

By Mr. LODGE:

A joint resolution (S. J. Res. 128) authorizing the acceptance of the gift of the Berkshire Trout Hatchery, Berkshire County, Mass.; to the Committee on Fisheries.

#### GOOD ROADS.

Mr. SHAFROTH submitted an amendment intended to be proposed by him to the bill (H. R. 7617) to provide that in order to promote agriculture, afford better facilities for rural transportation and marketing farm products, and encourage the development of a general system of improved highways, the Secretary of Agriculture, on behalf of the United States, shall in certain cases aid the States in the construction, improvement, and maintenance of roads which may be used in the transportation of interstate commerce, military supplies, or postal matter, which was ordered to lie on the table and be printed.

#### INDIAN APPROPRIATIONS—CONFERENCE REPORT.

Mr. ASHURST. Mr. President, I wish to give notice that to-morrow morning, immediately after the reading of the Journal, or as soon thereafter as I can secure the floor, I shall ask the Senate to consider the conference report on the Indian appropriation bill.

The report has been standing for something like a week, and I shall ask the Senate to dispose of it to-morrow.

#### GOOD ROADS.

Mr. BANKHEAD. I move that the Senate proceed to the consideration of House bill 7617, commonly known as the good-roads bill.

Mr. SMOOT. The Senator can take up that bill by motion in the morning just as well.

Mr. BANKHEAD. I will lay it aside at once.

Mr. SMOOT. With that understanding, I have no objection.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Alabama.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7617) to provide that in order to promote agriculture, afford better facilities for rural transportation and marketing farm products, and encourage the development of a general system of improved highways, the Secretary of Agriculture, on behalf of the United States, shall in certain cases aid the States in the construction, improvement, and maintenance of roads which may be used in the transportation of interstate commerce, military supplies, or postal matter.

Mr. BANKHEAD. I ask that the bill may be temporarily laid aside.

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

Mr. KERN. I move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 50 minutes p. m., Thursday, May 4, 1916) the Senate adjourned until to-morrow, Friday, May 5, 1916, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES.

THURSDAY, May 4, 1916.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty God, our heavenly Father, we thank Thee for all the rich and varied blessings of life, especially for the faculties of mind and soul with which Thou hast endowed us, and we most fervently pray that we may wisely, conscientiously, and efficiently use them in the work Thou hast called us to do, that we may be faithful sons of Thee, the living God. And Thine be the praise through Jesus Christ our Lord. Amen.

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

#### ILLITERACY.

Mr. HUGHES. Mr. Speaker, I ask unanimous consent to print in the Record an article from the Macon (Ga.) Telegraph on the subject of illiteracy, in which article is incorporated a plan of correction inaugurated most successfully by the very distinguished gentleman from Georgia, Judge PARK, which is worthy of the highest commendation.

The SPEAKER. The gentleman from Georgia asks unanimous consent to print in the Record an article from the Macon (Ga.) Telegraph on the subject of illiteracy, incorporating a system of correcting it inaugurated by a Member of the House, Judge PARK. Is there objection?

There was no objection.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had passed bill (S. 5802) to amend an act approved June 8, 1906, entitled "An act to amend section 1 of an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901," in which the concurrence of the House of Representatives was requested.

#### SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 5802. An act to amend an act approved June 8, 1906, entitled "An act to amend section 1 of an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901"; to the Committee on the District of Columbia.

S. 509. An act for the relief of the heirs of Joshua Nicholls; to the Committee on War Claims.

S. 3423. An act to provide for the construction of a bridge across the Salt Fork of the Arkansas River near White Eagle Agency, in the Ponca Indian Reservation, Okla.; to the Committee on Indian Affairs.

S. 4425. An act to provide for the retirement of officers and employees of the Bureau of Lighthouses and the Lighthouse Service; to the Committee on Interstate and Foreign Commerce.

S. 4426. An act to regulate the salaries of keepers of lighthouses; to the Committee on Interstate and Foreign Commerce.

#### CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER. Under the order heretofore made the Calendar for Unanimous Consent will be called, and the Clerk will report the first bill.

#### FRAUDULENT ENLISTMENT.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 7619) to repeal section 3 of section 1342 of the Revised Statutes of the United States, enacted July 27, 1892.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the bill is stricken from the calendar.

Mr. MANN. Mr. Speaker, the gentleman from Ohio [Mr. GORDON] who is interested in the bill is not present, and I am perfectly willing that it should go over without prejudice.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

#### SECTION 20 OF THE ACT TO REGULATE COMMERCE.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 722) to amend section 20 of an act to regulate commerce, approved February 4, 1887, as amended, and for other purposes.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, there is a minority report upon this bill. The gentleman from New Jersey [Mr. PARKER] filed a minority report and is not present. In his absence I would have to object, unless the gentleman from Georgia will consent to having it passed over without prejudice.

Mr. ADAMSON. Mr. Speaker, I know the gentleman is in the city, for he attended a committee meeting a few moments ago.

The SPEAKER. Has the gentleman from Georgia any suggestion to make in respect to the bill?

Mr. ADAMSON. Mr. Speaker, I will act on the suggestion of the gentleman from Illinois and ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

#### JOINT COMMITTEE TO INVESTIGATE INTERSTATE AND FOREIGN COMMERCE.

The next business on the Calendar for Unanimous Consent was the joint resolution (S. J. Res. 60) creating a joint subcommittee from the membership of the Senate Committee on Interstate Commerce and the House Committee on Interstate and Foreign Commerce to investigate the conditions relating to interstate and foreign commerce, and the necessity of further legislation relating thereto, and defining the powers and duties of such subcommittee.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I am making some further inquiries which are not yet complete, and I hope the gentleman from Georgia will ask to have this joint resolution passed over without prejudice.

Mr. ADAMSON. Mr. Speaker, I have no disposition to refuse to oblige the gentleman from Illinois in any respect, but I beg to state to him, in showing the importance of this matter, that probably one-half, or at least a very large percentage, of the bills before our committee are depending on this resolution. Every time we take up one for consideration somebody suggests it will be covered by the jurisdiction of the joint committee, if appointed under this joint resolution. I would be glad to have the joint resolution disposed of one way or the other, so that our committee would be relieved of that embarrassment.

Mr. MANN. Mr. Speaker, I am sure that the gentleman's committee is busy with important work, so that they are not losing anything by putting over some bills.

Mr. ADAMSON. The gentleman speaks correctly, so far as that is concerned, yet there are so many bills as to which that plea is made that it amounts to an embarrassment. The gentleman suggests to me that it can be called up again a week from next Monday, and, in view of that statement, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

#### FOREST HOMESTEAD ACT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10668) to repeal section 4 of the act of Congress approved June 11, 1906, known as the forest homestead act, and for other purposes.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent that it be considered in the House as in the Committee of the Whole.

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

The Clerk read as follows:

*Be it enacted, etc.,* That section 4 of the act of Congress, approved June 11, 1906, entitled "An act to provide for the entry of agricultural lands within forest reserves," be, and the same is hereby, repealed: *Provided,* That lands within forest reserves in Lawrence and Pennington Counties, in South Dakota, shall remain subject to all other provisions of the said act of June 11, 1906.

With the following committee amendments:

After the word "reserves," in line 6, insert "as amended by the act of February 8, 1907 (Stat. L., vol. 34, p. 883), and by the act of July 3, 1912 (Stat. L., vol. 37, p. 239)."

Mr. MANN. Mr. Speaker, I move to amend the committee amendment, line 10, page 1, by striking out the words "two hundred and thirty-nine" and inserting "one hundred and eighty-eight."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 1, line 10, by striking out the words "two hundred and thirty-nine" and inserting "one hundred and eighty-eight."

Mr. FOSTER. Mr. Speaker, let me ask the gentleman—he has probably looked it up—as to whether the reference to the page is wrong—

Mr. MANN. The reference is wrong, and I think I am correct in the amendment I offered. I have that notation, and I did look it up.

Mr. FOSTER. All right.

Mr. MANN. It was acknowledged to be wrong when the bill was up the last time.

Mr. FOSTER. That is my recollection.

The SPEAKER. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was agreed to.

The amendment as amended was agreed to.

The Clerk read the next committee amendment, as follows:

Page 2, line 1, strike out, after the word "repealed," the colon and the words "Provided, That" and insert a period and the word "all."

The question was taken, and the amendment was agreed to.

The next committee amendment was read as follows:

Page 2, line 2, strike out the words "forests reserves" and insert the words "a national forest."

Mr. MANN. Mr. Speaker, I ask unanimous consent to amend the committee amendment by striking out the word "a" and inserting the word "the."

The amendment was agreed to.

The committee amendment as amended was agreed to.

The next committee amendment was read, as follows:

Page 2, line 3, after the word "shall," insert the words "be and."

The question was taken, and the amendment was agreed to.

The next committee amendment was read, as follows:

In line 5, page 2, after the word "six," insert the words "and acts amendatory thereof and supplementary thereto."

The question was taken, and the 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.

#### MANUSCRIPT COPIES OF PATENT OFFICE RECORDS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11798) providing for the temporary employment of typewriters in the Patent Office.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman having charge of this bill what is the especial need of this additional force? I see the chairman of the subcommittee on the legislative, executive, and judicial appropriation bill present, and, as I recall, this authorization was included as a Senate amendment to the bill which was not agreed to in conference.

Mr. MANN. Was agreed to.

Mr. BYRNS of Tennessee. No; it was not agreed to. But I will call the attention of the gentleman to the fact that this is a different provision and covers a much wider scope than the Senate amendment, because that amendment was limited to the expenditure of \$10,000, and there is absolutely no limit of expenditure that may be made under this bill except the provision here providing that the amount expended for such employment shall not exceed in any month the amount received for furnishing the manuscript copies of records, and so forth.

Mr. STAFFORD. In other words, the language of this bill is broader than the item which was objected to in conference?

Mr. BYRNS of Tennessee. Yes.

Mr. STAFFORD. Mr. Speaker, in the absence of the gentleman having charge of the bill, I am going to ask—

Mr. MORRISON. Mr. Speaker, Mr. OGLESBY has charge of this bill, and I do not see him present at this moment; but I would like to answer any question any gentleman desires to ask in reference to the purposes of this bill.

Mr. STAFFORD. Can the gentleman inform the House whether any other bureau has a similar authority to that intended to be vested by this bill?

Mr. KITCHIN. Mr. Speaker, I suggest that the bill be passed over without prejudice until Mr. OGLESBY returns. He will be in in a few moments.

Mr. STAFFORD. Very well.

Mr. Sisson. Then it will go to the heels of this docket.

Mr. FOSTER. Mr. Speaker, I ask that it be passed over without prejudice.

The SPEAKER. The gentleman asks that this bill be passed over without prejudice—

Mr. MORRISON. Mr. Speaker, I am chairman of that committee, and I am willing to assume the responsibility of answering any question.

Mr. KITCHIN. I beg the gentleman's pardon. I did not so understand, and I withdraw my request.

Mr. STAFFORD. Mr. Speaker, I renew the inquiry I put to the gentleman as to whether there is any other bureau that has a similar authority which is intended to be vested in the Commissioner of Patents?

Mr. MORRISON. Mr. Speaker, I am not able to answer that question, but I would like to be permitted to state how we came to have this bill before the House. The Patent Office is called upon frequently to furnish certified copies of records to be used in litigation. The present force is not able to furnish the work within a reasonable time, and it operates to the great disadvantage of litigants.

Mr. STAFFORD. Will the gentleman permit?

Mr. MORRISON. Certainly.

Mr. STAFFORD. Is this additional work done throughout the year, or is it periodical?

Mr. MORRISON. It is periodical, because it grows very largely, if not exclusively, out of litigation, and there is no assurance in advance how much demand there will be for this work.

Mr. STAFFORD. Of course there are advantages, which the gentleman would recognize, in having a permanent force rather than a small temporary force of employees, as provided in this bill.

Mr. MORRISON. It is not general. As I recall the bill, the Commissioner of Patents has permission to give temporary employment to those who are already eligible to permanent employment, so that this work when it is needed may be done quickly. I will state the financial side of it so far as the Patent



Office is concerned. The typewriters who do the work are paid \$2.50 per day. On the average the office will receive for their work \$8 to \$10 a day. It is not a matter that will involve expense on the part of the Government except long enough to pay for the help, deliver the work, and get back the current price as fixed by law.

Mr. STAFFORD. Under the phraseology of this bill, what would prevent the Commissioner of Patents from detaching these typewriters on other work and keeping them employed continuously throughout the year?

Mr. MANN. The bill, if the gentleman will pardon me, only provides for keeping current the work of furnishing manuscript copies of records. They could not under this bill employ these clerks for any other purposes. It only authorizes the employment for that purpose. Those records are sold. So all this bill does is that if the gentleman or some one else ordered some manuscript copies of patents for use, they could get them promptly. Now you can not always get them promptly because there is no force to copy them. This bill would authorize the temporary employment of typewriters to copy those manuscripts, which are sold at 10 cents a folio, or something like that. Is that the price?

Mr. MORRISON. I think so. That is my recollection.

Mr. STAFFORD. I reserved the objection more to direct the attention of the conferees on the legislative bill to this measure, as they have objected to a similar provision in the appropriation bill as a Senate amendment.

Mr. FOSTER. Mr. Speaker, reserving the right to object, I understand they have 140 copyists over in that office now.

Mr. MANN. Those are permanent employees.

Mr. FOSTER. I know they are.

Mr. MANN. And this bill provides that when there is an excess demand for manuscript copies over those that can be furnished by the permanent employees, the Commissioner of Patents can furnish those manuscripts, which are sold and used in patent litigation.

Mr. FOSTER. There is no limitation on this bill.

Mr. MANN. There is a limitation that they can not be used for any other purpose than that.

Mr. FOSTER. It seems to me that this is not a good way to give the department leave to go ahead and employ copyists.

Mr. MANN. It is immaterial to me, but here is the situation: Here is a patent lawyer who has litigation. He wants to obtain copies of patents. He asks the Government to furnish him those copies. Under the law he is required to pay 10 cents a folio for them, and the office can not furnish them to him. Litigation has to be put off on the ground that the Government of the United States can not furnish copies of the patents which are necessary to the litigation, and that is a reflection upon the governmental operation.

Mr. GOOD. Let me ask the gentleman how far behind the commissioner is in furnishing requests for copies?

Mr. MANN. I do not suppose he is behind at all now, but there are times when he is behind and can not furnish the copies.

Mr. GOOD. He can furnish them within a few days. He has so many clerks there that he can so adjust the work that these copies can be furnished. This is simply another plan to get additional clerks where we have already granted so many additional clerks that for one I do not see what the Commissioner of Patents is going to do with them.

Mr. MANN. I have not talked with the Commissioner of Patents about this bill, but I know a great many patent lawyers in Chicago, where a great deal of patent business is transacted, have frequently complained to me that they were delayed unduly in obtaining copies of patents which they had to have in their litigation, and that occasionally, at least, it required the postponement of litigation which was ready to be disposed of. I do not think that ought to occur.

Mr. MADDEN. I think that in any ordinary business we would do just exactly what this bill proposes to do. We would give to the man in charge of the office the facilities to keep his business up current. And inasmuch as only \$2.50 is paid for any person who is employed for every \$8 that is received, it seems to me that it is a good business transaction if nothing else, to say nothing at all of the importance and propriety of giving to the people who are interested in the work prompt service.

Mr. Sisson. They are making a little profit out of this work now.

Mr. MADDEN. They always will.

Mr. Sisson. This bill provides that they may employ this temporary service, provided that it does not exceed the return on the sale of these copies—that is, the fees for copies. The re-

sult of it is that if you furnish these clerks to the departments then the other clerks will be doing other work, and you simply put more clerks there than are needed, and in that way they will be able to eat up under this bill all the profits that may come to the Government under the present system.

Mr. MADDEN. But they pay them by the folio, do they not?

Mr. Sisson. Not these per diem clerks. Now, they do not pay anything for regular clerks. Where the regular clerks down there copy it is a part of the overhead charge of running the office, which is constant.

Mr. Hamlin. Here is a limitation which I think the gentleman overlooks in the bill. The commissioner is not authorized to employ these temporary clerks unless it is necessary to keep current the work.

Mr. Sisson. That will always be necessary in all the departments of this Government, and there never will be a time, until you change the system, when that will not be the case. And if you observe closely these departments, you will find, as we all find, that that is true. And the gentleman from Illinois [Mr. MADDEN] has served on the committee, and he will not deny that statement.

Mr. MADDEN. That is true.

Mr. Hamlin. I think we have to trust executive officers.

Mr. Sisson. I do not know who has the floor, but I am going to object to this bill, anyway.

Mr. MORRISON. I would like the gentleman from Mississippi to withhold his objection until I tell the House the facts, which I think I can do in three minutes.

Mr. Sisson. Very well.

Mr. MORRISON. The fact is that there is no working force in the Patent Office available to furnish these certified copies. The fact is that the litigants of the country from time to time are required to have certified copies. Frequently they must have them within a few days of the time when the order is given.

Mr. GOOD. Where does the litigant get the copies under the present law?

Mr. MORRISON. In some cases he does not get them. In some cases he sends a clerk from his own office to get them, and has them certified after the clerk has made them, and pays the office for the work that his own clerk has done. In other cases he gets a postponement of the trial of the case to some time in the future.

Mr. GOOD. Under the present law the commissioner does not hire people to have these copies made and sent out, does he?

Mr. MORRISON. Under the present law he has no authority to hire persons not regularly on the force to do this work.

Mr. GOOD. No; but he is doing that with his regular force, is he not?

Mr. MORRISON. Yes; when he can, but it frequently happens that it can not be done within five or six or seven weeks after the order is given, and in such instances the litigant must either get the case continued or send his own clerk and have him do the work and get the office to certify the work of his own clerk.

Mr. Sisson. Mr. Chairman, will the gentleman yield?

Mr. MORRISON. Yes.

Mr. Sisson. Does the gentleman understand that the legislative bill, the conference report on which has just passed the House and been sent to the President, gives the commissioner nearly \$70,000 additional to what he had last year? That is in the present bill.

Mr. MORRISON. I do not recall, even if I remembered the amount given; but not one dollar of that is available for this work.

