiday; to the Committee on Expenditures in the Executive Departments.

By Mr. McDUFFIE: Joint resolution (H. J. Res. 119) authorizing the erection of a monument to the memory and at the grave of the Indian chief, William Weatherford, known as the "Red Eagle"; to the Committee on the Library.

By Mr. KIESS: Concurrent resolution (H. Con. Res. 12) providing for the appointment of a joint committee of Congress to inspect and report upon the government and conditions in American Samoa; to the Committee on Rules.

By Mr. BLOOM: Resolution (H. Res. 60) to amend the rules of the House of Representatives; to the Committee on Rules.

By Mr. WOOD: Resolution (H. Res. 62) that the Clerk of the House be, and he is hereby, authorized and directed to pay out of the contingent fund of the House, until otherwise provided by law, compensation at the rate of \$1,140 per annum to cloakroom man No. 4 of the House of Representatives: *Provided*, That this rate of compensation shall be effective only so long as the position is held by present incumbent; to the Committee on Accounts.

By Mr. BRITTEN: Resolution (H. Res. 63) to provide an equality in the rules for the playing of football games between the United States Naval Academy and the United States Military Academy; to the Committee on Naval Affairs.

#### MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

Memorial of the Legislature of the State of Arizona, requesting the installation of turbine engines at the Coolidge Dam for the purpose of generating hydroelectric power, assuring a cheap electrical power for the agricultural and mining interests; to the Committee on Appropriations.

By Mr. AUF DER HEIDE: Memorial of the Legislature of the State of New Jersey, urging the enactment of Federal legislation regulating the interstate shipment of revolvers, machine guns, and other deadly weapons; to the Committee on the Judiciary.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ABERNETHY: A bill (H. R. 7954) for the relief of R. B. Fulford; to the Committee on Naval Affairs.

Also, a bill (H. R. 7955) for the relief of Charles Thomas Wooten; to the Committee on Naval Affairs.

By Mr. AYRES: A bill (H. R. 7956) granting an increase of pension to Henrietta Sumpter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7957) granting an increase of pension to Elizabeth Sarah Taggart; to the Committee on Invalid Pensions.

By Mr. OLIVER of New York: A bill (H. R. 7958) for the relief of Agfa Raw Film Corporation; to the Committee on Ways and Means.

By Mr. BLOOM: A bill (H. R. 7959) for the adjudication and determination of the claims arising under the extension by the Commissioner of Patents of the patent granted to Frederick G. Ransford and Perter Low as assignees of Marcus P. Norton, No. 25036, August 9, 1859; to the Committee on the Post Office and Post Roads.

By Mr. BEERS: A bill (H. R. 7960) for the relief of Bernard Eberhart; to the Committee on Military Affairs.

By Mr. BLOOM: A bill (H. R. 7961) granting an increase of pension to Abbie S. Jewett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7962) granting an increase of pension to Daniel A. O'Mara; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7963) granting a pension to Bridget McAvoy Baker; to the Committee on Pensions.

Also, a bill (H. R. 7964) granting a pension to Mary Burt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7965) granting a pension to Marie Dehmel; to the Committee on Pensions.

Also, a bill (H. R. 7966) granting a pension to Eugene N. Hoyt, alias William Naylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7967) granting a pension to Olivia Marie Kindleberger; to the Committee on Pensions.

Also, a bill (H. R. 7968) granting a pension to Matilda Lovey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7969) granting a pension to Helen C. Smith; to the Committee on Pensions.

Also, a bill (H. R. 7970) for the relief of F. A. Brady (Inc.); to the Committee on War Claims.

Also, a bill (H. R. 7971) for the relief of John Leo Bruckner; to the Committee on Naval Affairs.

Also, a bill (H. R. 7972) for the relief of Nicholas Andrew Brown; to the Committee on Claims.

Also, a bill (H. R. 7973) for the relief of Charles A. Brown; to the Committee on Claims.