Mr. Sisson. We anticipated in the committee the very bill which was reported by the gentleman's committee reorganizing the Patent Office. We had come before us in the committee the Commissioner of Patents and the chief clerk, and we had hearings as to what would be needed to carry out the law which you gentlemen recommended to Congress and which passed the House. Now, in carrying out that law we added \$67,000 to that bill with the idea that all this work that he has been claiming he had to detail his clerks to do would be done and taken care of with regular clerks, by lower grades of clerks under the civil service, and that there would then be a great profit to the Government in this business. But if you will permit him, as he is permitted under this bill, to permit all that force which is given to be performing various and sundry and other duties, perhaps unnecessary, Congress loses the absolute control of the duties which these permanent clerks may perform, because he will then do all this work with this special \$2.50 per day man. In order that Congress may control what these clerks are doing the committee gave him

\$67,000 worth of clerks in the places where he said they were needed. I do not think the gentleman's committee were aware of the fact when they reported this bill.

Mr. MORRISON. The committee were aware of all these facts, and still believe that it is a bad thing for the litigants of the country for Congress to refuse this appropriation.

Mr. SISSON. Does the gentleman know how many copyists there are there?

Mr. MORRISON. No; I can not tell the gentleman.

Mr. SISSON. There are 140 copyists there now; what we have given.

Mr. MORRISON. The Patent Office is underofficered and has fewer employees than are needed to give the people of the country the value of their money.

Mr. SISSON. Then I will ask the gentleman what on earth the commissioner can do with 140 copyists? He can have 140 days' work done in one day. Some of these copies that the gentleman refers to include only one typewritten page. The average would not include more than two or three pages to be copied. A great deal of this stuff is in forms printed with cuts. All you have to do is to make that a part of the record and certify to that. All that has been provided for, and the Commissioner of Patents is to be congratulated, as I understand, because he has endeavored to reduce that work to a minimum. Now we have given him 140 copyists. Perhaps he does not like to turn into the Treasury one dollar earned from the work of his office.

Mr. MORRISON. The filing of a claim for a patent and the proceedings thereunder sometimes runs into hundreds of pages. The Patent Office issues a completed patent once in every six minutes of the working time of the employees of that office, and the man who knows that and knows the volume of work that may be entailed by a single application will know what they do with the employees of that office.

The SPEAKER. Is there objection?

Mr. SISSON. I object, Mr. Speaker.

The SPEAKER. The gentleman objects, and the bill is stricken from the calendar.

#### DISTRICT COURT AT WINCHESTER, TENN.

The SPEAKER. The Clerk will report the next bill.

The next business on the Calendar for Unanimous Consent was the bill (S. 377) providing for the establishment of a term of the district court for the middle district of Tennessee at Winchester, Tenn.

The title of the bill was read.

Mr. WEBB. Mr. Speaker, I ask that this bill be considered in the House as in Committee of the Whole. It is on the Union Calendar.

The SPEAKER. You have not got permission to consider it at all yet. Is there objection to the present consideration of the bill?

Mr. MANN. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman how much business is likely to be transacted at this new location?

Mr. WEBB. I yield to my friend from Tennessee [Mr. Moon] to answer that question. The report sets out those facts.

Mr. MOON. A very large amount of business is done in the middle district of Tennessee at Nashville. We have two Federal courts in Tennessee, one in the eastern and middle districts of Tennessee and one in the western district of Tennessee. There are two Federal judges. One judge has perhaps two-thirds of all the business in the State—the judge presiding in the eastern and middle divisions of Tennessee.

In east Tennessee court is held at three places, and in middle Tennessee there is one at Nashville and one at Cookeville. It is desired by the lawyers who live at the southern end of the middle district of Tennessee, close to the Alabama line, that a term of court be held in Winchester. Winchester is half way between Chattanooga and Nashville, the distance being 156 miles. The lawyers living east of Winchester, within 25 miles of Chattanooga, are obliged to go to Nashville to attend court, so they have to travel 125 or 130 miles there. The judge sits half the year at Nashville. Winchester is in a very large county—Franklin County—which has much Federal business. Of course I can not tell the number of cases.

Mr. MANN. That is what I want to inquire. The report says there will be a great saving to the people of Franklin County. How much Federal business is there in Franklin County?

Mr. MOON. I am not able to tell the gentleman the number of cases; I should suppose 40 or 50 cases in Franklin County.

Mr. MANN. In view of the statement in the report I think somebody ought to be able to tell.

Mr. MOON. I wrote for a report of the number of cases, but have not received it. Now, the point is this: It will be a great convenience, not only to the litigants and in the saving of the trips of witnesses to Nashville but to the bar of that section of the State, for the judge to hold two terms of court there. I am advised that he has no objection to it, and there will be little or no expense to the Government. If it were necessary to put up a Federal court building at Winchester or to rent quarters for the Federal court there, some question of economy might be involved, but we have a new Federal building there in which we have a Federal court room already.

Mr. MANN. I want to know how you got a Federal court room and a Federal building in a city where there is no authorization to hold a Federal court?

Mr. MOON. I can tell the gentleman very easily how it happened.

Mr. MANN. I know it is a secret that other Members of the House would like to obtain.

Mr. MOON. An appropriation was made for a post-office building, and one large room was set aside for Federal purposes, and could be used for any Federal purpose. The post office does not need specially that room in the building, and it is there, available for use by the Federal judge.

Mr. MANN. What was the occasion for Congress and the department constructing a building and putting in rooms which the Government did not need?

Mr. MOON. Of course, the gentleman understands that the building was not put up for a Federal court room, but there is that space which is not needed for post-office purposes which can be used for a court room.

Mr. MANN. All I know, except what the gentleman says, is the statement in the report:

It has a new Federal building in which there is room provided for holding court.

Mr. MOON. That simply means that there is a room there which can be utilized for that purpose. I do not mean to say that the law has already directed it to be held there at all.

Mr. MANN. I understand the gentleman to say that the Supervising Architect has provided a room there for which there is no use now.

Mr. MOON. No; he has provided a room which can be utilized for holding court and which is not used for any purpose now.

Mr. MANN. For which there is no use now?

Mr. MOON. There is not, of course, except for that purpose.

Mr. MANN. Of course, that is an extra expense.

Mr. MOON. If the gentleman wants to know about the facts, there is nothing to be concealed. The appropriation for this building was \$55,000, and it was requested by the people of Winchester, when that building was put up, that space be given in the upper part of it for the purpose of holding a court, so that if eventually we could get it there that might be done. Now, there is no expenditure outside of the appropriation of \$55,000.

Mr. MANN. I will say this, that the people of Winchester are very forehanded, and that is more than can be said of the Supervising Architect's Office, which was not economical.

Mr. MOON. Oh, well, \$55,000 is the amount they put in all these buildings. If the gentleman has had any experience with one of these smaller buildings, he knows that if the contractor's bid is \$45,000 and the appropriation is \$55,000, the Government will force you to use the other \$10,000 on the building in some way.

Mr. MANN. Well, we would not. Let me ask the gentleman another question. There is no provision in this bill that I think it is customary to have in some bills in reference to a deputy clerk or marshal.

Mr. MOON. That is not necessary. The marshal, of course, has his deputies, and the clerk can go to Winchester. I think the only expense that will possibly be attached under present conditions to the holding of this court at Winchester will be the purchase of the dockets, and possibly a few tables and chairs for that room.

Mr. MANN. We pay the judge \$10 a day while he is holding court.

Mr. MOON. Yes; we pay him that, wherever he is.

Mr. MANN. Oh, no.

Mr. MOON. He is paid that wherever he is in the middle division of Tennessee.

Mr. MANN. We do not pay him that when he is at home.

Mr. MOON. He is not at home except in Knoxville, in east Tennessee, so anywhere he holds court in middle Tennessee he gets the allowance.



Mr. MANN. At how many places are Federal courts now held in Tennessee?

Mr. MOON. They are held in Knoxville, Chattanooga, and Greeneville, in the eastern division, which is smaller than the middle division, and they are held at Nashville and Cookeville, in the middle division, and now we want this one at Winchester to accommodate the people in the lower end or southern part of middle Tennessee. Then court is also held at Jackson, in west Tennessee, and Memphis, in west Tennessee. There are two judges for the State of Tennessee.

Mr. GREEN of Iowa. Will the gentleman yield further?

Mr. MOON. Yes.

Mr. GREEN of Iowa. Are there jury rooms and the marshal's room and a room for the clerk at Winchester?

Mr. MOON. No.

Mr. MANN. There soon will be an addition.

Mr. MOON. It is not the purpose to hold criminal courts there. The main docket that will be disposed of there will be the equity docket. It is purely for the convenience of lawyers and the judge. Now, we hold a court under exactly similar circumstances. We have a room provided in the post-office building. As a matter of course, if you are going to have a Federal building and maintain three or four terms a year you might want these extra rooms, but here is a term once a year, purely for the accommodation of the judge and the lawyers. As to the convenience of jury rooms, that is altogether available, because we have a fine public building—a courthouse—in less than 200 feet of this new building, which can be used if needed.

Mr. GREEN of Iowa. Does the gentleman think that they will be contented with that very long, and that they will not be in here asking for an appropriation to enlarge that building to provide these additional rooms?

Mr. MOON. Oh, no; I think not. In Greeneville they have been holding court for a number of years, and they have been contented.

Mr. GREEN of Iowa. What is the population of Winchester?

Mr. MOON. The population of the county is about 30,000 to 40,000.

Mr. GREEN of Iowa. Will it be for the convenience of any of the other counties?

Mr. MOON. Grundy County that adjoins is a mountainous county, and there are tens of thousands of acres of land in litigation between the citizens of Tennessee and nonresidents, and it will be a great convenience to the people of that county, and I have no doubt four or five additional counties. It will be observed that there is no separate division made. This is merely a provision that allows the court to be held in another place, in an already legally established court division of the State. I hope there will be no objection.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I think the gentleman ought to get some information definitely before this bill passes.

Mr. MOON. I hope the gentleman will not object. He voted for the passage of a bill for Cookeville and Greeneville.

Mr. MANN. Unless the gentleman asks to have it passed over at this time in order to get the information about the litigation that will be taken care of, I shall object.

Mr. MOON. This county has one-third of the litigation of middle Tennessee.

Mr. MANN. It is easy to ascertain the amount of litigation pending and what will be taken care of by this district, and this information has not been obtained.

Mr. MOON. I will say that that has been written for but it has not been sent. I do not think it is very material, and the gentleman can take the statement of his colleague as to what is to be done.

Mr. MANN. But he does not know.

Mr. MOON. He does know.

Mr. MANN. How much is the litigation that is pending there now?

Mr. MOON. I am not able to tell just what the litigation in middle Tennessee is, but much of it comes from Franklin County.

Mr. MANN. I do not think we ought to take up the time of the House any longer, and unless the gentleman asks to have it postponed I shall object.

Mr. MOON. Well, the gentleman can object.

The SPEAKER. Is there objection?

Mr. MANN. I object.

Mr. WEBB. Mr. Speaker, I ask unanimous consent that the bill be passed without prejudice.

Mr. MANN. It is too late, the bill is off the calendar.

Mr. MOON. Yes; it is too late, and the gentleman will pay one hundred times for his objection.

Mr. MANN. I am willing to pay a thousand times,

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the bill be passed without prejudice.

Mr. MANN. I object, and I objected before.

The SPEAKER. The bill will go off the calendar.

#### BRIDGE ACROSS ST. LOUIS RIVER BETWEEN MINNESOTA AND WISCONSIN.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 3032) authorizing the county of St. Louis to construct a bridge across the St. Louis River between Minnesota and Wisconsin.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the consent of Congress is hereby granted to the county of St. Louis, in the State of Minnesota, a municipal corporation organized and existing under and pursuant to the laws of the State of Minnesota, to build, maintain, and operate a bridge across the St. Louis River, at a point suitable to the interests of navigation, between the State of Minnesota and the State of Wisconsin, commencing at or near the intersection of Cherokee Street and One hundred and thirty-fifth Avenue west, in the city of Duluth, Minn., at the suburban village known as Fond du Lac, thence crossing the St. Louis River in a line at right angles to the channel of said river to a point on the Wisconsin shore about 100 feet westerly from the mouth of Dubray Creek, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby reserved.

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

On motion of Mr. ADAMSON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. MILLER of Minnesota. Mr. Speaker, I ask unanimous consent that I may proceed for three minutes in relation to a bill on the Unanimous Consent Calendar.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to proceed for three minutes with reference to a bill on the calendar. Is there objection?

Mr. MOON. I object.

#### STATUE OF JAMES BUCHANAN.

The next business on the Calendar for Unanimous Consent was the joint resolution (H. J. Res. 145) authorizing the erection on the public grounds in the city of Washington, D. C., of a statue of James Buchanan, a former President of the United States.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, let the bill be reported.

The Clerk read as follows:

*Resolved, etc.*, That the Chief of Engineers, United States Army, be, and he is hereby, authorized and directed to grant permission to the trustees designated in the will of Mrs. Harriet Lane Johnston for the erection of a memorial to James Buchanan, a former President of the United States, on public grounds of the United States in the city of Washington, D. C., in the southern portion of Meridian Hill Park, between Fifteenth, Sixteenth, W, and Euclid Streets NW.: *Provided*, That the design and location of said memorial and the plan for the treatment of the grounds connected with its site shall be approved by the Commission of Fine Arts, and that the United States shall be put to no expense in or by the erection of said memorial.

With the following committee amendment:

After the word "Columbia," in line 9, page 1, of the resolution, strike out all the words following down to and including the word "north-west," in line 11.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I see that the committee recommends an amendment to strike out the location of this monument. I would like to know where it is to be located.

Mr. SLAYDEN. I will say to the gentleman that that was stricken out because the committee did not feel that the committee or the author of the bill should select the site, and the whole matter is in abeyance awaiting consultation of the Fine Arts Commission, consisting of sundry gentlemen whom the gentleman from Illinois knows and Col. Harts, the secretary of the commission. The matter has not yet been determined, and, so far as I know, the site has not been tentatively selected. The gentleman from Maryland [Mr. LINTHICUM] says it has. I will yield to him.

Mr. LINTHICUM. They have tentatively agreed on a site. I was in conference with Col. Harts yesterday in selecting the Fort McHenry monument at Baltimore, and had a long conversation about this Buchanan monument. He says that the Fine Arts Commission have practically decided to locate it in Meridian Hill Park; that there is to be a large court with an octagonal basin of water in front, and back of this, as a commanding figure, is to be the statue. Then there is to be another line of treatment of the park, all to meet at a central point. This is entirely in accord with the desires of the Fine Arts Commission. They have practically passed upon the statue, with the exception of a few minor changes. The location is well suited and

quite satisfactory, and is in Meridian Hill Park. Col. Harts says that they hope to get busy very shortly.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. MILLER of Minnesota. I understand the gentleman to state that the Fine Arts Commission is in favor of this statue.

Mr. LINTHICUM. Yes; and they are in favor of placing it in Meridian Hill Park. I was informed by one of the sculptors, acting as a juror on the Fort McHenry monument, that they have practically decided on the statue executed by Bergé, of Baltimore, which is said to be most appropriate.

Mr. MILLER of Minnesota. I presume it is the desire of the gentleman's committee to erect statues in the Capital City to the great men of the Nation. Can the gentleman from Maryland point out just what claims James Buchanan had for such distinction?

Mr. LINTHICUM. The gentleman from Maryland will not attempt to add to the historical knowledge of the gentleman from Minnesota. Knowing the gentleman so well, it would be useless to call his closer attention to the history and life of Buchanan—lawyer, Congressman, ambassador, and President of the United States.

Mr. MILLER of Minnesota. I wanted to give the gentleman from Maryland a chance to make a speech.

Mr. LINTHICUM. I am not desirous of making a speech. My desire is to pass this resolution.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. MOORE of Pennsylvania. James Buchanan was a President of the United States, I will say to the gentleman from Minnesota. And he hailed from Pennsylvania. He was the only Pennsylvania President that we ever had. Some day we will have another, and then we will ask for another monument. I would say further to the gentleman from Minnesota [Mr. MILLER] that Mr. Buchanan was President in a very trying time, when the Union was threatened, and while he was the subject of a very great deal of criticism, he was regarded as one of the very ablest lawyers and statesmen of his day.

Mr. SLAYDEN. And he was also minister to some of the European countries.

Mr. MOORE of Pennsylvania. He had had a very unusual career. He never married. That was one of his failings.

Mr. MILLER of Minnesota. Would it not be more appropriate, then, to erect a monument to the Nation's great who have never married and not specify any particular man?

Mr. MOORE of Pennsylvania. James Buchanan was born in Pennsylvania, and he ought to be given credit for that.

Mr. MILLER of Minnesota. I admit that is a distinction that he could not live down.

Mr. MOORE of Pennsylvania. And he died in Pennsylvania and is buried there. In his earlier career he was a Member of Congress.

Mr. MILLER of Minnesota. Is that on the debit or the credit side of his account?

Mr. MOORE of Pennsylvania. And his name will be found in the archives, where the name of the gentleman from Minnesota will be found some day—not sooner, but later. He was ambassador to Russia and subsequently to the Court of St. James. He was United States Senator and Attorney General of the United States before he was President, and his record was about as strong as that of any man, so far as his serviceability as a citizen is concerned. He was, as I say, President at a time when the Union was in the throes of a very great disturbance, and as the result of his attitude on public questions at that time he was very much criticized, but he was President of the United States, and criticism of a President is not unusual.

Mr. COOPER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MOORE of Pennsylvania. If I may be permitted to do so.

Mr. COOPER of Wisconsin. Speaking of Mr. Buchanan being a great man, a distinguished Pennsylvanian has suggested to me that quite recently he read an authority which said that Pennsylvania had produced but two really great men. One was Benjamin Franklin, of Massachusetts, and the other was Albert Gallatin, of Switzerland. [Laughter.]

Mr. MANN. And I might add for the benefit of the gentleman from Pennsylvania that that statement is quoted from a speech recently made by the President of the United States to which I listened, but he added the name of a third man, of whom I had never heard before or since.

Mr. MOORE of Pennsylvania. I do not care to mention that third name now. [Laughter.] I was about to inform the gentleman from Wisconsin that while he has discovered that Franklin was a Pennsylvanian, and Gallatin also, there are others. Penn-

sylvania's illustrious men are so numerous that I would not undertake to mention them at this time.

Mr. MILLER of Minnesota. Mr. Speaker, if we are going to erect a statue to a Pennsylvanian who really created something of permanent value and benefit to the people, does the gentleman not think that a statue erected to the memory of James Wilson would be very appropriate? He probably was the most potent influence in the framing of our Constitution.

Mr. MOORE of Pennsylvania. That is very true, and we honor him very much in our State, and people from other States honor him likewise. It is quite unnecessary to say that if we undertook to call the roll of great men who have come from Philadelphia, who started this Nation from that city, it would take more time than the Speaker would permit us to use for the purpose.

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

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

The SPEAKER. To whom does the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to my friend from Nebraska to say that his forbears came from Pennsylvania and that we are proud of the fact.