Also, a bill (H. R. 7974) for the relief of Clarence F. Birkett; to the Committee on Claims.

Also, a bill (H. R. 7975) for the relief of Annie M. Eopolucci; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 7976) for the relief of Mrs. Moore L. Henry; to the Committee on Claims.

Also, a bill (H. R. 7977) for the relief of the Karnani Steamship Co. (Ltd.); to the Committee on Claims.

Also, a bill (H. R. 7978) for the relief of William Mackin; to the Committee on Naval Affairs.

Also, a bill (H. R. 7979) for the relief of Bessie Greene; to the Committee on Claims.

Also, a bill (H. R. 7980) for the relief of Louis Miller; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 7981) for the relief of Max Rauch; to the Committee on Claims.

Also, a bill (H. R. 7982) for the relief of the heirs of the late Frank J. Simmons; to the Committee on War Claims.

Also, a bill (H. R. 7983) for the relief of Morris Spirt; to the Committee on Claims.

Also, a bill (H. R. 7984) for the relief of George F. Thomas; to the Committee on Military Affairs.

Also, a bill (H. R. 7985) for the relief of the heirs of Jacob J. Udelson; to the Committee on Claims.

Also, a bill (H. R. 7986) for the relief of Jerome J. Wingers; to the Committee on Naval Affairs.

By Mr. BOWMAN: A bill (H. R. 7987) for the relief of W. H. Fisher; to the Committee on War Claims.

Also, a bill (H. R. 7988) granting a pension to Mrs. Isaac D. Caldwell; to the Committee on Pensions.

By Mr. BRAND of Ohio: A bill (H. R. 7989) granting an increase of pension to William Leslie Hull; to the Committee on Pensions.

Also, a bill (H. R. 7990) granting an increase of pension to Murray R. Marshall; to the Committee on Pensions.

By Mr. CANFIELD: A bill (H. R. 7991) granting an increase of pension to Susan E. Rodgers; to the Committee on Invalid Pensions.

By Mr. CARTWRIGHT: A bill (H. R. 7992) for the relief of Sally Mattie Macready, widow of Edward Daniel Macready; to the Committee on Military Affairs.

By Mr. CARSS: A bill (H. R. 7993) granting a pension to Mary A. Hubbard; to the Committee on Invalid Pensions.

By Mr. CLARKE: A bill (H. R. 7994) granting an increase of pension to Maria Davis; to the Committee on Invalid Pensions.

By Mr. DEMPSEY: A bill (H. R. 7995) granting an increase of pension to Huldah E. McLaughlin; to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 7996) granting an increase of pension to Please Waits; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7997) granting an increase of pension to H. E. Waits; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7998) granting an increase of pension to George Waits; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7999) granting a pension to John D. Waits; to the Committee on Invalid Pensions.

By Mr. DEMPSEY: A bill (H. R. 8000) granting a pension to Hattie Dickinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8001) conferring jurisdiction upon certain courts of the United States to hear and determine the claim by the owner of the steamship *City of Beaumont* against the United States, and for other purposes; to the Committee on Claims.

By Mr. DAVEY: A bill (H. R. 8002) granting a pension to Emma S. Stokes; to the Committee on Invalid Pensions.

By Mr. DRANE: A bill (H. R. 8003) authorizing preliminary examination and survey of St. Petersburg, Fla.; to the Committee on Rivers and Harbors.

By Mr. DYER: A bill (H. R. 8004) granting an increase of pension to Edith Quick; to the Committee on Pensions.

By Mr. ENGLAND: A bill (H. R. 8005) granting a pension to Emily Asbury; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8006) granting a pension to Virginia Canterbury; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8007) for the relief of the Ansted National Bank, Ansted, W. Va.; to the Committee on Claims.

Also, a bill (H. R. 8008) granting a pension to Martha Long; to the Committee on Invalid Pensions.



Also, a bill (H. R. 8009) granting a pension to James Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8010) granting a pension to Emily J. Hendricks; to the Committee on Invalid Pensions.

By Mr. FLETCHER: A bill (H. R. 8011) granting a pension to Minnie Starner; to the Committee on Invalid Pensions.

By Mr. FOSS: A bill (H. R. 8012) granting an increase of pension to Helen A. Parker; to the Committee on Invalid Pensions.

By Mr. FULBRIGHT: A bill (H. R. 8013) granting a pension to M. F. Loyd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8014) granting a pension to Vashti Rogers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8015) granting an increase of pension to Frances M. Chronister; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8016) granting an increase of pension to Ada M. Standish; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8017) granting an increase of pension to Mae E. Garrison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8018) granting an increase of pension to Massey C. Elliott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8019) granting an increase of pension to Lucinda J. Mayden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8020) granting an increase of pension to Jane C. Bishop; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8021) granting an increase of pension to Frances E. Bowers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8022) granting an increase of pension to Jesse A. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8023) granting an increase of pension to John R. Ward; to the Committee on Pensions.

Also, a bill (H. R. 8024) granting an increase of pension to Frances H. McGee; to the Committee on Pensions.

Also, a bill (H. R. 8025) granting an increase of pension to H. B. Guyton; to the Committee on Pensions.

Also, a bill (H. R. 8026) granting an increase of pension to Catherine Etheredg; to the Committee on Invalid Pensions.

By Mr. GAMBRILL: A bill (H. R. 8027) granting an increase of pension to Ida M. Zimmerman; to the Committee on Pensions.

By Mr. GASQUE: A bill (H. R. 8028) to provide a preliminary survey of Lumber River and Little Pee Dee River in South Carolina with a view to the control of its floods; to the Committee on Flood Control.

Also, a bill (H. R. 8029) to provide a preliminary survey of Lynchs River in South Carolina with a view to the control of its floods; to the Committee on Flood Control.

Also, a bill (H. R. 8030) granting an increase of pension to Robert W. Fulton; to the Committee on Pensions.

By Mr. GIFFORD: A bill (H. R. 8031) for the relief of Higgins Lumber Co. (Inc.); to the Committee on Claims.

Also, a bill (H. R. 8032) granting an increase of pension to Abbie R. Raymond; to the Committee on Invalid Pensions.

By Mr. GREENWOOD: A bill (H. R. 8033) granting a pension to Zorad B. Merrill; to the Committee on Pensions.

By Mr. HARE: A bill (H. R. 8034) for the relief of Carteret Street Methodist Episcopal Church South, Beaufort, S. C.; to the Committee on War Claims.

By Mr. HALL of Indiana: A bill (H. R. 8035) for the relief of Charles Clarence Schilling; to the Committee on Military Affairs.

Also, a bill (H. R. 8036) granting an increase of pension to Hannah Bryant; to the Committee on Invalid Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 8037) granting a pension to George W. Mudd; to the Committee on Pensions.

By Mr. MORTON D. HULL: A bill (H. R. 8038) granting a pension to Mary Thompson; to the Committee on Invalid Pensions.

By Mr. JACOBSTEIN: A bill (H. R. 8039) granting an increase of pension to Addie E. Foreman; to the Committee on Invalid Pensions.

By Mr. JAMES: A bill (H. R. 8040) granting an increase of pension to Nellie Nason; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8041) granting a pension to Alexander McWhirter; to the Committee on Pensions.

By Mr. JOHNSON of Indiana: A bill (H. R. 8042) granting a pension to Marion Simpson; to the Committee on Pensions.

Also, a bill (H. R. 8043) granting a pension to Pearl Bouchie; to the Committee on Pensions.

By Mr. KEARNS: A bill (H. R. 8044) granting an increase of pension to Catherine J. Lynn; to the Committee on Invalid Pensions.