Mr. SLOAN. The gentleman was naming the eminent natives and citizens of Pennsylvania and among others mentioned Benjamin Franklin and Albert Gallatin, but there is Moore, I understand. [Laughter.]

Mr. MOORE of Pennsylvania. Oh, yes; but I did not want to mention that.

Mr. DAVIS of Texas rose.

Mr. MOORE of Pennsylvania. Mr. Speaker, it might be interesting to my friend from Texas to know that Daniel Boone also came out of Pennsylvania.

Mr. DAVIS of Texas. I want to suggest that my recollection is that the man who rang the Liberty Bell was a Pennsylvanian.

Mr. GREENE of Vermont. Oh, they always have a lot of old ringers in that State. [Laughter.]

Mr. MOORE of Pennsylvania. In addition to the Liberty Bell I might remind the gentleman that we also contributed the Declaration of Independence and the Constitution.

Mr. MANN. Mr. Speaker, while I am perfectly willing and desirous that as to any of these statues or monuments the Fine Arts Commission should be consulted and that we should not act contrary to their recommendations, yet I am certainly not willing, so far as I am concerned, by unanimous consent, to eliminate the Congress from any consideration in the choice of a place for the erection of any statue anywhere in the District of Columbia. I think the recommendation of the place of erection should be made so that we can approve when we pass the bill.

The Fine Arts Commission under this bill, if passed as recommended by the committee, might erect this statue on the White House Lot, the Washington Monument Lot, in the Potomac Park, in Rock Creek Park, in Meridian Hill Park, or anywhere else. They might erect it down here in front of the Post Office Building or in front of the White House. We ought to have something to say about where these things are to be erected, and unless we can, none of these bills will pass by unanimous consent, and I object until we get that information.

The SPEAKER. The gentleman from Illinois objects.

Mr. LINTHICUM. Will the gentleman withhold his objection for a moment?

The SPEAKER. And the resolution is stricken from the calendar.

Mr. MANN. I am willing that it should be passed over without prejudice.

Mr. LINTHICUM. Mr. Speaker, I ask the gentleman to withhold his objection for a moment to say that this monument and its location have been definitely decided upon for the southern part of Meridian Hill Park, and it was so included in my bill. But the gentlemen of the committee having charge of the bill thought we had better leave the matter entirely in the hands of the Fine Arts Commission. I thought that was the general practice, but if the gentleman objects to it in this shape, I will ask him to withhold his objection and let the resolution be passed without prejudice.

Mr. MANN. Ask that it be passed over.

The SPEAKER. The gentleman from Maryland asks unanimous consent that the resolution be passed without prejudice. Is there objection? [After a pause.] The Chair hears none.

CONCURRENT JURISDICTION IN REFERENCE TO FISH IN THE COLUMBIA RIVER.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 6097) to ratify the contract and agreement between the States of Oregon and Washington regarding concurrent jurisdiction over the waters of the Columbia



River and its tributaries in connection with regulating, protecting, and preserving fish.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MOON. Mr. Speaker, I object.

Mr. GANDY. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. GANDY. I rise to ask unanimous consent to return to the bill H. R. 10668 for the purpose of making a correction.

The SPEAKER. As soon as we get through with this bill. Does the gentleman object?

Mr. MOON. Mr. Speaker, I object, and was on my feet when I did so.

The SPEAKER. The gentleman from Tennessee objects.

Mr. HAWLEY. Mr. Speaker, will the gentleman from Tennessee withhold his objection?

Mr. MOON. No, sir.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent that this bill be passed without prejudice.

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

Mr. MOON. Mr. Speaker, I object.

The SPEAKER. The bill is ordered stricken from the calendar.

#### FOREST HOMESTEAD ACT.

Mr. GANDY. Mr. Speaker, I ask unanimous consent to return to the bill (H. R. 10668) for the purpose of making a correction.

The SPEAKER. What is the calendar number?

Mr. MANN. Unanimous Consent Calendar No. 94.

The SPEAKER. Is there objection to the request of the gentleman to return to the bill mentioned?

Mr. MANN. Mr. Speaker, I reserve the right to object until I can hear the gentleman.

Mr. GANDY. Mr. Speaker, in line 2, page 2, the amendment recommended by the committee read, "A national forest," and, on the suggestion of the gentleman from Illinois [Mr. MANN], that was changed to "the national forest." I will say there are two forests, and I now ask unanimous consent to strike out the word "the" and make the word "forest" in the plural.

Mr. MANN. What are those forests?

Mr. GANDY. Harney, on the south side of what is known as the Base Line, and the Black Hills National Forest, on the north side, within those two counties.

Mr. MANN. Will the gentleman please make that request a little later, after I have looked this over? I had looked the matter over very carefully before.

Mr. GANDY. I did not understand when.

Mr. MANN. Give me a little chance to look it over again.

Mr. GANDY. All right.

#### INVESTIGATION OF AVIATION SERVICE IN THE UNITED STATES ARMY.

The next business in order on the Calendar for Unanimous Consent was the joint resolution (S. J. Res. 65) creating a joint commission of Congress to be known as the joint commission of Congress to investigate the aviation service of the United States Army.

The Clerk read the title.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I will leave the objection to the gentleman from Tennessee—

Mr. MOON. Mr. Speaker, I do not know why the gentleman from Illinois should have made such a gratuitous remark.

Mr. MANN. It was not gratuitous.

Mr. MOON. I have no partnership with him on the subject of objections.

Mr. MANN. It was the action of the gentleman in objecting and his attitude.

Mr. MOON. The gentleman has very little sense, then, in judging a man's attitude.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, what is the necessity or occasion for the passage of this resolution now? Has not the aviation service been reorganized by the Secretary of War?

Mr. CALDWELL. Well, the gentleman will understand that aviation was started in America; that it is commonly understood—

Mr. MANN. Oh, I was here when it started, and helped to start it and put it in the Army.

Mr. CALDWELL. If the gentleman will allow me, I will answer him.

Mr. MANN. But what has all this got to do with this question?

Mr. CALDWELL. If the gentleman will wait a minute I will

state, and if he will listen he will learn something. There are men in the world who learn as they grow older.

Mr. MANN. The gentleman from Tennessee does not.

Mr. CALDWELL. Neither does the gentleman from Illinois, apparently. I have endeavored to be as courteous as I possibly can.

Mr. MANN. The courtesy is not too great.

Mr. CALDWELL. I understand that; but it is because the gentleman will not permit it, that is all. Now, as I was saying, aviation started in America. We find ourselves to-day the last in aviation service of all the great powers in the world. The object of this resolution is to get the necessary information for the purpose of framing a law that will put America in the forefront in the matter of aviation. There was, of course, at the time this resolution was first offered, a deplorable condition existing in the aviation service. That condition has been, to some extent, rectified, but at the same time there is no law pending before this Congress, and the Military Committees of both Houses do not feel they are in this position to frame the proper kind of a bill until we know more about conditions. We know men who have appeared before those committees have not been able to give the information that was required. We know men came here who are heads of the service, but who were unable to answer the questions and were compelled to rely upon the people who are their subordinates, and they have proven inefficient. We want this for the purpose of having a law that will protect America in the air as well as she is protected on the land and in the sea.

Now, it is my purpose to offer an amendment to this bill, if we get consent to the consideration of it, to change the time of reporting from July 1 to December 1, in order that a thorough examination of this situation can be undertaken. And I will say to the gentleman that this resolution has been considered by the Committee on Military Affairs in the House and has been unanimously reported, and I have been directed to press it here if possible.

Mr. MANN. Has the gentleman finished?

Mr. CALDWELL. Yes, sir; I have finished.

Mr. MANN. Mr. Speaker, the report in this case, favorably reporting the joint resolution, says:

The committee has had under consideration the evidence on file and the statements submitted by Senator ROBINSON, the author of the joint resolution, to the Senate Committee on Military Affairs, as embodied in Senate Report No. 153.

Mr. MOON. Mr. Speaker, of course everybody understands that the gentleman from Illinois [Mr. MANN] is just trying to take up the time in casting out his insinuations and remarks against gentlemen here who had nothing to say about it. I do not want to take any more time on this matter, and I am going to object right now.

Mr. CALDWELL. I hope the gentleman will withdraw his objection.

The SPEAKER. The gentleman from Tennessee has objected.

Mr. MOON. I give notice right now, that if a bill with the merit in it that the bill possessed which I presented a while ago can not receive consideration under unanimous consent there is no bill on this calendar that will.

Mr. CALDWELL. Mr. Speaker, I ask unanimous consent that this bill retain its place on the calendar without prejudice.

The SPEAKER. The gentleman from New York asks unanimous consent that this bill be passed without prejudice. Is there objection?

There was no objection.

#### HEROES OF THE TITANIC.

The next business on the Calendar for Unanimous Consent was the House joint resolution 104, granting permission to the Woman's Titanic Memorial Association to erect a memorial on public ground in the city of Washington, D. C.

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

Mr. KAHN. Mr. Speaker, I ask unanimous consent that the resolution remain on the calendar and be passed without prejudice.

The SPEAKER. Is there objection?

Mr. HUDDLESTON. Mr. Speaker, I object.

The SPEAKER. The gentleman objects, and the resolution is stricken from the calendar. The Clerk will report the next bill.

#### FEDERAL RESERVE ACT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13391) to amend the act approved December 23, 1913, known as the Federal reserve act, by adding a new section.

The SPEAKER. Is there objection?

Mr. BENNET. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. BENNET. In order to stop the slaughter of the innocents, I move that the House do now adjourn.

The SPEAKER. The gentleman from New York moves that the House do now adjourn.

The question was taken, and the motion was rejected.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 13391) to amend the act approved December 23, 1913, known as the Federal reserve act, by adding a new section.

*Be it enacted, etc.*, That the act approved December 23, 1913, known as the Federal reserve act, be amended by adding thereto a new section, as follows:

"Sec. 25a. Any national bank possessing a capital and surplus of \$1,000,000 or more may purchase and hold stock in foreign or domestic corporations, other than national banks, which are authorized by their charter to do a banking business in foreign countries: *Provided, however*, That the aggregate amount of stock so held by any one national bank shall not exceed 10 per cent of the capital and surplus of the bank: *And provided further*, That before any such national bank shall purchase stock in any such corporation it shall file with the Federal Reserve Board a copy of the charter or articles of incorporation of such association and shall agree to be bound by such special regulations or restrictions regarding its business with, and relations to, such corporation as may be prescribed by the Federal Reserve Board: *And provided further*, That before any national bank shall be permitted to purchase stock in any such corporation, the said corporation shall enter into an agreement or undertaking with the Federal Reserve Board to restrict its operations or conduct its business in such manner or under such limitations and restrictions as the said board may by regulations provide. If at any time the Federal Reserve Board shall ascertain that the said restrictions or limitations prescribed by it are not being complied with by such corporation or by any national bank holding stock therein, said board shall be authorized and shall have power to institute an investigation of the matter and to send for persons and papers, subpoena witnesses and administer oaths, in order to satisfy itself as to the actual nature of the transactions referred to. Should such investigation result in establishing the failure of the corporation in question, or of the national bank or banks which may be stockholders therein, to comply with the regulations laid down by the said Federal Reserve Board, such national banks may be required to dispose of stockholdings in the said corporation upon 30 days' notice, and in the event of their noncompliance with such order the Federal Reserve Board shall request the Comptroller of the Currency to institute proceedings for forfeiture of charter.

"Any national banking association located in a city or incorporated town of more than 100,000 inhabitants and possessing a capital and surplus of \$1,000,000 or more may, under such rules and regulations as the Federal Reserve Board may prescribe, establish branches within the corporate limits of the city or town in which it is located.

"Any national banking association located in any other place may, with the approval of the Federal Reserve Board, and under such rules and regulations as such board may prescribe, establish branches within the limits of the county in which it is located, provided that no such branch shall be established unless the capital of the parent bank is at least equal to the aggregate of the amounts which would be required of each branch, under the provisions of section 5138, Revised Statutes, if it were organized as an independent association, together with the amount required of the parent bank itself by that section."

Also the following committee amendments were read:

On page 1, line 10, strike out the colon after word "countries" and insert after the word "countries," in line 10, the word "exclusively," followed by a colon.

On page 2, line 4, strike out the word "special."

On page 2, line 7, strike out the colon after the word "Board" and insert a comma, and insert after the word "Board," in line 7, the following: "and the said board is hereby empowered and directed to make regulations for the conduct of such foreign business for each foreign country where such business is to be conducted," to be followed by a colon.

On page 2, line 13, strike out the words "be regulations."

On page 2, line 13, strike out, after the word "provide," the period and insert the following: "for the foreign country wherein such business is to be conducted."

On page 2, line 15, strike out the word "limitations" and insert in lieu thereof the word "regulations."

On page 3, lines 3 and 4, strike out the words "shall request" and insert in lieu thereof the words "may direct."

On page 3, strike out all of lines 13 to 24, inclusive.

The SPEAKER. Is there objection?

Mr. MOON. Mr. Speaker, I object.

Mr. GLASS. Mr. Speaker, I move to suspend the rules and pass the bill.

Mr. FINLEY. Mr. Speaker, it is not in order to suspend the rules now according to the usual practice here?

The SPEAKER. It is an unusual situation.

Mr. FINLEY. It has not been the practice.

The SPEAKER. The Chair understands that.

Mr. MANN. Did not the bill pass the point of consideration?

The SPEAKER. No.

Mr. MANN. I thought it did.

Mr. GLASS. Mr. Speaker, I move to suspend the rules and consider the bill H. R. 13391.

Mr. MANN. The gentleman will have to make his motion to pass the bill in a certain way.

Mr. GLASS. And pass the bill with the committee amendments and with the further amendment that I send to the Clerk's desk.

The SPEAKER. The gentleman from Virginia moves to suspend the rules and pass the bill, which the Clerk will report. The Clerk will read the amendment into the bill.

Mr. MANN. That is to take something out of the bill?

Mr. GLASS. Yes; it is to strike out.

The SPEAKER. The gentleman from Virginia [Mr. GLASS] had best pay close attention to the reading of this, so as to get the amendment where he wishes it, because he can not amend.

Mr. GLASS. It is a very simple amendment, Mr. Speaker.

The SPEAKER. The Chair suggests to the gentleman from Virginia that the gentleman knows more about his bill than anybody else does, and if he gives close heed to the reading he will get it the way he wants it.

The Clerk read as follows:

*Be it enacted, etc.*, That the act approved December 23, 1913, known as the Federal reserve act, be amended by adding thereto a new section, as follows:

"Sec. 25a. Any national bank possessing a capital and surplus of \$1,000,000 or more may purchase and hold stock in foreign or domestic corporations, other than national banks, which are authorized by their charter to do a banking business in foreign countries exclusively: *Provided, however*, That the aggregate amount of stock so held by any one national bank shall not exceed 10 per cent of the capital and surplus of the bank: *And provided further*, That before any such national bank shall purchase stock in any such corporation it shall file with the Federal Reserve Board a copy of the charter or articles of incorporation of such association and shall agree to be bound by such regulations or restrictions regarding its business with, and relations to, such corporation as may be prescribed by the Federal Reserve Board and the said board is hereby empowered and directed to make regulations for the conduct of such foreign business for each foreign country where such business is to be conducted: *And provided further*, That before any national bank shall be permitted to purchase stock in any such corporation, the said corporation shall enter into an agreement or undertaking with the Federal Reserve Board to restrict its operations or conduct its business in such manner or under such limitations and restrictions as the said board may provide for the foreign country wherein such business is to be conducted. If at any time the Federal Reserve Board shall ascertain that the said restrictions or regulations prescribed by it are not being complied with by such corporation or by any national bank holding stock therein, said board shall be authorized and shall have power to institute an investigation of the matter and to send for persons and papers, subpoena witnesses and administer oaths, in order to satisfy itself as to the actual nature of the transactions referred to. Should such investigation result in establishing the failure of the corporation in question, or of the national bank or banks which may be stockholders therein, to comply with the regulations laid down by the said Federal Reserve Board, such national banks may be required to dispose of stockholdings in the said corporation upon 30 days' notice, and in the event of their noncompliance with such order the Federal Reserve Board may direct the Comptroller of the Currency to institute proceedings for forfeiture of charter."

The SPEAKER. Is a second demanded?

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

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

The SPEAKER. The gentleman from Virginia [Mr. GLASS] asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Virginia [Mr. GLASS] has 20 minutes, and the gentleman from Illinois [Mr. MADDEN] has 20.

Mr. GLASS. Mr. Speaker, I shall require only a moment or two to explain the provisions of this bill.

Mr. MOON. Mr. Speaker, I make the point that there is no quorum in this House.

The SPEAKER. The gentleman from Tennessee makes the point that there is no quorum present, and evidently there is not.

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

The SPEAKER. The gentleman from Virginia moves a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

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

Adair	Collier	Gard	Jones
Aiken	Conry	Gardner	Keister
Anderson	Copley	Garland	Kent
Austin	Costello	Godwin, N. C.	Kless, Pa.
Bacharach	Cullop	Goodwin, Ark.	Kincheloe
Barchfeld	Dale, N. Y.	Gould	King
Barkley	Davis, Minn.	Gray, N. J.	Konop
Barnhart	Dewalt	Griest	Kreider
Beales	Doolling	Griffin	Lee
Britt	Driscoll	Guernsey	Lehlbach
Brumbaugh	Dunn	Hamilton, N. Y.	Lewis
Burnett	Dyer	Haskell	Liebel
Byrns, S. C.	Eagan	Heaton	Lindbergh
Candler, Miss.	Estopinal	Helgesen	Littlepage
Cantril	Fairchild	Henry	Loft
Casey	Flynn	Hopwood	Longworth
Chandler, N. Y.	Focht	Humphrey, Wash.	McDermott
Coleman	Fordney	James	McFadden



McGillcuddy	Phelan	Scott, Mich.	Stephens, Nebr.
McLaughlin	Porter	Scott, Pa.	Summers
Martin	Pou	Scully	Sutherland
Morgan, La.	Powers	Sells	Switzer
Morin	Price	Sinnott	Vare
Moss, W. Va.	Ragsdale	Slomp	Walsh
Mott	Rainey	Small	Ward
Neely	Roberts, Mass.	Smith, N. Y.	Watkins
North	Roberts, Nev.	Snell	Watson, Pa.
Norton	Rowland	Snyder	Williams, Ohio
Overmyer	Sanford	Sparkman	Wilson, Fla.
Palge, Mass.	Saunders	Steele, Iowa	Wilson Ill.
Patten	Schall	Steele, Pa.	Wood, Ind.

The SPEAKER. On this roll call 310 Members, a quorum, answered to their names.