By Mr. KELLY: A bill (H. R. 8045) granting a pension to Annie Broderick; to the Committee on Invalid Pensions.

By Mr. KINCHELOE: A bill (H. R. 8046) granting a pension to Lucy E. Riley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8047) authorizing preliminary examination and survey of Green River and Barren River, Ky.; to the Committee on Rivers and Harbors.

By Mr. KING: A bill (H. R. 8048) granting a pension to Margaret L. Davis; to the Committee on Pensions.

By Mr. KORELL: A bill (H. R. 8049) granting an increase of pension to Kate M. Wagner; to the Committee on Invalid Pensions.

By Mr. KUNZ: A bill (H. R. 8050) granting a pension to Lois Fordice; to the Committee on Invalid Pensions.

By Mr. LETTS: A bill (H. R. 8051) granting a pension to Euphemia Trine; to the Committee on Invalid Pensions.

By Mr. LUCE: (H. R. 8052) granting a pension to William Russell; to the Committee on Invalid Pensions.

By Mr. McDUFFIE: A bill (H. R. 8053) granting a pension to Anna Marie Higgs; to the Committee on Invalid Pensions.

By Mr. McSWAIN: A bill (H. R. 8054) granting an increase of pension to Elizabeth Teague; to the Committee on Pensions.

By Mr. MacGREGOR: A bill (H. R. 8055) granting a pension to Mary E. Tigie; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8056) granting a pension to Sophia H. Groszka; to the Committee on Pensions.

Also, a bill (H. R. 8057) granting an increase of pension to Mary C. Woodward; to the Committee on Invalid Pensions.

By Mr. MENGES: A bill (H. R. 8058) granting an increase of pension to Sarah Jane Ruby; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8059) granting an increase of pension to Margaret Kaufman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8060) granting an increase of pension to Magdalene Inglebirt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8061) granting an increase of pension to Annie Malehorn; to the Committee on Invalid Pensions.

By Mr. MOORE of New Jersey: A bill (H. R. 8062) granting a pension to John J. Murphy; to the Committee on Pensions.

Also, a bill (H. R. 8063) granting an increase of pension to Margaret Callahan; to the Committee on Invalid Pensions.

By Mr. MOORE of Ohio: A bill (H. R. 8064) granting an increase of pension to Caroline Hetzel; to the Committee on Invalid Pensions.

By Mrs. NORTON of New Jersey: A bill (H. R. 8065) granting an increase of pension to Margaret Ring; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8066) granting an increase of pension to Katherine Walsh; to the Committee on Invalid Pensions.

By Mr. NORTON of Nebraska: A bill (H. R. 8067) granting an increase of pension to Martha E. Gear; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8068) granting a pension to Robert Baxendale; to the Committee on Pensions.

By Mr. PRATT: A bill (H. R. 8069) granting an increase of pension to Adaline B. Hopkins; to the Committee on Invalid Pensions.

By Mr. RAGON: A bill (H. R. 8070) to provide a survey of the Petit Jean River with a view to the control of floods therein; to the Committee on Flood Control.

By Mr. RATHBONE: A bill (H. R. 8071) for the relief of Glen D. Tolman; to the Committee on Claims.

Also, a bill (H. R. 8072) for the relief of Peder Anderson; to the Committee on Naval Affairs.

By Mr. REECE: A bill (H. R. 8073) granting a pension to James Hopkins; to the Committee on Pensions.

By Mr. REED of New York: A bill (H. R. 8074) for the relief of certain seamen who are judgment creditors of the Black Star Line (Inc.) for wages earned; to the Committee on Appropriations.

By Mr. ROMJUE: A bill (H. R. 8075) granting a pension to Martha J. Knight; to the Committee on Invalid Pensions.

By Mr. ROWBOTTOM: A bill (H. R. 8076) granting a pension to Andrew J. Sweeney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8077) granting an increase of pension to James M. Nelson; to the Committee on Invalid Pensions.

By Mr. SEARS of Nebraska: A bill (H. R. 8078) granting an increase of pension to Julia A. Dibble; to the Committee on Pensions.

By Mr. SWING: A bill (H. R. 8079) for the relief of Henrietta Seymour, widow of Joseph H. Seymour, deceased; to the Committee on Military Affairs.

By Mr. STRONG of Pennsylvania: A bill (H. R. 8080) granting an increase of pension to Martha E. Moore; to the Committee on Pensions.

By Mr. SUTHERLAND: A bill (H. R. 8081) authorizing the Secretary of the Treasury to bestow a gold medal of honor, of

such design as he may approve, upon Chief Boatswain Thomas A. Ross, of the United States Coast Guard Station, Nome, Alaska; to the Committee on Military Affairs.

By Mr. SWEET: A bill (H. R. 8082) granting an increase of pension to Lena Stuckey; to the Committee on Invalid Pensions.

By Mr. THURSTON: A bill (H. R. 8083) granting an increase of pension to Elizabeth A. Geyer; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 8084) for the relief of Fukumatsu Hayashi; to the Committee on Naval Affairs.

By Mr. TILLMAN: A bill (H. R. 8085) granting a pension to Jennie Abernathy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8086) granting an increase of pension to Agnes Kimball; to the Committee on Pensions.

Also, a bill (H. R. 8087) granting an increase of pension to Belle P. Beach; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8088) granting a pension to Elvira Van Dyke; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8089) granting a pension to Mrs. Rudolph Seiler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8090) granting a pension to Zachariah T. Davenport; to the Committee on Invalid Pensions.

By Mr. UPDIKE: A bill (H. R. 8091) granting an increase of pension to Clara Comer; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: A bill (H. R. 8092) for the relief of Randolph Sias; to the Committee on Claims.

Also, a bill (H. R. 8093) for the relief of John Rooks; to the Committee on Claims.

By Mr. VESTAL: A bill (H. R. 8094) granting a pension to Josephine Canfield; to the Committee on Invalid Pensions.

By Mr. WARE: A bill (H. R. 8095) for the relief of William McCormack; to the Committee on Military Affairs.

Also, a bill (H. R. 8096) granting an increase of pension to Sarah Asabelle Mann; to the Committee on Invalid Pensions.

By Mr. WARREN: A bill (H. R. 8097) for the relief of William Grissom; to the Committee on Claims.

By Mr. WELSH of Pennsylvania: A bill (H. R. 8098) granting an increase of pension to Jane C. Godfrey; to the Committee on Invalid Pensions.

By Mr. WINTER: A bill (H. R. 8099) granting a pension to Frances H. Cosby; to the Committee on Pensions.

By Mr. WOODRUFF: A bill (H. R. 8100) granting an increase of pension to Eunice R. Rose; to the Committee on Invalid Pensions.

By Mr. WYANT: A bill (H. R. 8101) granting an increase of pension to Catherine Fritchman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8102) granting an increase of pension to Amanda Kelley; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 8103) granting an increase of pension to Lucy McDonnell; to the Committee on Invalid Pensions.

By Mr. BLOOM: Joint resolution (H. J. Res. 113) admitting Johannes Tielle, a citizen of Holland, to the United States; to the Committee on Immigration and Naturalization.

By Mr. GIBSON: Joint resolution (H. J. Res. 118) authorizing the Secretary of War to award a duplicate congressional medal of honor for the widow of Lieut. Col. William J. Sperry; to the Committee of Military Affairs.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

267. By Mr. BACON: Petition of sundry citizens of Long Island, N. Y., protesting against the enactment of the so-called Sunday observance bill; to the Committee on the District of Columbia.

268. By Mr. BERGER: Memorial of the Wisconsin Master Plumbers' Association, recommending that information being collected by the General Federation of Women's Clubs concerning the equipment of American homes be by authorization of law by the Census Bureau; to the Committee on the Judiciary.