Mr. GLASS. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. The gentleman from Virginia [Mr. GLASS] has 20 minutes and the gentleman from Illinois [Mr. MADDEN] has 20.

Mr. GLASS. Mr. Speaker, as previously stated, I shall not occupy more than a minute or two to explain this bill. It is merely an amplification of the provisions of section 25 of the Federal reserve act, authorizing national banks with a million dollars or more of capital to establish branches abroad.

It was found that under the provisions of the Federal reserve act only national banks of very large capital could operate effectively, so that of the six branch banks established abroad, in the South American countries and in Panama and in Cuba, four of them have been established by the National City Bank of New York, and two by a banking association here in Washington. Thus it would appear that under the provisions of the Federal reserve act there is a very great likelihood of the foreign banking business becoming a monopoly. Hence a large number of national banks have petitioned that the law be so amended as to permit a number of national banks to unite and form a banking corporation to do business in foreign countries—to subscribe 10 per cent of their capital to such domestic or foreign corporation doing a banking business exclusively in foreign countries.

That, in a word, is the purpose of this bill.

Mr. KITCHIN. Mr. Speaker, may I interrupt the gentleman a moment?

Mr. GLASS. Yes.

Mr. KITCHIN. Was that a unanimous report from the committee?

Mr. GLASS. It is a unanimous report. There was no objection whatever to the bill.

I may state in this connection that the committee embodied in this bill a provision for domestic branch banking; but in view of the fact that there was considerable opposition to that proposition, and no objection whatsoever to the other proposition, it was thought advisable to eliminate from the bill the domestic branch banking proposition in order to separate it from the foreign banking proposition, to which there was no objection.

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

Mr. GLASS. I yield.

Mr. STAFFORD. I notice that you provide but 30 days' notice in which a bank that fails to comply with the regulations of the Federal Reserve Board must dispose of its holdings of stock in this foreign banking corporation. Does the gentleman believe that in case a national bank offends in the particular suggested, 30 days would be sufficient time for them to dispose of their holdings in a foreign bank?

Mr. GLASS. It will not necessarily be a foreign bank. There is doubt whether it will be a foreign bank. It will be a bank authorized in the United States to do a foreign business. It is in a new field of banking, and the committee thought that every possible safeguard and precaution ought to be taken in initiating this new adventure in the banking business, and we thought that 30 days will be ample time for an offending bank. A bank has no business to offend.

Mr. STAFFORD. That would be ample time in which to dispose of their stock after they had failed to comply with the conditions?

Mr. GLASS. The committee thinks so.

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

Mr. GLASS. Yes.

Mr. RUBEY. I notice on page 3 lines 13 to 19 have been stricken out.

Mr. GLASS. Yes; lines 13 to 19 have been stricken out. Mr. Speaker, I reserve the balance of my time.

Mr. MADDEN. Mr. Speaker, I do not intend to take much time in the consideration of this bill. I do not want to consume the time of the House. I think the recommendation made by the committee in this bill fills a long-felt want. We have been in

a very embarrassing situation on account of not having any foreign banking connections. I can realize how impossible it would be for any single bank in the United States, even though we may have some very large ones, to organize a bank to do a foreign business; whereas, under the recommendations proposed in this bill it will be possible for national banks to take stock in a bank to do an exclusively foreign business and thereby enable the exporters of the United States to enlarge the scope of their activities abroad. Inasmuch as the committee have thought wise to offer an amendment to modify other clauses of the bill, I see no reason why the bill as proposed to be amended should not pass. Therefore I will not take the time that was allotted to me under my demand for a second.

Mr. GLASS. Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question being taken and two-thirds voting in the affirmative, the rules were suspended and the bill passed.

#### GOLD.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13474) to amend section 6 of an act to define and fix the standard of value, to maintain the parity of all forms of money issued or coined by the United States, to refund the public debt, and for other purposes, approved March 14, 1900, as amended by the act of March 2, 1911.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The bill was read, as follows:

*Be it enacted, etc.,* That section 6 of an act to define and fix the standard of value, to maintain the parity of all forms of money issued or coined by the United States, to refund the public debt, and for other purposes, approved March 14, 1900, as amended by the act approved March 2, 1911, be, and the same is hereby, further amended by striking from the last proviso of said section 6 the word "one-third" and inserting in lieu thereof the word "one-half," making the last proviso of said section 6 read as follows:

*"And provided further,* That the Secretary of the Treasury may, in his discretion, receive, with the Treasurer or any assistant treasurer of the United States, deposits of gold bullion bearing the stamp of the coinage mints of the United States, or the assay office in New York, certifying their weight, fineness, and value, in amounts of not less than \$1,000 in value, and issue gold certificates thereof of the description herein authorized. But the amount of gold bullion and foreign coin so held shall not at any time exceed one-half of the total amount of gold certificates at such time outstanding. And section 5193 of the Revised Statutes of the United States is hereby repealed."

With the following committee amendments:

Page 2, line 3, strike out the word "one-half" and insert "two-thirds"; on page 2, line 14, strike out the word "one-half" and insert "two-thirds."

The SPEAKER. This bill is on the Union Calendar.

Mr. GLASS. I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Virginia asks unanimous consent to consider the bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

Mr. GLASS. I yield to the gentleman.

Mr. MANN. The law now provides for one-third bullion. The department originally recommended that that be changed to make it one-half, and the committee has now reported in favor of making it two-thirds?

Mr. GLASS. In favor of making it two-thirds.

Mr. MANN. I will say to the gentleman that that seems to me to be perfectly proper. Was there any change in the situation between the time that the department made its recommendation and the bill was introduced and the time when the bill was reported, or was it the result of further reflection?

Mr. GLASS. The alteration was made in consequence of the fact that the Director of the Mint was notified to appear before the committee, and the suggestion was made by my colleague the gentleman from California [Mr. HAYES] that owing largely to the disuse of coin on the Pacific coast, where coin had been most used theretofore, he thought the change should be made from one-half, as suggested by the Secretary of the Treasury, to two-thirds, to which suggestion the Director of the Mint readily agreed that it would be better to have it that way.

Mr. HAYES rose.

Mr. GLASS. I yield to my colleague.

Mr. HAYES. The only place where gold coin is used to any great extent that I know of is in California.

Mr. LA FOLLETTE. Oregon and Washington also.

Mr. HAYES. And Oregon and Washington. Gradually the people of those States are coming to use paper money, and I can see no reason in the world for paying \$125,000, which is the difference in cost between what the present law requires us to

coin and what this bill would require, for coining money that will never be put in circulation. The bullion is just as good to base gold certificates on as the coin.

Mr. GLASS. This is unanimously reported by the committee, Mr. Speaker, and it not only saves \$125,000 in coinage, but it releases the mints to engage in minting foreign coinage, and to that extent it will be an additional saving.

Mr. MILLER of Minnesota. Will the gentleman yield for an inquiry?

Mr. GLASS. I do.

Mr. MILLER of Minnesota. I understood from the statement just made by the gentleman from California [Mr. HAYES] that the only place where gold coin is now used is in the States of California, Oregon, and Washington. Will the coining of one-third, as provided for in this bill, no more than accommodate the demand for gold coin in those three States?

Mr. GLASS. The accommodation is now more than ample for all the gold coin that is demanded.

Mr. MILLER of Minnesota. I do not know anything about it, but I want to add that I do know that we want American gold in the various parts of the world, because that is the only thing that you can exchange at a fair, decent rate in the foreign countries of the world.

Mr. GLASS. This bill simply enables the Treasury Department to hold a greater amount of bars against outstanding gold certificates than heretofore, and a less amount of coin. To comply technically with the existing law would involve the Treasury in a useless expenditure of \$125,000, and the gold coins are not demanded.

Mr. MANN. Does it not go a little further than that? We have been bringing in a very large amount of foreign coin in the last year or so. It is not unlikely that sooner or later in the course of transfers much of that will go out of the country again, and it is better not to recoin it or even reduce it to bullion, but it is better to send the coin back when we do have to export gold.

Mr. GLASS. That is entirely true.

Mr. HAYES. If the gentleman will yield, I desire to say that the amount provided for here will undoubtedly meet every demand for gold coin that can exist, and if that be not so the Secretary of the Treasury will have authority under the law, as it will be if this bill passes, to coin more if it is demanded.

Mr. GLASS. Oh, yes.

Mr. HAYES. It only authorizes that in case there is no demand for the coin the unnecessary coinage shall be suspended, thereby saving the money that would be uselessly expended.

Mr. HILL. Mr. Speaker, I move to strike out the last word. The gentleman from Minnesota [Mr. MILLER] said that he wants to see American coin go all over the world. Some years ago I visited the vaults of the Bank of England. I had the same patriotic idea that the gentleman from Minnesota has, and I found that the only result of not having such a law as this was that the United States, England, and France all went to the expense of melting down one another's money and coining it into their own coin. This bill will tend largely to prevent that, and save not only this Government but other Governments the expense of unnecessary recoinage. The gentleman from Illinois [Mr. MANN] very appropriately says that we have been receiving a large amount of gold from abroad. The probability is that when the war is over a great deal of that gold will go back again. Now, supposing we coin that into American coin, what will happen? It goes over to Paris and to London, and the result will be that if you go into the vaults of the respective banks you will find a little machine with an arm on one side, a funnel at the top, and they pour the coin into the funnel; it runs down grade until it comes to the end of the arm, and then if it is the least mite light weight it is tossed to one side; if it is full weight it is tossed to the other side; it is "separating the sheep from the goats." If it is a light weight in the slightest degree, it is recoined; it goes into the world's commerce and then it possibly comes back here again and we have been in the habit of melting it down into American coin to put it behind our gold certificates, and so it goes on year after year, a perfect economic absurdity, and this bill in a large degree corrects that thing. There ought not to be the slightest opposition to it on the part of anybody.

Mr. BENNET. Will the gentleman yield?

Mr. HILL. Yes.

Mr. BENNET. Is the gentleman sure that this bill does to any large extent cure that trouble?

Mr. HILL. I think it does. It allows the Treasury to use a larger proportion of gold bullion and foreign coin, instead of changing it into American coin, and putting it behind the certificate in the form it was received.

Mr. BENNET. Along about the Sixtieth or the Sixty-first Congress we passed some sort of an act to do away with recoinage.

Mr. HILL. To some extent we did, but this goes further than that, and the further it can be carried with proper convenience to the American people the better. There are some countries where you have to ship American coin. Africa, for instance, in some cases, and certain countries in South America, but the great bulk of it goes back and forth between Paris, Berlin, London, and New York, and you can not stop it.

A word in regard to another matter. I rose to take the time on a former bill, and the gentleman will pardon me if I talk about a bill that has already passed, because I want to correct an erroneous impression in the country.

Mr. GLASS. I have no objection.

Mr. HILL. Mr. Speaker, not long ago a most distinguished citizen of the United States made this statement:

Until the recent banking act you could not find, so far as I am informed, a branch of an American bank anywhere outside of the United States, whereas other nations of the world are doing their banking business on foreign shores through the instrumentality of their own banks.

Now, that statement was pardonable because the deadly isolation of some official positions in this country are such as excuse it. But when the head of the Bureau of Foreign Commerce, who is supposed to be directly conversant with such things, repeats the statement, and when, if I am not mistaken, it is again repeated on the floor of this House by one of the leading business men of one of the largest States in the Union, it seems to me that it ought to be corrected in the interest of everybody.

I made a trip around the world in 1901, and I then found what I believe to be the best business on earth, and that was foreign banking. I came home, and was gratified to learn that my own State had chartered a bank for the purpose and that it was doing business. And now, for the information of those gentlemen and the country at large, I want to tell you what a modest American bank has been doing the last 14 or 15 years, since 1902, in extending American business and American commerce throughout the world.

The International Banking Corporation was chartered in 1902. They have been carrying on branches at Bombay, Calcutta, Canton, Cebu, Colon, Hankow, Hongkong, Kobe, London, Manila, Panama, Peking, San Francisco, Shanghai, Singapore, and Yokohama. They have \$37,000,000 cash assets engaged in that business; and yet, notwithstanding a branch has been kept right here in the city of Washington until a year or two ago, that through all these years it has been a recognized agent of the United States Government in transacting business in the Philippine Islands and all through the Orient, that for 14 years it has been carrying on this business in all the principal commercial centers of the Orient and the North American Continent, the statement is made here that we need to pass this bill—and I think we do—which has been passed in order to encourage American business in foreign countries.

We do not realize what American citizens are doing to carry the honor, glory, and credit of this great country all over the world. [Applause.] It seems to me to be fair to make this statement to the House so that they can realize that the bill as passed a moment ago is but supplementary to what is already being done by our citizens. [Applause.]

The SPEAKER. The gentleman from Connecticut withdraws his pro forma amendment, and the question is on the amendment.

The 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.

On motion of Mr. GLASS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### EXCLUSION OF INTOXICATING LIQUORS FROM NATIONAL PARKS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 6814) to exclude intoxicating liquors from national parks and national forest reserves.

The bill was read by title.

The SPEAKER. Is there objection?

Mr. MOON. I object.

Mr. RANDALL. Mr. Speaker, I ask unanimous consent that the bill may hold its position on the calendar.

The SPEAKER. The gentleman from California asks unanimous consent that the bill be passed without prejudice.

Mr. MEEKER and Mr. GALLAGHER objected.

#### DRY-LAND AGRICULTURE.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 393) to authorize an exchange of lands



with the State of North Dakota for promotion of experiments in dry-land agriculture, and for other purposes.

The SPEAKER. Is there objection?

Mr. MOON. Mr. Speaker, I object.

The SPEAKER. The gentleman from Tennessee objects, and the bill is stricken from the calendar, and the Chair recognizes the gentleman from Tennessee [Mr. PADGETT].

OFFICERS AND ENLISTED MEN OF THE NAVY AND MARINE CORPS  
DETAILED FOR SERVICE IN HAITI.

Mr. PADGETT. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 12835) to authorize and empower officers and enlisted men of the Navy and Marine Corps to serve under the Government of the Republic of Haiti, and for other purposes, with the committee amendments, which I send to the desk and ask to have read.

The Clerk read as follows:

*Be it enacted, etc.,* That the President of the United States be, and he is hereby, authorized, in his discretion, to detail to assist the Republic of Haiti such officers and enlisted men of the United States Navy and the United States Marine Corps as may be mutually agreed upon by him and the President of the Republic of Haiti: *Provided*, That the officers and enlisted men so detailed be, and they are hereby, authorized to accept from the Government of Haiti the said employment with compensation and emoluments from the said Government of Haiti, subject to the approval of the President of the United States.

SEC. 2. That to insure the continuance of this work during such time as may be desirable, the President may have the power of substitution in the case of the termination of the detail of any officer or enlisted man for any cause: *Provided*, That during the continuance of such details the officers and enlisted men shall continue to receive the pay and allowances of their ranks or ratings in the Navy or Marine Corps.

SEC. 3. That the following increase in the United States Marine Corps be, and the same is hereby, authorized: Two majors, 12 captains, 18 first lieutenants, 2 assistant quartermasters with the rank of captain, 1 assistant paymaster with the rank of captain, 5 quartermaster sergeants, 5 first sergeants, 5 gunnery sergeants, and 11 sergeants.

SEC. 4. That the following increase in the United States Navy be, and the same is hereby, authorized: One surgeon, 2 passed assistant surgeons, 5 hospital stewards, and 10 hospital apprentices, first class.

SEC. 5. That officers and enlisted men of the Navy and Marine Corps detailed for duty to assist the Republic of Haiti shall be entitled to the same credit for such service, for longevity, retirement, foreign service, pay, and for all other purposes, that they would receive if they were serving with the Navy or with the Marine Corps.

The SPEAKER. Is a second demanded?

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

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

The SPEAKER. The gentleman from Tennessee asks unanimous consent that a second be considered as ordered. Is there objection?

Mr. CALLAWAY. I object.

The SPEAKER. The gentleman from Texas objects, and the Chair appoints the gentleman from Tennessee, Mr. PADGETT, and the gentleman from Texas, Mr. CALLAWAY, to take their place as tellers, and the House will divide on the question of ordering a second.

The House divided; and the tellers reported—ayes 78, noes 12. Mr. CALLAWAY. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. Evidently there is no quorum present.

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

Mr. CRISP. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CRISP. Under the rules of the House, when the House is dividing on seconding a motion to suspend the rules, and a quorum fails to vote, is there not an automatic call of the House?

The SPEAKER. The gentleman is correct. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. The question is on seconding the motion to suspend the rules.

The question was taken; and there were—yeas 229, nays 63, answered "present" 9, not voting 132, as follows:

YEAS—229.

Abercrombie	Cannon	Dale, Vt.	Elston
Adamson	Capstick	Dallinger	Emerson
Aiken	Carew	Danforth	Esch
Allen	Carlin	Davenport	Estopinal
Almon	Carter, Okla.	Davis, Tex.	Evans
Anthony	Cary	Dempsey	Farr
Ayres	Charles	Denison	Ferris
Beakes	Chipherfield	Dent	Fess
Bennet	Church	Dickinson	Fields
Blackmon	Clark, Fla.	Dill	Flood
Booher	Condy	Dillon	Foss
Britt	Connelly	Dixon	Foster
Britten	Cooper, Ohio	Doollittle	Freeman
Browne	Cooper, W. Va.	Dowell	Fuller
Browning	Cooper, Wis.	Drukker	Gallagher
Bruckner	Cox	Dupré	Gallivan
Butler	Crago	Dyer	Gandy
Byrns, Tenn.	Cramton	Eagle	Gard
Campbell	Crosser	Ellsworth	Garland

Garner	Kinkaid	Oakey	Snyder
Gillett	Kitchin	Oldfield	Stafford
Glynn	La Follette	Oliver	Stegall
Good	Lenroot	Olney	Stedman
Gould	Lever	O'Shaunessy	Steele, Iowa
Gray, Ind.	Lieb	Overmyer	Steele, Pa.
Green, Iowa	Linthicum	Padgett	Steenerson
Greene, Vt.	Lobeck	Parker, N. J.	Stephens, Cal.
Hadley	Loud	Parker, N. Y.	Stephens, Nebr.
Hamilton	McAndrews	Peters	Sterling
Hamilton, Mich.	McArthur	Phelan	Stiness
Harrison	McClintic	Platt	Stone
Haugen	McCracken	Powers	Sulloway
Hawley	McGillicuddy	Pratt	Sweet
Hay	McKellar	Ragsdale	Swift
Hayden	McKenzie	Raker	Taggart
Hayes	McKinley	Ramseyer	Tague
Helgesen	McLaughlin	Randall	Talbott
Hernandez	Madden	Rauch	Taylor, Colo.
Hicks	Magee	Reavis	Temple
Hilliard	Mann	Ricketts	Tilson
Hinds	Mapes	Rodenberg	Timberlake
Holland	Matthews	Rogers	Tinkham
Hollingsworth	Mays	Rowe	Towner
Howell	Meeker	Rucker	Treadway
Hulbert	Miller, Del.	Russell, Ohio	Volstead
Hull, Iowa	Miller, Minn.	Sabath	Wason
Husted	Miller, Pa.	Sanford	Watson, Va.
Hutchinson	Mondell	Sears	Whaley
Igoe	Mooney	Shallenberger	Wheeler
Johnson, S. Dak.	Moore, Ind.	Siegel	Williams, T. S.
Johnson, Wash.	Morgan, Okla.	Sims	Williams, W. E.
Kearns	Moss, Ind.	Sinnot	Winslow
Kennedy, Iowa	Mudd	Sloan	Wood, Ind.
Kennedy, R. I.	Murray	Smith, Idaho	Woods, Iowa
Kent	Neison	Smith, Mich.	Young, N. Dak.
Kertner	Nicholls, S. C.	Smith, Minn.	
Key, Ohio	Nichols, Mich.	Smith, Tex.	
King	Nolan	Snell	

NAYS—63.

Ashbrook	Gray, Ala.	Lloyd	Summers
Aswell	Gregg	McLemore	Tavener
Bailey	Hamlin	Page, N. C.	Taylor, Ark.
Bell	Hastings	Park	Thomas
Buchanan, Ill.	Hefflin	Quin	Thompson
Buchanan, Tex.	Helm	Rayburn	Tillman
Burgess	Helvering	Reilly	Tribble
Callaway	Hensley	Rouse	Venable
Caraway	Hood	Rubey	Vinson
Cline	Huddleston	Russell, Mo.	Walker
Crisp	Hughes	Sherwood	Webb
Dies	Jacoway	Sisson	Wilson, La.
Doughton	Johnson, Ky.	Slayden	Wingo
Edwards	Keating	Stephens, Miss.	Wise
Finley	Kincheloe	Stephens, Tex.	Young, Tex.
Gordon	Leshner	Stout	

ANSWERED "PRESENT"—9.

Cantrill	Hull, Tenn.	Montague	Morrison
Glass	London	Moon	Shackleford
Hill			

NOT VOTING—132.

Adair	Doremus	James	Paige, Mass.
Alexander	Driscoll	Jones	Patten
Anderson	Dunn	Kahn	Porter
Austin	Eagan	Kelster	Pou
Bacharach	Edmonds	Kelley	Price
Barchfeld	Fairchild	Kless, Pa.	Rafney
Barkley	Farley	Konop	Riordan
Barnhart	Fitzgerald	Kreider	Roberts, Mass.
Beales	Flynn	Lafean	Roberts, Nev.
Black	Focht	Langley	Rowland
Borland	Fordney	Lazaro	Saunders
Brumbaugh	Frear	Lee	Schall
Burke	Gardner	Lehibach	Scott, Mich.
Burnett	Garrett	Lewis	Scott, Pa.
Byrnes, S. C.	Godwin, N. C.	Liebel	Scully
Caldwell	Goodwin, Ark.	Lindbergh	Sells
Candler, Miss.	Graham	Littlepage	Sherley
Carter, Mass.	Gray, N. J.	Loft	Shouse
Casey	Greene, Mass.	Longworth	Slemp
Chandler, N. Y.	Griest	McCulloch	Small
Coleman	Griffin	McDermott	Smith, N. Y.
Collier	Guernsey	McFadden	Sparkman
Conry	Hamilton, N. Y.	Maher	Sutherland
Copley	Hardy	Martin	Switzer
Costello	Hart	Moore, Pa.	Van Dyke
Cullop	Haskell	Morgan, La.	Vare
Curry	Heaton	Morin	Walsh
Dale, N. Y.	Henry	Moss, W. Va.	Ward
Darrow	Hopwood	Mott	Watkins
Davis, Minn.	Houston	Neely	Watson, Pa.
Decker	Howard	North	Williams, Ohio
Dewalt	Humphrey, Wash.	Norton	Wilson, Fla.
Doelling	Humphreys, Miss.	Oglesby	Wilson, Ill.

So a second was ordered.

The Clerk announced the following pairs:

For balance of day:

Mr. MORRISON with Mr. HUMPHREY of Washington.

For this session:

Mr. DEWALT with Mr. McFADDEN.

Until further notice:

Mr. DALE of New York with Mr. HASKELL.

Mr. ADAIR with Mr. GRIEST.

Mr. LANGLEY with Mr. CANTRELL.

Mr. SPARKMAN with Mr. MORIN.

Mr. SMALL with Mr. WILLIAMS of Ohio.

Mr. RAINEY with Mr. HILL.

Mr. HOUSTON with Mr. GUERNSEY.  
 Mr. GODWIN of North Carolina with Mr. NORTH.  
 Mr. WATKINS with Mr. ROWLAND.  
 Mr. MAHER with Mr. HEATON.  
 Mr. HENRY with Mr. FOCHT.  
 Mr. JAMES with Mr. KONOP.  
 Mr. OGLESBY with Mr. ROBERTS of Nevada.  
 Mr. BARKLEY with Mr. FAIRCHILD.  
 Mr. LEE with Mr. LEHLBACH.  
 Mr. GARRETT with Mr. McCULLOCH.  
 Mr. JONES with Mr. NORTON.  
 Mr. LOFT with Mr. ROBERTS of Massachusetts.  
 Mr. NEELY with Mr. SCOTT of Michigan.  
 Mr. PATTEN with Mr. SWITZER.  
 Mr. SHERLEY with Mr. WILSON of Illinois.  
 Mr. HART with Mr. MOORE of Pennsylvania.  
 Mr. MORGAN of Louisiana with Mr. SCHALL.  
 Mr. VAN DYKE with Mr. SELLS.  
 Mr. GRIFFIN with Mr. KELLEY.  
 Mr. HOWARD with Mr. LONGWORTH.  
 Mr. HUMPHREYS of Mississippi with Mr. MOTT.  
 Mr. POU with Mr. SCOTT of Pennsylvania.  
 Mr. WILSON of Florida with Mr. PORTER.  
 Mr. PRICE with Mr. MOSS of West Virginia.  
 Mr. LAZARO with Mr. KREIDER.  
 Mr. RIORDAN with Mr. VARE.  
 Mr. SCULLY with Mr. WATSON of Pennsylvania.  
 Mr. LITTLEPAGE with Mr. KIESS of Pennsylvania.  
 Mr. LEWIS with Mr. MARTIN.  
 Mr. SAUNDERS with Mr. LAFAEAN.  
 Mr. SMITH of New York with Mr. PAIGE of Massachusetts.  
 Mr. McDERMOTT with Mr. SUTHERLAND.  
 Mr. LIEBEL with Mr. WARD.  
 Mr. RAGSDALE with Mr. WALSH.  
 Mr. ALEXANDER with Mr. CARTER of Massachusetts.  
 Mr. SHOUSE with Mr. HAMILTON of New York.  
 Mr. BRUMBAUGH with Mr. DARROW.  
 Mr. DECKER with Mr. HOPWOOD.  
 Mr. FLYNN with Mr. KEISTER.  
 Mr. EAGAN with Mr. KAHN.  
 Mr. BURKE with Mr. ANDERSON.  
 Mr. CALDWELL with Mr. BEALES.  
 Mr. HARDY with Mr. GREENE of Massachusetts.  
 Mr. CULLOP with Mr. EDMONDS.  
 Mr. FARLEY with Mr. COSTELLO.  
 Mr. CANDLER of Mississippi with Mr. BARCHFELD.  
 Mr. BURNETT with Mr. GRAHAM.  
 Mr. DOREMUS with Mr. FORDNEY.  
 Mr. COLLIER with Mr. DAVIS of Minnesota.  
 Mr. FITZGERALD with Mr. COPELY.  
 Mr. DRISCOLL with Mr. GRAY of New Jersey.  
 Mr. BORLAND with Mr. FREAR.  
 Mr. CONRY with Mr. CURRY.  
 Mr. BARNHART with Mr. DUNN.  
 Mr. BLACK with Mr. GOLEMAN.  
 Mr. BYRNES of South Carolina with Mr. CHANDLER of New York.  
 Mr. CASEY with Mr. BACHARACH.  
 Mr. DOOLING with Mr. AUSTIN.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present; the Doorkeeper will unlock the doors. The gentleman from Tennessee [Mr. PADGETT] is recognized for 20 minutes and the gentleman from Texas [Mr. CALLAWAY] for 20 minutes.

Mr. PADGETT. Mr. Speaker, two weeks ago this bill was before the House, and there was considerable discussion over the matter, and I do not feel called upon at this time to renew that discussion. Recently the President of the United States negotiated a treaty with the Republic of Haiti, which was ratified by the Senate, but which has not yet been proclaimed. As I understand, it is being held up in order to get this legislation in aid of the treaty. Under that treaty the United States is to appoint and administer the finances of the Republic of Haiti.

Mr. COX. Will the gentleman yield?

Mr. PADGETT. I do.

Mr. COX. What was the necessity for making that kind of a treaty? What conditions existed between the two countries which required such a treaty, in brief?

Mr. PADGETT. There was anarchy there on that little island, which is right here under our protection, and we have felt in reference to Haiti as we have felt in reference to Santo Domingo and a number of other countries, that, as under the Monroe doctrine we will not let anybody else interfere with them, it is necessary for us to maintain order and good government.

Mr. COX. They were wasting and squandering the revenues of that little Republic?

Mr. PADGETT. Absolutely, sir.

Mr. COX. And not applying them to their debts?

Mr. PADGETT. No, sir. Now, also, it was stipulated that the Government of the United States should reorganize their constabulary. We have disbanded their constabulary and have taken charge of it under the military government. Now that this treaty has been ratified, and it must be taken under civil administration, this is for the purpose temporarily of organizing the constabulary of that Republic.

Mr. SISSON. Will the gentleman yield for a question?

Mr. PADGETT. Yes, sir.

Mr. SISSON. The treaty which the gentleman speaks of provides that the Haitian Government shall pay as much for the constabulary as the Federal Government pays, does it not?

Mr. PADGETT. Not that I know of; I do not know of such a provision.

Mr. SISSON. Now, my understanding of the treaty is that half the amount to be paid for the constabulary shall be paid by the Haitian Government. Now, that being true, since the gentleman has fixed full pay for these officers, the 20 per cent for serving in the tropics simply means, under the treaty, the Haitian Government must respond in like amount, which gives these officers and marines two salaries. Now that is my understanding of the treaty.

Mr. PADGETT. I think there is no such provision in the treaty that applies to the men. A marine, an enlisted man in the Marine Corps, who is receiving somewhere from \$18 to \$30 or maybe \$35 a month goes down there. This provides that he shall have authority to receive from the Republic of Haiti as much additional compensation as the Republic of Haiti may give him, as may be approved by the President of the United States.

Mr. SISSON. Now that is the gentleman's bill?

Mr. PADGETT. Yes, sir.

Mr. SISSON. The President will be compelled, if the treaty is as I have been informed it is, to comply with the treaty.

Mr. PADGETT. No. This being a later law the later law governs always.

Mr. SISSON. That is true; but if the gentleman were President of the United States he would not repudiate a treaty, would he?

Mr. PADGETT. He would be governed by this law that authorizes their employment.

Mr. SISSON. Without consulting the other party?

Mr. PADGETT. This says we shall consult them. It says such compensation as the President of the Republic of Haiti may pay, which may be approved by the President of the United States.

Mr. SISSON. The gentleman is asking Congress to rather buy a pig in a sack until we know what is in the treaty and what we are doing by this bill.

Mr. PADGETT. Not at all, sir; it is as plain as anything can be, and I see nothing to be alarmed over in allowing these marines that receive a small compensation, who go down into that country under hard circumstances, among a population which is not congenial, to organize temporarily a constabulary there and maintain order, this being only a temporary matter, to allow them to receive such additional compensation—

Mr. COX. What will it cost this Government?

Mr. PADGETT. It would cost this Government very little, as it is contemplated sending only about 35 of our marines down there. They have estimated the number at 35.

Mr. CALLAWAY. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. CALLAWAY. I want to know how much extra pay we give for foreign service, which is provided by this bill, that they shall have in addition to what they get under the regular service?

Mr. PADGETT. The men get 20 per cent for foreign service and officers get 10 per cent.

Mr. CALLAWAY. In addition to that, do we pay anything for service in the Tropics?

Mr. PADGETT. No, sir; that is foreign-service pay.

Mr. CALLAWAY. In tropical service, then, or foreign service, we pay 20 per cent additional to our men and 10 per cent additional to our officers. Can you tell us how many men in addition to the ones named here, the increase provided in this bill, will be named in that service?

Mr. PADGETT. Not even all of those are expected to go. There are about 55 additional officers provided there, but it is estimated in the hearing of Gen. Barnett, the commandant of the Marine Corps, that they would employ in the Government of Haiti about 35 men. That is his statement. But this addi-



tional number that is authorized is because the Marine Corps has to operate in detached and irregular bodies, a certain number here, a smaller number yonder, and a different number there, not having a regularly constituted organization, as in the Regular Army, and it would require these additional officers referred to in the bill.

Mr. CARAWAY. Haiti is practically under martial law at the present time, is it not?

Mr. PADGETT. Our Marine Corps is in control there. We are hoping to get this legislation through so that the President of the United States can proclaim the treaty recently ratified by the Senate and put the civil government of Haiti into full control and operation.

Mr. CALLAWAY. Has this anything to do with the treaty?

Mr. PADGETT. With the exception of its promulgation the treaty is complete. It has been ratified by the Senate of the United States, and the President has not yet issued his proclamation, because when the proclamation is issued the treaty would become operative, and it is waiting to have this legislation so that the President will have authority then, as the treaty provides, to take charge under civil administration and civil organization.

Mr. CALLAWAY. Do you mean to tell this House that that treaty will not become operative until this act is passed?

Mr. PADGETT. I do not. But I mean to say this, that the President could not carry out the provisions of this treaty in the way that it is intended that he should without this legislation.

Mr. CALLAWAY. Do you mean it is intended he should in this bill?

Mr. PADGETT. Just exactly.

Mr. CALLAWAY. It does not have anything on earth to do with the operation of the treaty?

Mr. PADGETT. The treaty would become operative as a treaty regardless of this legislation, but the President would not have the means of executing it as he would like to do it.

Now, I desire to reserve the remainder of my time.

Mr. CANNON. Does not the gentleman think that the difficulty in the United States now in getting volunteers for the Marine Corps and for the Army and for the Navy, at pay which is comparatively inconsiderable to what they would receive in private life, is that just such discussions as this, and just such pay as is authorized here, have a tendency to say to a hundred million of people, "After all, what good?"

Mr. HENSLEY. What other countries south of us do we bear the same relation to as we do to Haiti?

Mr. PADGETT. We have a treaty with Santo Domingo. I do not remember whether there are other treaties or not.

Mr. HENSLEY. Nicaragua?

Mr. PADGETT. I do not know whether there is a treaty with Nicaragua or not, but we have done the same thing in Nicaragua, by going down there and putting our marines in control under military authority and military government. This treaty and legislation is to put them in control under civil administration.

Mr. HENSLEY. Now, then, the Marine Corps of this country who are serving in those countries are receiving also the additional pay that this bill provides the marines shall receive in Haiti?

Mr. PADGETT. Down there they receive 20 per cent additional for the enlisted men and 10 per cent for the officers. They are there only for a short time.

Mr. HENSLEY. Why make an exception of Haiti? Why not pass a general law to cover all those countries and permit them to receive this additional pay?

Mr. PADGETT. Because I think it better to deal with each case as it arises and under the peculiar equities of each time. I reserve the balance of my time.

The SPEAKER. The gentleman from Texas [Mr. CALLAWAY] is recognized for 20 minutes.

Mr. CALLAWAY. Mr. Speaker, Haiti is under martial law at the present time, with the United States Government in charge. Now, the impression that the chairman of this committee might have left on the minds of some Members of the House—that we have a treaty entered into between the United States and the Haitian Government, ratified by the Senate, which will not become operative until this law is passed—is pure buncombe. This law has not a thing on earth to do with that treaty. That treaty will go on and operate just as well without this act and just as thoroughly as it will with it. Treaties are not made between the different Governments and ratified that have to have a part passed by the House. The truth about it is that the United States marines do not want to go down to the Haitian Government under the treaty, knowing that this

provision is pending, until this law is passed, they will get only one salary instead of two salaries. Now, that is the meat in the coconut; that is the vitals in this bill.

When this bill first came before the committee it provided that the United States troops the United States Government sent to Haiti to administer the Haitian Government would receive the same salary from the Haitian Government that the Haitian Government was accustomed to pay their people for like services, in addition to the salaries they received from the United States Government, which were the regular salaries of the Marine Corps, plus 20 per cent for serving in the Tropics or in foreign service.

Mr. TEMPLE. Will the gentleman yield?

Mr. CALLAWAY. Yes.

Mr. TEMPLE. Is it true that you say this provision is in the treaty between the United States Government and the Haitian Government?

Mr. CALLAWAY. I did not say a word about that.

Mr. TEMPLE. Is there an agreement by which Haiti pays a certain amount?

Mr. CALLAWAY. No, sir.

Mr. TEMPLE. That point was brought out by another gentleman a while ago, and I thought it well to correct it.

Mr. Sisson. Will the gentleman yield?

Mr. CALLAWAY. Yes, sir.

Mr. Sisson. I have not seen a copy of the treaty.

Mr. CALLAWAY. I would like to know if there is a man in the House that has a copy of the treaty.

Mr. MANN. I have one here, and anybody can get one who wants it.

Mr. CALLAWAY. What I said about the treaty I based on my general understanding, that I take it every man in the House has, that a treaty made between the United States and a foreign country, when it is ratified by the Senate of the United States, does not wait on the passage of a law to do what the terms of it provide.

I did not consider it worth while to look to the treaty. We are passing a law, not part of a treaty.

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

Mr. CALLAWAY. Yes.

Mr. HUDDLESTON. I would like to inquire of the gentleman if our marines are not there to-day, performing exactly the same duties that they will perform later, and for which it is proposed to pay them this increased allowance, without any increase?

Mr. CALLAWAY. Yes; and they will perform the same service without additional allowance. Some men have spoken to me about this bill. They had letters from relatives and friends and people in their respective districts who were in the service and wanted to go to Haiti, provided this bill passed increasing their pay. That influence, I take it, is largely responsible for this bill.

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

Mr. CALLAWAY. Yes.