269. By Mr. BROWNING: Petition of citizens against House bill 78, the Lankford bill; to the Committee on the District of Columbia.

270. Also, petition of citizens against House bill 78, the Lankford bill; to the Committee on the District of Columbia.

271. By Mr. CLARKE: Petition of the citizens of Binghamton and vicinity, against compulsory Sunday observance; to the Committee on the District of Columbia.

272. Also, petition from the citizens of Binghamton and vicinity, against compulsory Sunday observance; to the Committee on the District of Columbia.

273. By Mr. COOPER of Wisconsin: Petition of certain residents of Beloit, Rock County, Wis., protesting against the passage of House bill 78; to the Committee on the District of Columbia.

274. Also, petition of certain residents of Beloit, Rock County, Wis., protesting against the passage of House bill 78, known as the compulsory Sunday observance bill; to the Committee on the District of Columbia.

275. By Mr. DRIVER: Petition signed by citizens of Jonesboro, Ark., protesting against the passage of the Lankford compulsory Sunday observance bill; to the Committee on the District of Columbia.

276. By Mr. ENGLEBRIGHT: Petitions protesting against compulsory Sunday closing law, citizens of Susanville, Calif.; to the Committee on the District of Columbia.

277. By Mr. GARBER: Letter of William Wallace Brauer, 631 Pennsylvania Avenue NW., Washington, D. C., in support of the alien property bill; to the Committee on Ways and Means.

278. Also, resolution of Oklahoma Pecan Growers' Association, petitioning development of the pecan industry at an adequately financed experimental and research station at some suitable location in the Southwestern States; to the Committee on Agriculture.

279. By Mr. GARNER of Texas: Petition of citizens of Cameron County, Tex., against compulsory Sunday observance; to the Committee on the District of Columbia.

280. By Mr. HOOPER: Petition of C. S. Grant and 47 other residents of Eaton Rapids, Mich., protesting against the enactment of compulsory Sunday observance legislation for the District of Columbia; to the Committee on the District of Columbia.

281. Also, petition of Ed. Kellogg and 114 other residents of Calhoun County, Mich., protesting against the enactment of compulsory Sunday observance legislation for the District of Columbia; to the Committee on the District of Columbia.

282. Also, petition of H. O. Talbott and 131 residents of Charlotte, Mich., protesting against the enactment of compulsory Sunday observance legislation for the District of Columbia; to the Committee on the District of Columbia.

283. Also, petition of C. A. Miner and 14 other residents of Kalamazoo, Mich., protesting against the enactment of compulsory Sunday observance legislation for the District of Columbia; to the Committee on the District of Columbia.

284. Also, petition of Clinton B. Waller and 119 other residents of Charlotte, Mich., protesting against the enactment of compulsory Sunday observance legislation for the District of Columbia; to the Committee on the District of Columbia.

285. Also, a petition of Will L. Bush and 186 residents of Charlotte, Mich., protesting against the enactment of compulsory Sunday observance legislation for the District of Columbia; to the Committee on the District of Columbia.

286. By Mr. HOWARD of Nebraska: Petition signed by R. D. Bordwell and 124 others residing in the third congressional district of Nebraska, protesting against the passage of House bill 78 and all other proposed legislation to provide for compulsory Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

287. By Mr. HUDDLESTON: Petition of Mrs. S. M. Tew and numerous other persons residing in Birmingham, Ala., in opposition to House bill 78, the Sunday observance bill for the District of Columbia; to the Committee on the District of Columbia.

288. By Mr. HUDSON: Petition protesting against the enactment of a compulsory Sunday observance law by citizens of the sixth congressional district of Michigan; to the Committee on the District of Columbia.

289. By Mr. HUDSPETH: Petition of residents of Midland, Tex., protesting against Sunday observance bill; to the Committee on the District of Columbia.

290. By Mr. KADING: Petition of 53 citizens of Jefferson County, Wis., protesting against Sunday observance legislation; to the Committee on the District of Columbia.

291. By Mr. KEARNS: Petition of citizens of Portsmouth, Ohio, against the passage of any compulsory Sunday observance bills; to the Committee on the District of Columbia.

292. By Mr. KVALE: Petition of several residents of Alexandria, Minn., against Sunday laws; to the Committee on the District of Columbia.

293. Also, petition of several residents of Douglas County, Minn., protesting against compulsory Sunday observance; to the Committee on the District of Columbia.

294. By Mr. KIESS: Petition from citizens of Clinton, Potter, and Tioga Counties, Pa., opposing compulsory Sunday laws; to the Committee on the District of Columbia.

295. By Mr. LAMPERT: Petition of citizens of Oshkosh, Wis., protesting against the so-called Sunday observance bill; to the Committee on the District of Columbia.

296. Also, petition of Omro, Wis., protesting against the so-called Sunday observance bill; to the Committee on the District of Columbia.

297. By Mr. MARTIN of Massachusetts: Petition of Bertha H. Leach, Mary Mayall, Agnes J. Mayall, Edward M. Carpenter, and 135 other citizens of Fall River, Mass., protesting against enactment of compulsory Sunday observance bill; to the Committee on the District of Columbia.

298. By Mr. MORROW: Petition of citizens of Alto, N. Mex., protesting against enactment of House bill 78, compulsory Sunday observance for the District of Columbia; to the Committee on the District of Columbia.

299. Also, petition of Joe Quesenberry Post No. 10, American Legion, Las Cruces, protesting against Veterans' Bureau Regulation No. 177; protesting against any repeal of World War veterans' act in connection with the \$50 monthly award to arrested-tubercular patients; protesting against contemplated legislation making hospitalization compulsory; protesting against General Order No. 59E; protesting against transfer of Fort Bayard Veterans' Hospital to the control of the Army; to the Committee on World War Veterans' Legislation.

300. By Mrs. NORTON of New Jersey: Petition of Louise Harris and 52 others, protesting against House bill 78; to the Committee on the District of Columbia.

301. By Mr. O'CONNELL: Petition of the Womens International League for Peace and Freedom, favoring the resolutions of Representative Theodore Burton to prevent shipment of munitions of war to an aggressor nation; to the Committee on Military Affairs.

302. By Mr. SMITH: Resolution by the executive committee, department of Idaho, the American Legion, favoring legislation providing for the transfer of title of the land and buildings in the Boise Barracks, Boise, Idaho, from the War Department to the United States Veterans' Bureau and the State of Idaho; to the Committee on Military Affairs.

303. Also, petition of citizens of Filer, Idaho, protesting against compulsory Sunday observance bill (H. R. 78); to the Committee on the District of Columbia.

304. By Mr. SOMERS of New York: Petition of the Congregation Shaare Torah of Flatbush, Brooklyn, protesting against the outrages perpetrated against Jews in Rumania; to the Committee on Foreign Affairs.

305. By Mr. TARVER: Petition of Mrs. A. M. Morris and 152 citizens of Cobb County, Ga., protesting against compulsory Sunday observance; to the Committee on the District of Columbia.

306. By Mr. SOMERS of New York: Petition of 700 citizens of Brooklyn, against the compulsory Sunday observance bill; to the Committee on the District of Columbia.

307. By Mr. SUMMERS of Washington: Petition signed by 541 adults of the State of Washington protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

308. Also, petition signed by A. G. Steinert and others, of College Place, Wash., protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

309. Also, petition signed by Frank McKay and others, of Yakima County, Wash., protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

310. Also, petition signed by John R. Fleming and others, of Buena, Wash., protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

311. Also, petition signed by E. C. Reiber and others, of Granger, Wash., protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

312. Also, petition signed by Charles Trefz and others, of College Place, Wash., protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

313. Also, petition signed by C. W. Chamberlain and others, of Colfax, Wash., protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

314. By Mr. THOMPSON: Petition of citizens of Delta, Swanton, and Liberty Center, Ohio, protesting against the passage of a compulsory Sunday observance law or any other national religious legislation; to the Committee on the District of Columbia.