Mr. DILL. Will the giving to these men of an extra salary while they are in Haiti, serving there, have any influence upon their desire to continue there?

Mr. CALLAWAY. I take it that the gentleman asked the question knowing he is talking to a practical man, who could not answer but one way. Of course, if they get two salaries while they stay there and only one when they come away, they will want to stay.

Another thing: These men detailed for service in Haiti are the men on whom we depend to put that Government in such a state as that we can withdraw, and they are the men whose advice we will depend on to determine when we shall withdraw. How long will it take them to conclude that it is in such condition that we should withdraw them if they are drawing two salaries as long as they stay and only one salary when they quit staying?

Some may say they are patriots that salaries will not affect. But they are talking to a practical-minded man when they make such statements to one who knows human nature works just the same in the Marine Corps as it works in practical everyday business.

Another thing: When we do this for those sent to Haiti to police that country we will be called on to do it for every police squad sent at any time to any country to do police duty. I can not understand how anybody can argue that we ought to do it. They say that service is hard in a tropical country, but we add 20 per cent to the salary to pay for additional hardships of foreign service. This bill provides not only that they get the 20 per cent provided by general law, but in addition to that they get

such a salary from the Haitian Government as it pays for such service. The testimony before the committee shows this conclusively.

Mr. TILSON. Mr. Speaker, will the gentleman yield there?

Mr. CALLAWAY. Yes; I yield.

Mr. TILSON. This will not increase the salary of these men unless it is approved by the President of the United States. All this is subject to approval by the President of the United States, and if he decides that receiving this additional salary is in any way unwise or productive of sinister effect upon these men he could refuse to approve of it and could stop the payment of additional pay under the terms of this bill. Is that correct?

Mr. CALLAWAY. No; it is not correct at all, because the President will be influenced by the advice of the men sent down there. They are the people who will advise him. It will have to depend upon them. Acting upon their advice, he will be influenced by the extra pay they get.

Mr. BENNET. Mr. Speaker, will the gentleman yield there?

Mr. CALLAWAY. Yes.

Mr. BENNET. Is not the gentleman willing to trust the President of the United States in a matter of this kind?

Mr. CALLAWAY. Well, I am not long on trust anywhere. [Laughter.]

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

The SPEAKER. Does the gentleman from Texas yield to the gentleman from Pennsylvania?

Mr. CALLAWAY. Yes.

Mr. TEMPLE. Can the gentleman tell how many officers and men of the Marine Corps are stationed now in Haiti?

Mr. CALLAWAY. No; I can not.

Mr. TEMPLE. Or how it will compare in expense to keep those there that are there or to send the 35 that it is proposed to send?

Mr. CALLAWAY. I do not suppose it would make any difference whether you paid them two salaries or one. Will two salaries enable them to accomplish more than one salary would enable them to accomplish?

Mr. TEMPLE. There are now 1,665 men of the Marine Corps under 82 officers. It would cost a great deal more to keep them there than to keep the 40 men provided by this bill. If the gentleman is in favor of economy, he ought to be in favor of this bill.

Mr. CALLAWAY. Oh, that is pure buncombe that you are working on the House and has nothing to do with the facts.

Mr. TEMPLE. There are 1,665 men.

Mr. CALLAWAY. That has nothing to do with it. The men that are to be sent can do better work if you pay them the two salaries provided in this bill than if you pay them one salary as provided by law. That is all there is to it. Does any man attempt to say if we pay two salaries you can withdraw the Army and 35 could do the work, and if we do not provide two salaries you will have to have the Army? We know that you can not. That is rot, rot, rot.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

Mr. CALLAWAY. Yes.

Mr. MANN. Under the existing law would the President have the authority to detail Marine officers to act as officers of the local constabulary there?

Mr. CALLAWAY. I do not think that this bill will affect the President in detailing the officers at all. If that were the question and anybody had made it in the committee or had offered it here, there would be no question raised on that. The whole question involved in this bill is a question of two salaries from different Governments.

Mr. MANN. The gentleman is on the committee. My understanding was that to make legal the detail of these officers is the main proposition.

Mr. CALLAWAY. The President has the right to detail the officers. He has the power under the treaty made and ratified by the United States Senate. It is already in effect. He could detail officers to do the work. This bill simply provides additional salaries. That is the only reason for the bill. That is the only reason I have ever heard for it.

Mr. HULBERT. Mr. Speaker, will the gentleman yield for a question?

Mr. CALLAWAY. Yes; but gentlemen have taken up all my time. Some others want to be heard.

Mr. HULBERT. I have not taken up any of the gentleman's time.

Mr. CALLAWAY. I do not refer to the gentleman.

Mr. HULBERT. I have not yet made up my mind. It will depend somewhat on the answer that I get from the gentleman. The gentleman has stated that these men will receive two salaries—one that they are now receiving, plus 20 per cent by

the Government. Do I understand that the other salary will be paid to them from the customs receipts of Haiti, or will both salaries be paid by the United States?

Mr. CALLAWAY. One salary will be paid by Haiti and the other by this Government.

Mr. HULBERT. These officers, sent down there, perform dual functions, do they not? In the first place, they are peace officers and maintain peace, and, on the other hand, they perform administrative functions on behalf of the Haitian Government?

Mr. CALLAWAY. I thought when a man was an officer in the Army he performed the service that the United States detailed him to perform, without regard to the number of the services.

Mr. HULBERT. Within the United States.

Mr. CALLAWAY. When he goes into foreign service he gets 20 per cent extra for the foreign service.

Mr. HULBERT. Will the gentleman yield for one more question?

Mr. CALLAWAY. Yes.

Mr. HULBERT. Does the gentleman make any distinction between sending a man into a foreign country with United States forces, in the service of his own country exclusively, and a case where men are sent into a foreign country to act in behalf of the people of that country?

Mr. CALLAWAY. That is a hair-splitting proposition I do not care to go into.

Mr. REAVIS. Will the gentleman yield for a question?

Mr. CALLAWAY. I want to save the rest of my time for the other members of the committee.

The SPEAKER. The gentleman from Tennessee [Mr. PADGETT] has eight minutes remaining and the gentleman from Texas [Mr. CALLAWAY] has five minutes.

Mr. PADGETT. I yield five minutes of my time to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, last summer and fall a treaty was negotiated between this country and the Republic of Haiti, signed by the representatives of the two Governments on the 10th day of September last. On the 8th day of January last the Secretary of State transmitted that treaty to the President of the United States with a letter, in which he said:

The undersigned, the Secretary of State, has the honor to submit, with a view to its transmission to the Senate, if you approve thereof, to receive the advice and consent of that body to its ratification, a treaty—

And so forth. On January 11 the President, having approved thereof, transmitted this treaty to the Senate of the United States for ratification.

On February 28 the treaty was ratified by the Senate. This is about the most distinctive act which the present administration has performed in our foreign relations. The treaty was approved by the President, and by the Secretary of State transmitted to a Democratic Senate, and approved by the Democratic Senate. It requires certain action on the part of the House of Representatives to carry that treaty into effect.

The treaty provides that the constabulary in the Haitian Republic shall be officered by officers of the United States Army or Navy. The President can not direct that without an act of Congress. The bill now pending before us was prepared in the State Department and the Navy Department jointly, and transmitted to Congress with the recommendation that it be passed. To-day the motion was made to suspend the rules. To bring it up for consideration required a vote on a second, which is usually dispensed with, and on that vote 46 Democrats voted against considering the bill—128 Republicans voted in favor of considering the bill. [Applause on the Republican side.] Eighty-eight Democrats, not a two-thirds majority of the Democratic side, followed the Republicans in voting to consider the bill. Not a Republican voted against considering the bill. Here is an administration measure. [Applause on the Republican side.] A few days ago I heard gentlemen on that side of the House say, "We must stand by the President, who has asked us to agree to the Clarke amendment to the Philippine bill." Every one of the 46 Democrats who voted against the consideration of this bill meekly and mildly excused himself for his vote the other day on the ground that he was following the President. They roasted the other Democrats who did not follow the President then. Well, gentlemen, you are not following him now.

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

Mr. MANN. No; I do not yield. It is much more important to this administration to carry out this treaty that it has made with Haiti than it was to have the Clarke amendment in the Philippine bill. You have gone back on your own administration. When it comes to great questions, when it comes to the important problems in dealing with our foreign affairs—



Mr. GORDON. Like the McLemore resolution—

Mr. MANN. When it comes to the important problems, during a whole century of time, all administrations must depend upon the Republican side of the House for support. [Applause on the Republican side.]

The SPEAKER. The gentleman from Texas has five minutes left and the gentleman from Tennessee three minutes.

Mr. CALLAWAY. I yield the time on this side to the gentleman from Missouri [Mr. HENSLEY].

Mr. HENSLEY. Mr. Speaker and gentlemen of the House, it was not my intention to submit any observations concerning this bill, but after listening to the arguments made by both those who are favorable to it and those who are against it I feel inclined to say something. I can not quite understand how the Members of the House can make such arguments in connection with this matter as I have heard made here to-day. I have faith in the intelligence and the honesty of the membership of this body and I can not believe that they, if they fully understood the meaning of this measure, would support it.

It is said by the chairman of the Committee on Naval Affairs and others that it is necessary to pass this bill in order to put into force and effect the treaty which has already been ratified by the Senate between this country and Haiti. There can not be any connection whatsoever between this bill and the treaty. The provisions of the treaty can be put into force and effect without this bill, which has for its purpose wholly the increase in pay of the men and officers in the marine service of this Government. The Good Book says that one can not serve two masters, and yet in the very terms of this bill there is a divided allegiance and a divided authority. The marines in the service of this Government, enjoying full pay from this Government with 20 per cent additional for the enlisted men and 10 per cent additional for the officers for foreign service, are, under the provisions of this bill, to receive a salary from the Haitian Government, fixed by certain officers.

The first bill submitted by the chairman of the committee provided explicitly that in addition to the pay from this country they are to receive the same pay of native men and officers of the Haitian Government in similar positions. I stated before the committee and I say now that if it is necessary for these men and officers to receive additional pay over and above what the law provides at the present time that upon a proper showing of that fact I am perfectly willing to vote for an increase, and I have no doubt but that they are entitled to an increase, but the money should be recovered from the Haitian Government by some means or other and the whole pay of our officers and men should be chargeable against the Treasury of this Government. In other words, they should be the servants of this Government even though a portion of the money they receive is first gotten from the Haitian Government. I think it is a bad principle. We bear the same relation to several other small Republics south of us that we bear to Haiti. Now, this will be used as a precedent in case this bill becomes a law, and we will find that bills on the same basis will be introduced to take care of our men and officers in these other countries. If this is necessary, why should not there be a general law to cover all such cases as this?

Then, too, Mr. Speaker, this Government must of necessity depend upon our representatives in these countries for information; and upon the question as to when our relations with these Governments should be changed information must come from these people, and it is as natural as the night follows the day that these people will be considering their own individual interests in reporting to this Government. I am informed now that several Members of the House have friends in the service besieging them for their influence in being detailed for this constabulary service at Haiti; and, in addition to this, there is another point that I wish to call your attention to. Peculiar and extraordinary conditions prevail throughout our country concerning the question of military preparedness. I have not the time to present to you my views with reference to the causes for this situation, but we all know that in this plea of patriotism, if we make military increases, the burden must rest somewhere. Patriotism necessarily requires service. The duty devolves upon the people to render that service, and I say here and now, Mr. Speaker, that my observations thus far during this session of Congress convince me that the military people, who are most instrumental in this propaganda for preparedness, are urging increases in every way they can. I appreciate that I should be more definite and certain in my statement. I should point out to you instances where officers and men are asking and receiving increases in provisions contained in different bills from time to time, but I warn you here and now that you will find from time to time as we progress with this movement that these people will be recognized in their demands for increases simply

because the people, they believe, are willing to stand for it now under the present stress of conditions.

In conclusion, Mr. Speaker, I desire again to say that I can not subscribe to this divided allegiance and divided authority. I want our people who are servants of this Nation to serve under the Stars and Stripes and not under the flag of any other nation. [Applause.]

Mr. PADGETT. Mr. Speaker, I yield three minutes to the gentleman from Alabama [Mr. OLIVER].

Mr. OLIVER. Mr. Speaker, the vote against the consideration of this bill, I feel sure, was due to misapprehension as to what in fact is its real purpose and effect. I fully concur in the view stated by the gentleman from Illinois [Mr. MANN] that the primary purpose of this bill is to make effective the treaty between this country and the Government of Haiti. The only opposition, so far as I understood, that was even suggested to the bill was due to the fact that it provided some possible additional pay for the officers and members of the Marine Corps who might be stationed there, such additional pay to come out of the revenues of the Government of Haiti.

The committee carefully guarded against any real objection that might be offered on that ground by providing in the bill that before any additional pay can be received by the officers or members of the Marine Corps, the President of the United States must first approve the same. The duty enjoined on officers and enlisted men of the Marine Corps who may be detailed for service in Haiti under the provisions of the bill are in many respects different from the duties ordinarily imposed on such officers and enlisted men. It has been correctly stated that they will have important administrative duties to perform.

Mr. CALLAWAY. Will the gentleman yield?

Mr. OLIVER. No; I can not yield now. I desire to say in support of the bill that it is my opinion that its passage is important in order to give full effect to the treaty between this Government and the Government of Haiti. The provisions, as stated, in reference to additional pay are fully guarded, and the Marine officers will be entitled to none, unless they first secure the approval of the President of the United States. [Applause.]

The proposed bill has been strongly urged by the Secretary of the Navy and the Secretary of State, and I will here insert in the RECORD as a part of my remarks and for the purpose of showing the necessity of this legislation letters from both of these Secretaries to the chairman of the Committee on Naval Affairs.

DEPARTMENT OF THE NAVY,  
Washington, March 3, 1916.

MY DEAR MR. CHAIRMAN: In reply to the committee's letter, inclosing the bill (H. R. 12584) to authorize and empower officers and enlisted men of the Navy and Marine Corps to serve in the Government of Haiti, and for other purposes, and requesting my views and recommendations of the department thereon, I have the honor to inform you that the department recommends this bill for your favorable consideration.

However, to better accomplish the purpose of the bill, I suggest that it be redrafted in the form of the draft herein inclosed, which has been prepared with a view to a compliance with those provisions of the treaty with Haiti which require the detail for various positions under the Government of the Republic of Haiti of officers and enlisted men of the naval service.

The bill (H. R. 12584) provides for the detail of officers and enlisted men of the naval service to serve with the Haitian Gendarmerie, without reference to the approval by the Government of Haiti, contrary to the provisions of the treaty.

The first proviso in the bill that officers and enlisted men detailed for service with the Haitian Gendarmerie "shall receive the pay and allowances of their grades in the Marine Corps and in the Medical Corps and Hospital Corps of the Navy" is ambiguous for the reason that there are several ranks in some of the grades, and that the rate of pay of the individual may be based rather on his rank than on his grade. In the Quartermaster's Department of the Marine Corps there are only two grades, those of quartermaster and assistant quartermaster, whereas there is one rank in the upper grade, that of colonel, and three ranks in the lower grade, those of lieutenant colonel, major, and captain.

Among the articles of the treaty are the following:

"The President of Haiti shall appoint, upon nomination by the President of the United States, a general receiver and such aids and employees as may be necessary, who shall collect, receive, and apply all customs duties on imports and exports accruing at the several customhouses and ports of entry of the Republic of Haiti."

"Upon the appointment of the financial adviser the Government of the Republic of Haiti, in cooperation with the financial adviser, shall collate, classify, arrange, and make full statement of all the debts of the Republic, the amounts, character, maturity, and condition thereof, and the interest accruing and the sinking fund requisite to their final discharge."

I have been advised that it is the intention to appoint temporarily, and until some further arrangements are made, officers of the line of the Pay Corps of the Navy to the positions provided for in the above articles of the treaty. To provide for this contingency it is deemed necessary that the language in section 1 of the inclosed draft should be employed.

According to the information received by the department, an additional medical officer is desired by the Haitian Government to supervise sanitary measures, and I suggest that provision be made for an increase in the Medical Corps of one surgeon and two passed assistant surgeons, as set forth in the inclosed draft; also that provision be made for the increase of five hospital stewards and two hospital apprentices, first class, in order to provide for the detail of men of those ratings.

The increases noted in the proposed draft are only to replace such officers and enlisted men as may be detailed for service under the Republic of Haiti, and the numbers proposed are in accordance with the plans submitted to the department as having been determined upon and approved after consultation with the Haitian Government. The Marine Corps is now very short of officers and noncommissioned officers, and the Medical Department of the Navy is in a similar condition, and it would seriously embarrass the service to furnish the proposed detail for the Haitian Republic unless legislative provision were made to fill the vacancies so caused. I am informed that it is very desirable to secure the speedy enactment of such legislation, since the plans for assistance of the Republic of Haiti can not be carried into effect without the details being made from the naval service; and, as you are aware, officers of the Navy and Marine Corps can not legally assume or hold offices under the Haitian Government owing to the provisions of Article I, section 9, clause 8, of the Constitution, without the consent of Congress.

Sincerely, yours,

JOSEPHUS DANIELS,  
Secretary of the Navy.

The CHAIRMAN COMMITTEE ON NAVAL AFFAIRS,  
House of Representatives.

DEPARTMENT OF STATE,  
Washington, March 4, 1916.

HON. LEMUEL P. PADGETT,  
Chairman Committee on Naval Affairs,  
House of Representatives.

SIR: I have the honor to acknowledge the receipt of your letter of March 3, 1916, with which you were good enough to inclose a copy of House resolution 12584, entitled "A bill to authorize and empower officers and enlisted men of the Navy and Marine Corps to serve under the Government of Haiti, and for other purposes."

In reply to your request for an expression of my opinion on the bill, I venture to suggest that if it meets with your approval the bill be redrafted in the form of the inclosure herewith, which I understand has been already submitted to your consideration by the Secretary of the Navy.

You will note certain increases in the numbers of sergeants, hospital stewards, and hospital apprentices, first class, which have been suggested by the Department of the Navy.

Now that the treaty between the United States and the Republic of Haiti, signed at Port au Prince on September 16, 1915, and approved by the Haitian Chambers November 11, has been ratified by the United States Senate, it is most desirable that every effort should be made to put the provisions thereof in operation with the least delay, and it is therefore my earnest hope that favorable action may be taken upon the bill at the earliest moment possible.

I can not too strongly recommend that officers and enlisted men of the Navy and Marine Corps of the United States can be made available for service in Haiti, not only because I am convinced that the purpose of the treaty would be most advantageously carried to a successful completion by them, but particularly on account of the fact that by their excellent behavior and considerate bearing they have gained the confidence and esteem of the Government and people of Haiti, toward whom this Government has now assumed great responsibilities and obligations.