315. By Mr. TILLMAN: Petitions of various citizens of Arkansas, protesting against the passage of compulsory Sunday bills; to the Committee on the District of Columbia.

316. By Mr. TINKHAM: Resolutions of the Central Council, Irish County Clubs of Massachusetts, adopted at a meeting held Sunday evening, December 11, 1927, at Hibernian Building, protesting against the provisions of the so-called national origins act; to the Committee on Immigration and Naturalization.

317. By Mr. VINCENT of Michigan: Petition of 17 residents of Edmore, Mich., opposing compulsory Sunday observance; to the Committee on the District of Columbia.

318. Also, petition of 27 residents of Cedar Lake, Mich., opposing compulsory Sunday observance; to the Committee on the District of Columbia.

319. Also, petition of 223 residents of the county of Saginaw, protesting against the passage of House bill 78, or any other bill providing for compulsory Sunday observance; to the Committee on the District of Columbia.

320. Also, petition of 240 residents of Ionia, Mich., protesting against the passage of House bill 78, or any other bill providing for compulsory Sunday observance; to the Committee on the District of Columbia.

321. Also, petition of 11 residents of Elwell, Mich., opposing compulsory Sunday observance; to the Committee on the District of Columbia.

322. Also, petition of 38 residents of Vestaburg, Mich., opposing compulsory Sunday observance; to the Committee on the District of Columbia.

323. Also, petition of 111 residents of Gratiot County, Mich., protesting against the passage of House bill 78 or any other bill providing for compulsory Sunday observance; to the Committee on the District of Columbia.

324. Also, petition of 462 residents of the county of Saginaw protesting against the passage of House bill 78 or any other bill providing for compulsory Sunday observance; to the Committee on the District of Columbia.

325. Also, petition of 106 residents of Eureka, Mich., protesting against the passage of House bill 78 or any other bill providing for compulsory Sunday observance; to the Committee on the District of Columbia.

326. By Mr. WINTER: Resolution of Chamber of Commerce, Powell, Wyo., protesting against further restriction on Mexican immigration; to the Committee on Immigration and Naturalization.

## HOUSE OF REPRESENTATIVES

TUESDAY, December 20, 1927

The House met at 12 o'clock noon.

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

Do Thou give us Thine open ear, Lord God of Hosts, and we would unbar the doors of our hearts. Let Thy Spirit be the bond of fellowship and may He speak within the circle of our souls. Amid the forces of life we despair of anything like personal independence and mastery. Yet while they often bear us to the very edge of doom, inspire us and hold us with the heroic accent of unquenchable faith. O God, a tragedy has torn the Nation's heart and holds it in a freezing blight. Oh, the cheerless, defiant waters; the charts can not help the vessel that is fast upon their jagged floor. But come Thou to the dear loved ones, who are dazed and speechless in the curtains of their grief. The men, our heroic brothers, the stalwarts of the waves, who in the face of peril never wore a lowering brow in the face of danger, give them great peace and resignation as they pass through the tortures of their transition. At the eternal daydawn, robed in the splendor of a fadeless morning, may their jubilant anchors be cast in the stormless harbor of heaven above. Through Jesus Christ our Lord. Amen.

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

### JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that on December 19, 1927, they presented to the President of the United States for his approval the following joint resolution:

H. J. Res. 92. A joint resolution authorizing the payment of salaries of the officers and employees of Congress for December, 1927, on the 20th day of that month.

### SETTLEMENT OF WAR CLAIMS

Mr. GREEN of Iowa. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 7201) to provide for the settlement of certain claims of