It is needless for me to assure you that I shall be most happy to be of any assistance in this connection, and I beg to thank you for your courtesy in affording me an opportunity to express an opinion in the matter.

I have the honor to be, sir,  
Your obedient servant,

ROBERT LANSING.

The SPEAKER. The question is on suspending the rules and passing the bill.

Mr. CALLAWAY. Mr. Speaker, I demand the yeas and nays. The yeas and nays were ordered.

The question was taken; and there were—yeas 230, nays 53, answered "present" 6, not voting 135, as follows:

#### YEAS—230.

Abercrombie	Dallinger	Glynn	King
Adamson	Danforth	Good	Kinkaid
Alexander	Davenport	Gray, Ala.	Lafan
Allen	Davis, Minn.	Gray, Ind.	La Follette
Anthony	Dempsey	Green, Iowa	Lazarro
Ashbrook	Denison	Greene, Mass.	Lesher
Ayres	Dent	Greene, Vt.	Lever
Beakes	Dickinson	Gregg	Lieb
Bennet	Dill	Hadley	Linthicum
Britten	Dillon	Hamilton, Mich.	Lobeck
Browne	Doolittle	Hamlin	McAndrews
Browning	Doremus	Hardy	McArthur
Bruckner	Dowell	Harrison	McCracken
Buchanan, Tex.	Dupré	Hastings	McGillcuddy
Burgess	Dyer	Haugen	McKellar
Burke	Eagle	Hawley	McKenzie
Butler	Ellsworth	Hayden	McLaughlin
Byrns, Tenn.	Elston	Heflin	McLemore
Caldwell	Emerson	Hernandez	Madden
Campbell	Esch	Hicks	Magee
Cannon	Estopinal	Hill	Mann
Capstick	Evans	Holland	Mapes
Carew	Farley	Hollingsworth	Matthews
Carlin	Farr	Howell	Mays
Carter, Mass.	Ferris	Hughes	Meeker
Carter, Okla.	Fess	Hulbert	Miller, Del.
Cary	Fields	Hull, Iowa	Miller, Minn.
Charles	Foss	Hull, Tenn.	Miller, Pa.
Chapfield	Foster	Humphreys, Miss.	Mondell
Church	Frear	Husted	Mooney
Coady	Freeman	Igoe	Moore, Ind.
Cooper, Ohio	Fuller	Johnson, S. Dak.	Morgan, Okla.
Cooper, W. Va.	Gallagher	Johnson, Wash.	Moss, Ind.
Cooper, Wis.	Gallivan	Kearns	Murray
Cox	Gandy	Kelley	Nelson
Crago	Gard	Kennedy, Iowa	Nicholls, S. C.
Cramton	Garland	Kennedy, R. I.	Nolan
Crosser	Garner	Kent	Oakey
Curry	Gillett	Kettner	Oldfield
Dale, Vt.	Glass	Key, Ohio	Oliver

Olney  
O'Shaunessy  
Overmyer  
Padgett  
Parker, N. J.  
Parker, N. Y.  
Peters  
Phelan  
Platt  
Powers  
Pratt  
Price  
Ragsdale  
Raker  
Ramseyer  
Randall  
Rauch  
Reavis  
Ricketts

Riordan  
Roberts, Mass.  
Rodenberg  
Rogers  
Rouse  
Rowe  
Rucker  
Russell, Ohio  
Sabath  
Sanford  
Shallenberger  
Siegel  
Sims  
Sinnott  
Slomp  
Sloan  
Smith, Mich.  
Smith, Minn.  
Smith, Tex.

Snell  
Snyder  
Stafford  
Stegall  
Stedman  
Steele, Iowa  
Steele, Pa.  
Steenerson  
Stephens, Cal.  
Stephens, Nebr.  
Stephens, Tex.  
Sterling  
Stone  
Sulloway  
Sweet  
Swift  
Taggart  
Tague  
Taylor, Colo.

Temple  
Tilson  
Timberlake  
Tinkham  
Townner  
Treadway  
Van Dyke  
Volstead  
Wason  
Watson, Va.  
Wheeler  
Williams, T. S.  
Williams, W. E.  
Wilson, Fla.  
Wood, Ind.  
Woods, Iowa  
Young, N. Dak.  
Young, Tex.

#### NAYS—53.

Almon  
Aswell  
Bailey  
Bell  
Black  
Blackmon  
Buchanan, Ill.  
Callaway  
Candler, Miss.  
Cline  
Crisp  
Decker  
Dies  
Doughton

Edwards  
Finley  
Goodwin, Ark.  
Gordon  
Helm  
Helvering  
Hensley  
Hilliard  
Hood  
Huddleston  
Jacoway  
Johnson, Ky.  
Keating  
Kinchelee

Lloyd  
London  
McClintic  
Page, N. C.  
Park  
Quin  
Rayburn  
Rube  
Russell, Mo.  
Sisson  
Slayden  
Stephens, Miss.  
Summers  
Tavener

Taylor, Ark.  
Thomas  
Thompson  
Tillman  
Tribble  
Vinson  
Walker  
Webb  
Wilson, La.  
Wingo  
Wise

#### ANSWERED "PRESENT"—6.

Caraway  
Helgesen

Moon  
Morrison

Reilly

Shackelford

#### NOT VOTING—135.

Adair  
Aiken  
Anderson  
Austin  
Bacharach  
Barchfeld  
Barkley  
Barnhart  
Beales  
Booher  
Borland  
Brumbaugh  
Burnett  
Byrnes, S. C.  
Cantrill  
Casey  
Chandler, N. Y.  
Clark, Fla.  
Coleman  
Collier  
Connelly  
Conry  
Copley  
Costello  
Cullop  
Dale, N. Y.  
Darrow  
Davis, Tex.  
Dewalt  
Doelling  
Driscoll  
Drukker  
Dunn  
Eagan

Edmonds  
Fairchild  
Fitzgerald  
Flood  
Flynn  
Focht  
Fordney  
Gardner  
Garrett  
Godwin, N. C.  
Gould  
Graham  
Gray, N. J.  
Griest  
Griffin  
Guernsey  
Hamilton, N. Y.  
Hart  
Haskell  
Hay  
Hayes  
Heaton  
Henry  
Hinds  
Hopwood  
Houston  
Howard  
Humphreys, Wash.  
Hutchinson  
James  
Jones  
Kahn  
Kester  
Kiess, Pa.

Kitchin  
Konop  
Kreider  
Langley  
Lee  
Leibach  
Lenroot  
Lewis  
Liebel  
Lindbergh  
Littlepage  
Loft  
Longworth  
McCulloch  
McDermott  
McFadden  
McKinley  
Maher  
Martin  
Montague  
Moore, Pa.  
Morgan, La.  
Morin  
Moss, W. Va.  
Mott  
Mudd  
Neely  
Nichols, Mich.  
North  
Norton  
Oglesby  
Palge, Mass.  
Patten  
Porter

Pou  
Rainey  
Roberts, Nev.  
Rowland  
Saunders  
Schall  
Scott, Mich.  
Scott, Pa.  
Scully  
Sears  
Sells  
Sherley  
Sherwood  
Shouse  
Smail  
Smith, Idaho  
Smith, N. Y.  
Sparkman  
Stiness  
Stout  
Sutherland  
Switzer  
Talbot  
Vare  
Venable  
Walsh  
Ward  
Watkins  
Watson, Pa.  
Whaley  
Williams, Ohio  
Wilson, Ill.  
Winslow

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following additional pairs:

On the vote:

Mr. TALBOTT (for Padgett bill) with Mr. CARAWAY (against).

Mr. PATTEN (for Padgett bill) with Mr. REILLY (against).

Until further notice:

Mr. WHALEY with Mr. MUDD.

Mr. HAY with Mr. GOULD.

Mr. AIKEN with Mr. BARCHFELD.

Mr. FLOOD with Mr. FORDNEY.

Mr. KITCHIN with Mr. MCKINLEY.

Mr. LOFT with Mr. WALSH.

Mr. CLARK of Florida with Mr. DRUKKER.

Mr. DAVIS of Texas with Mr. KREIDER.

Mr. BOOHER with Mr. HAYES.

Mr. SHERWOOD with Mr. MOTT.

Mr. STOUT with Mr. WINSLOW.

Mr. VENABLE with Mr. BEALES.

Mr. BORLAND with Mr. HUTCHINSON.

Mr. MONTAGUE with Mr. STINESS.

Mr. RAINEY with Mr. NICHOLS of Michigan.

Mr. GRIFFIN with Mr. SELLS.

Mr. COLLIER with Mr. MOSS of West Virginia.

Mr. SEARS with Mr. SMITH of Idaho.

Mr. CONNELLY with Mr. HOPWOOD.

Mr. CONRY with Mr. COLEMAN.

Mr. SAUNDERS with Mr. COSTELLO.



Mr. CARAWAY. Mr. Speaker, I voted "nay" and I am paired with the gentleman from Maryland, Mr. TALBOTT. I desire to withdraw my vote of "nay" and answer "present."

The name of Mr. CARAWAY was called, and he answered "Present."

Mr. REILLY. Mr. Speaker, I voted "nay." I am paired with the gentleman from New York, Mr. PATTEN. I desire to withdraw that vote and answer "present."

The name of Mr. REILLY was called, and he answered "Present."

The result of the vote was announced as above recorded.

Mr. TEMPLE. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by printing a letter from the Secretary of State and one from Col. Lejeune, of the Marine Corps, and also a copy of the treaty, all bearing on the bill that has just been passed.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the Record on the bill passed in the manner indicated. Is there objection?

There was no objection.

The letter and treaty referred to are as follows:

DEPARTMENT OF STATE,  
Washington, April 10, 1916.

The Hon. H. W. TEMPLE,  
House of Representatives.

SIR: I have the honor to acknowledge the receipt of your communication of the 6th instant in which, referring to House bill 12835, authorizing officers and enlisted men of the Navy and Marine Corps of the United States to serve under the Government of the Republic of Haiti, and authorizing an increase both in the Marine Corps and the Navy, you request further information concerning the purpose for which these officers and men are to be used and how such service differs from that which is performed by the Marine Corps in other services.

You are doubtless aware that a detachment of the Marine Corps of the United States is serving at Peking, China, and that another detachment is performing similar duties at Managua, Nicaragua. Their duties are, as the nature of their service implies, to protect the property and personnel of the respective legations.

The duty contemplated by the bill now under consideration, and which will comprise the only other foreign duty of a permanent nature now being performed by the Marine Corps, differs in that such service contemplates their nomination as officers of the Haitian constabulary, provided for in the treaty between the United States and the Republic of Haiti of September 6, 1915, a copy of which, in accordance with your request, I take pleasure in inclosing. Under the operation of this treaty and the exercise of the good offices of the United States the army of Haiti has been entirely disbanded and replaced by a native constabulary, temporarily officered by officers and men of the United States Marine Corps and naval forces.

The important obligation assumed by us to guarantee the protection of life and property, the maintenance of order, and the establishment of an adequate police force in that Republic renders it highly expedient that, until such time as the Haitians may have proven their ability to act in such capacity, the officers and men of the Marine Corps of the United States be duly authorized to act in the capacity contemplated by the bill now under discussion.

Noting with great pleasure that you are inclined to lend this measure your support, and trusting that the information herein contained may satisfactorily answer your inquiry,

I have the honor to be, sir, your obedient servant.

ROBERT LANSING.

(Inclosure: As stated.)

HEADQUARTERS UNITED STATES MARINE CORPS,  
COMMANDANT'S OFFICE,  
Washington, April 7, 1916.

Hon. H. W. TEMPLE, M. C.,  
House of Representatives, Washington, D. C.

MY DEAR MR. TEMPLE: Your letter of the 6th instant, in regard to Mr. PADGETT's bill, H. R. 12835, has been received, and in the temporary absence of the major general commandant I have the honor to reply as follows:

The only foreign countries, except Haiti, in which marines are now serving are China and Nicaragua. At Peking there are 9 officers and 337 enlisted men, and at Managua, Nicaragua, there are 3 officers and 107 enlisted men; these detachments serving as legationary guards for the protection of the ministers and their suites, and of other Americans and their property, from the violence of the turbulent, disorderly, and revolutionary elements in those countries. Such protection was found necessary because of the extreme instability of the Governments, the former detachment having been established in September, 1905, relieving an Army detachment, and the latter in November, 1912.

The First Brigade of Marines, consisting at present of 82 officers and 1,695 enlisted men, is now serving on shore in Haiti, engaged in the preservation of life, property, and tranquillity in that country. The brigade landed in July and August, 1915, and succeeded in a short time in reducing a state of disorder and anarchy to one of order and peace.

The military and police forces of Haiti have been found unreliable and have been abolished. It is proposed to organize and train a gendarmerie composed of native Haitians to assist in and eventually to take over most of the work now being done by the marines. It will be necessary that this force be temporarily officered largely by Americans in order to insure its efficiency and to place it on a sound basis from the start. The treaty signed September 16, 1915, and ratified by the Senate on February 28, 1916, provides for the detail of such officers by the President of Haiti on the nomination of the President of the United States. Marine officers and noncommissioned officers are at present assisting informally in the organization and training of this gendarmerie, but are prohibited by the Constitution from accepting positions contemplated by the treaty above referred to without the authority of Congress.

The bill to which you refer gives the necessary authority of Congress, and provides for the replacing of the officers and enlisted men

detached for this duty. Without the provision for filling the places of those necessarily separated from their ordinary duty, the corps would be very seriously handicapped in the discharge of its normal functions. I trust that the foregoing contains the information that you desire.

Very respectfully,

JOHN A. LEJEUNE,  
Colonel, United States Marine Corps.

To the Senate:

With a view to receiving the advice and consent of the Senate to its ratification, I transmit herewith a treaty between the United States and the Republic of Haiti, signed at Port au Prince on September 16, 1915, having for its objects the strengthening of the amity existing between the two countries, the remedying of the present condition of the revenues and finances of Haiti, the maintenance of the tranquillity of that Republic, and the carrying out of plans for its economic development and prosperity.

The WHITE HOUSE,  
Washington, January 11, 1916.

WOODROW WILSON.

The PRESIDENT:

The undersigned the Secretary of State has the honor to submit, with a view to its transmission to the Senate, if you approve thereof, to receive the advice and consent of that body to its ratification, a treaty between the United States, and the Republic of Haiti, signed at Port au Prince on September 16, 1915, having for its objects the strengthening of the amity existing between the two countries, the remedying of the present condition of the revenues and finances of Haiti, the maintenance of the tranquillity of that Republic, and the carrying out of plans for its economic development and prosperity.

Respectfully submitted.

ROBERT LANSING.

DEPARTMENT OF STATE,  
Washington, January 8, 1916.

TREATY BETWEEN THE UNITED STATES AND THE REPUBLIC OF HAITI.

PREAMBLE.

The United States and the Republic of Haiti desiring to confirm and strengthen the amity existing between them by the most cordial co-operation in measures for their common advantage;

And the Republic of Haiti desiring to remedy the present condition of its revenues and finances, to maintain the tranquillity of the Republic, to carry out plans for the economic development and prosperity of the Republic and its people;

And the United States being in full sympathy with all of these aims and objects and desiring to contribute in all proper ways to their accomplishment;

The United States and the Republic of Haiti have resolved to conclude a convention with these objects in view, and have appointed for that purpose plenipotentiaries.

The President of the United States, Robert Beale Davis, Jr., chargé d'affaires of the United States;

And the President of the Republic of Haiti, Louis Borno, secretary of state for foreign affairs and public instruction, who, having exhibited to each other their respective powers, which are seen to be full in good and true form, have agreed as follows:

ARTICLE I.

The Government of the United States will, by its good offices, aid the Haitian Government in the proper and efficient development of its agricultural, mineral, and commercial resources and in the establishment of the finances of Haiti on a firm and solid basis.

ARTICLE II.

The President of Haiti shall appoint, upon nomination by the President of the United States, a general receiver and such aids and employees as may be necessary, who shall collect, receive, and apply all customs duties on imports and exports accruing at the several custom-houses and ports of entry of the Republic of Haiti.

The President of Haiti shall appoint, upon nomination by the President of the United States, a financial adviser, who shall be an officer attached to the Ministry of Finance, to give effect to whose proposals and labors the minister will lend efficient aid. The financial adviser shall devise an adequate system of public accounting, aid in increasing the revenues and adjusting them to the expenses, inquire into the validity of the debts of the Republic, enlighten both Governments with reference to all eventual debts, recommend improved methods of collecting and applying the revenues, and make such other recommendations to the minister of finance as may be deemed necessary for the welfare and prosperity of Haiti.

ARTICLE III.

The Government of the Republic of Haiti will provide by law or appropriate decrees for the payment of all customs duties to the general receiver, and will extend to the receivership and to the financial adviser all needful aid and full protection in the execution of the powers conferred and duties imposed herein; and the United States on its part will extend like aid and protection.

ARTICLE IV.

Upon the appointment of the financial adviser the Government of the Republic of Haiti, in cooperation with the financial adviser, shall collate, classify, arrange, and make full statement of all the debts of the Republic, the amounts, character, maturity, and condition thereof, and the interest accruing and the sinking fund requisite to their final discharge.

ARTICLE V.

All sums collected and received by the general receiver shall be applied, first, to the payment of the salaries and allowances of the general receiver, his assistants and employees and expenses of the receivership, including the salary and expenses of the financial adviser, which salaries will be determined by previous agreement; second, to the interest and sinking fund of the public debt of the Republic of Haiti; and, third, to the maintenance of the constabulary referred to in Article X, and then the remainder to the Haitian Government for purposes of current expenses.

In making these applications the general receiver will proceed to pay salaries and allowances monthly and expenses as they arise, and on the first of each calendar month will set aside in a separate fund the quantum of the collection and receipts of the previous month.

## ARTICLE VI.

The expenses of the receivership, including salaries and allowances of the general receiver, his assistants and employees, and the salary and expenses of the financial adviser, shall not exceed 5 per cent of the collections and receipts from customs duties, unless by agreement by the two Governments.

## ARTICLE VII.

The general receiver shall make monthly reports of all collections, receipts, and disbursements to the appropriate officer of the Republic of Haiti and to the Department of State of the United States, which reports shall be open to inspection and verification at all times by the appropriate authorities of each of the said Governments.

## ARTICLE VIII.

The Republic of Haiti shall not increase its public debt except by previous agreement with the President of the United States, and shall not contract any debt or assume any financial obligation unless the ordinary revenues of the Republic available for that purpose, after defraying the expenses of the Government, shall be adequate to pay the interest and provide a sinking fund for the final discharge of such debt.

## ARTICLE IX.

The Republic of Haiti will not without a previous agreement with the President of the United States modify the customs duties in a manner to reduce the revenues therefrom; and in order that the revenues of the Republic may be adequate to meet the public debt and the expenses of the Government, to preserve tranquillity, and to promote material prosperity, the Republic of Haiti will cooperate with the financial adviser in his recommendations for improvement in the methods of collecting and disbursing the revenues and for new sources of needed income.

## ARTICLE X.

The Haitian Government obligates itself, for the preservation of domestic peace, the security of individual rights, and full observance of the provisions of this treaty, to create without delay an efficient constabulary, urban and rural, composed of native Haitians. This constabulary shall be organized and officered by Americans, appointed by the President of Haiti, upon nomination by the President of the United States. The Haitian Government shall clothe these officers with the proper and necessary authority and uphold them in the performance of their functions. These officers will be replaced by Haitians as they, by examination conducted under direction of a board to be selected by the senior American officer of this constabulary and in the presence of a representative of the Haitian Government, are found to be qualified to assume such duties. The constabulary herein provided for shall, under the direction of the Haitian Government, have supervision and control of arms and ammunition, military supplies, and traffic therein throughout the country. The high contracting parties agree that the stipulations in this article are necessary to prevent factional strife and disturbances.

## ARTICLE XI.

The Government of Haiti agrees not to surrender any of the territory of the Republic of Haiti, by sale, lease, or otherwise, or jurisdiction over such territory, to any foreign Government or power, nor to enter into any treaty or contract with any foreign power or powers that will impair or tend to impair the independence of Haiti.

## ARTICLE XII.

The Haitian Government agrees to execute with the United States a protocol for the settlement, by arbitration or otherwise, of all pending pecuniary claims of foreign corporations, companies, citizens, or subjects against Haiti.

## ARTICLE XIII.

The Republic of Haiti, being desirous to further the development of its natural resources, agrees to undertake and execute such measures as in the opinion of the high contracting parties may be necessary for the sanitation and public improvement of the Republic, under the supervision and direction of an engineer or engineers, to be appointed by the President of Haiti upon nomination by the President of the United States, and authorized for that purpose by the Government of Haiti.

## ARTICLE XIV.

The high contracting parties shall have authority to take such steps as may be necessary to insure the complete attainment of any of the objects comprehended in this treaty; and, should the necessity occur, the United States will lend an efficient aid for the preservation of Haitian independence and the maintenance of a government adequate for the protection of life, property, and individual liberty.

## ARTICLE XV.

The present treaty shall be approved and ratified by the high contracting parties in conformity with their respective laws, and the ratifications thereof shall be exchanged in the city of Washington as soon as may be possible.

## ARTICLE XVI.

The present treaty shall remain in full force and virtue for the term of 10 years, to be counted from the day of exchange of ratifications, and further for another term of 10 years if, for specific reasons presented by either of the high contracting parties, the purpose of this treaty has not been fully accomplished.

In faith whereof, the respective plenipotentiaries have signed the present convention in duplicate, in the English and French languages, and have thereunto affixed their seals.

Done at Port au Prince, Haiti, the 16th day of September, A. D. 1915.

[SEAL.]

ROBERT BEALE DAVIS, Jr.,

Chargé d'Affaires of the United States.

[SEAL.]

LOUIS BORNÉ,

Secretary of State for Foreign Affairs and Public Instruction.

Mr. HENSLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the bill that has just been passed.

The SPEAKER. Is there objection?

There was no objection.

Mr. OLIVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the bill just passed.

The SPEAKER. Is there objection?

There was no objection.

## PREVENTION AND TREATMENT OF LEPROSY IN THE UNITED STATES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 193) to provide for the care and treatment of persons afflicted with leprosy and to prevent the spread of leprosy in the United States.

The SPEAKER. Is there objection?

Mr. MOON. Mr. Speaker, I object.

Mr. ADAMSON. Mr. Speaker, will the gentleman object to passing it over without prejudice?

Mr. MOON. No.

Mr. ADAMSON. Then I so request.

The SPEAKER. Is there objection?

There was no objection.

Mr. ADAMSON. Mr. Speaker, would the Chair entertain a motion to suspend the rules?

The SPEAKER. He will.

Mr. ADAMSON. Then, Mr. Speaker, I move to suspend the rules and pass the bill as amended, and in addition to the committee amendment I suggest an amendment, on page 2, in line 21, to strike out the words "or homes."

The SPEAKER. The Clerk will report the bill with amendments.

The Clerk read as follows:

*Be it enacted, etc.,* That for the purpose of carrying out the provisions of this act the Secretary of the Treasury is authorized to select and obtain, by purchase or otherwise, a site suitable for the establishment of a home for the care and treatment of persons afflicted with leprosy, to be administered by the United States Public Health Service; and either the Secretary of War, the Secretary of the Navy, the Secretary of the Interior, or the Secretary of Agriculture is authorized to transfer to the Secretary of the Treasury any abandoned military, naval, or other reservation suitable for the purpose, or as much thereof as may be necessary, with all buildings and improvements thereon, to be used for the purpose of said home or homes.

SEC. 2. That there shall be received into said home, under regulations prepared by the Surgeon General of the Public Health Service, with the approval of the Secretary of the Treasury, any person afflicted with leprosy who presents himself or herself for care, detention, and treatment, or who may be apprehended under authority of the United States quarantine acts, or any person afflicted with leprosy duly consigned to said home by the proper health authorities of any State, Territory, or the District of Columbia. The Surgeon General of the Public Health Service is authorized, upon request of said authorities, to send for any person afflicted with leprosy within their respective jurisdictions, and to convey said person to such home for detention and treatment, and when the transportation of any such person is undertaken for the protection of the public health, the expense of such removal shall be paid from funds set aside for the maintenance of said home.

SEC. 3. That regulations shall be prepared by the Surgeon General of the Public Health Service, with the approval of the Secretary of the Treasury, for the government and administration of said home and for the apprehension, detention, treatment, and release of all persons who are inmates thereof.

SEC. 4. That the Secretary of the Treasury be, and he is hereby, authorized to cause the erection upon such site of suitable and necessary buildings for the purposes of this act at a cost not to exceed the sum herein appropriated for such purpose.

SEC. 5. That when any commissioned or other officer of the Public Health Service is detailed for duty at the home herein provided for he shall receive, in addition to the pay and allowances of his grade, one-half the pay of said grade and such allowances as may be provided by the Surgeon General of the Public Health Service, with the approval of the Secretary of the Treasury.

SEC. 6. That for the purposes of carrying out the provisions of this act there is hereby appropriated, from any money in the Treasury not otherwise appropriated, the sum of \$250,000, or as much thereof as may be necessary, for the preparation of said home, including the erection of necessary buildings, the maintenance of the patients, pay and maintenance of necessary officers and employees, until June 30, 1917.

The SPEAKER. Is a second demanded?

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

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

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Georgia is entitled to 20 minutes and the gentleman from Illinois to 20 minutes.

Mr. ADAMSON. Mr. Speaker, I do not care to consume much time. The gentleman from Virginia [Mr. MONTAGUE] prepared the bill for presentation. I will take just a minute to state that it is the same bill that we passed last year, I think, with practical unanimity. It was not considered in the Senate. There is a tremendous demand for this all over the country on account of the increasing number of lepers that are upon different communities in the United States. I hope there will be no trouble about passing the bill. I reserve the remainder of my time.

The SPEAKER. Does the gentleman from Illinois care to consume his time?

Mr. MANN. No.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.



## SESSION OF UNITED STATES COURT AT DURANGO, COLO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13765) to amend section 73 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

The SPEAKER. Is there objection?

Mr. MOON. Mr. Speaker, I reserve the right to object.

Mr. TAYLOR of Colorado. Mr. Speaker, will the gentleman from Tennessee [Mr. Moon] withhold his objection and permit me to make a brief statement in respect to this bill?

Mr. MOON. Yes.

Mr. TAYLOR of Colorado. Mr. Speaker, I earnestly hope that neither the gentleman from Tennessee [Mr. Moon] nor anyone else will object to the consideration of this bill, because it is of very great importance to the people and the business interests of southwestern Colorado. At the present time the State of Colorado is one Federal judicial district. Terms of court are now held in Denver, Pueblo, and Montrose, and the purpose of this bill is to establish an additional term of court in the city of Durango.

Durango is a city of some five or six thousand population and is practically 500 miles from Denver. The business interests, the lawyers, litigants, and all people in the five counties of the southwestern part of Colorado are exceedingly anxious to have a term of court established at that city. The expense at the present time, and ever since Colorado was admitted into the Union, of taking Federal business from that portion of the State to Denver for trial has been very burdensome. In fact, it is prohibitive to litigants of ordinary means. For instance, when a poor man brings a suit in the State court, which is a case that can be transmitted to the Federal court, and the defense elects to transfer it to that court, and takes the case to Denver, it practically prevents the plaintiff from following up, and he is virtually denied his rights.

The board of county commissioners of La Plata County, Colo., in which the city of Durango is located, have filed a guaranty to furnish court rooms for the holding of terms of court, including fuel, light, heat, and janitor services, free and without any expense to the Government until such time as a public building can be constructed in that city. That guaranty is in the form of a resolution, as follows:

## RESOLUTION.

Whereas there is now pending before Congress a bill (H. R. 22) to amend the laws relating to the judiciary and to establish a term of the Federal court in the city of Durango, La Plata County, Colo.: Now, therefore, be it

Resolved by the board of county commissioners of said La Plata County, That in consideration of the passage of said bill and establishing a term of the Federal court in the city of Durango, La Plata County, Colo., said La Plata County hereby agrees to furnish court room for the holding of said term of court, including fuel, light, heat, and janitor service, free and without expense to the Government, until such time as a public building may be constructed in the city of Durango.

Passed and approved this 10th day of March, A. D. 1916.

A. E. REECH, Chairman.

Attest:

OLIVE ORME, County Clerk.

STATE OF COLORADO,  
County of La Plata, ss:

I, Olive Orme, county clerk within and for said La Plata County, do hereby certify the above to be a true and correct copy of a resolution passed and approved by the board of county commissioners of said La Plata County on the 10th day of March, A. D. 1916. In testimony whereof I have hereunto affixed my name and the seal of said county at Durango, Colo., this 10th day of March, A. D. 1916.

[SEAL.]

OLIVE ORME,  
County Clerk and Recorder.

A public building at Durango was authorized by Congress some four years ago and the Supervising Architect is preparing to construct that building now. And the people are desirous of having a suitable provision made in that building for the Federal court, and such provision can not be made excepting by authority of Congress in the form of the passage of a bill of this kind. So that there is an emergency for the passage of this bill as soon as possible.

The Southwestern Colorado Bar Association has prepared a statement upon this subject which is very complete, and I ask to have it inserted in the RECORD as a part of my remarks, as follows:

DURANGO, COLO., March 11, 1916.

To the DURANGO EXCHANGE,  
Durango, Colo.

GENTLEMEN: The Southwestern Bar Association is very much interested in the establishment of a Federal court at Durango, and at your suggestion has taken up the matter of the bill introduced by Mr. TAYLOR for that purpose, together with the suggestions made by Judge Robert E. Lewis. A canvass of the bar association and a study of the conditions show:

1. That the members of the bar to a man are unwilling to accept any provision which does not fix a definite, regular term of court to be held here if there is any business to be transacted.

2. They have no desire to cause expense or to compel the attendance of the court and officials when there is no business to transact, and to the end that the suggestions made by Judge Lewis may be met they are willing that the bill be so amended as to provide:

(a) That when there are no cases to be tried and no business to be transacted the term may be continued or adjourned by the judge in chambers at Denver.

(b) That jurors for each term may be selected from such counties as the judge may designate.

3. The board of county commissioners have by resolution agreed to furnish a courtroom, light, heat, and janitor service, without expense to the Government until such time as a public building may be constructed. Provision for such construction has been made and the site has been purchased. A certified copy of said resolution is herewith transmitted.

4. An office of the district clerk in Durango is maintained in the courthouse. The clerk is in attendance there every day and is available in all business hours. If he were also appointed clerk of the United States court the expense of that office would be nominal, and business could be transacted as readily and promptly as at the offices in Denver and Pueblo.

Under these conditions we feel that the establishment of a term of court here will not involve any considerable expense or serious inconvenience to the judge and court officials, and we think there is no valid objection to the establishment of such court.

The greater part of this district is distant from Denver at least 500 miles. It takes practically 24 hours to get to Denver from Durango, and a day longer from some other portions of the district. It takes substantially the same time and almost the same cost to reach Pueblo, and the only train service to Pueblo lands us there at 1 or 2 o'clock in the morning and makes us leave there at about midnight. It takes as long to reach Montrose, and because of higher rates over the Southern Railroad the expense is about as great as to reach Denver, and the conveniences of travel are very limited. Under these conditions it is preferable to transact the Federal court business from this district at Denver rather than at Montrose or Pueblo, and it is a hardship which should not be imposed upon our people to require them to attend at any of these places.

The bar association has been unable to get any complete data as to the business from this section which has been transacted in the Federal court. It has no record of such business outside of this county, and has no complete record of the business here. Reports made by a part only of the local attorneys to our committee show that they have been interested in the last few years in some 150 matters in the Federal court. The United States commissioner at this place has had upward of 125 cases from 1907 to this time. There are other commissioners in the district and several other counties which would be included in a Federal district to be formed, and the amount of business from these counties has been considerable. At one time, when the mining business was active, there were some 40 mining cases from Dolores County alone pending in the Federal court. During last summer there was tried in Denver a case from this section where more than 150 witnesses were taken to Denver. We think it will appear that the costs to the Government in its cases against the Porter Fuel Co., the New Mexico Lumber Co., the Pagosa Lumber Co., the Denver & Rio Grande Railroad Co., and other cases where a large number of witnesses were required, would maintain a local court here for a great many years. It has happened that most of the larger cases, involving the greatest expense and the largest number of witnesses, arising in this section have not been heard by Judge Lewis, but have been heard by Judges Tieber, Riner, Marshall, and others. For this reason, probably, Judge Lewis is not fully aware of the extent of the business actually arising in this section.

We suggest, further, that in all probability the Federal court business hereafter will increase rather than diminish, for the following reasons:

1. There is a land office here, within whose jurisdiction all kinds of public-land business is transacted and from which before long appeals to the courts will probably be allowed.

2. There are two Indian reservations, with separate agencies, schools, and irrigation projects, and with all questions arising on account thereof or on account of dealings with the Indians.

3. There are two large forest reserves with district offices within this district from the administration of which the usual questions pertaining thereto may be expected to arise.

4. There are a large number of mining districts now again actively engaged in mining. A very large proportion of the properties are owned by foreign corporations or nonresident individuals. There is renewed activity in all these camps, resulting from better prices for products and improved methods, and as well from new discoveries of precious metals and new metals.

5. There are several national banks, having the right in certain cases to sue and be sued in Federal courts.

6. The counties, schools, cities, towns, irrigation districts, power plants, mines, and industrial corporations have outstanding large issues of bonds held by nonresidents.

7. There are a large number of irrigation ditches and projected irrigation ditches, heading in Colorado and covering New Mexico lands. It can readily be seen that this condition is certain to furnish a very considerable business for the Federal courts.

8. There are seven large rivers rising in Colorado and running into New Mexico, Utah, Arizona, and California, and interstate questions as to rights to the use of water and as to respective priorities are continually arising.

9. Important questions are arising as to the priority of the Indians as to the right to use water as against the whites who have made actual, prior usage. These questions will arise as to practically all of our streams, and before long must be settled in the Federal courts.

10. This section is geographically and commercially intimately connected with northwestern New Mexico and southeastern Utah, both rapidly growing and developing communities, and controversies arising out of these relations between citizens of different States must result from this intercourse.

To the above matters may be added the facts that there is a large power plant owned and operated by a foreign corporation, which covers a large part of the territory of this district; that a considerable quantity of land has been sold by the Government with coal and mineral rights reserved to the United States; that the Government surveys of lands are very irregular and defective; and that the boundary line between Colorado and New Mexico has never been satisfactorily adjusted, and perhaps dozens of other circumstances from which Federal questions might arise.

In the course of our investigations a matter has come to our attention which we think should be mentioned. We find that several cases (par-

ticularly damage cases) have been removed from the local courts to the Federal courts, with the result that the plaintiff was unable to follow them there and to further prosecute them. We are not advised as to the merits of these cases, but certain it is that their removal to Denver and Pueblo deprived the plaintiffs in these cases of the opportunity to have tried the question involved. This condition ought not to exist, and if for no other reason there should be a Federal court within easy reach where such cases might be tried.

We have a list of the title of something over 200 cases which we can furnish you if desired, and we will endeavor to get returns from other counties, which will largely increase the number. It has been impossible for us to make anything like a full list of the cases from this section, but we have found that a very considerable amount of business, some of which was very important, has originated from this section. A very considerable number of the cases arising in this section have been in charge of Denver attorneys, and consequently are not found on the dockets of our local attorneys.

We ask you to join us in urging the passage of the bill and suggest that you concur in the amendments indicated if such amendments meet with the approval of Mr. TAYLOR.

Respectfully,

THE SOUTHWESTERN COLORADO BAR ASSOCIATION,  
By REESE McCLOSKEY, President.  
ROBT. S. CLEMENTS, Secretary.

REESE McCLOSKEY,  
ROBT. S. CLEMENTS,  
B. W. RITTER,  
Committee.

It will be observed from the bill that I have therein provided that whenever there is no business to be transacted in any year, if such should ever be the case, that the judge may adjourn the term of court by an order issued at chambers in Denver, and thereby be relieved of the expense and inconvenience of making the trip to Durango. The Judiciary Committee have investigated this matter very carefully and made a complete, unanimous, and strongly favorable recommendation.

Mr. DYER. Will the gentleman yield?

Mr. TAYLOR of Colorado. I will.

Mr. DYER. I just want to state in addition to what the gentleman from Colorado has said that the Committee on the Judiciary of the House had hearings upon this bill and considered it and were unanimous in making a favorable report.

Mr. MOON. May I ask the gentleman from Colorado has he consulted the gentleman from Illinois [Mr. MANN] as to whether this bill should be passed or not?

Mr. TAYLOR of Colorado. I will say yes. [Laughter.] I asked the minority leader just a few minutes ago whether or not he had any objections to this bill, and he very frankly told me he had not. I do not always ask the gentleman from Illinois about my bills, but sometimes I do. This matter is of so much importance to the people of the southern part of my district, that, out of over anxiety, I might say, for the passage of the bill, I endeavored to ascertain whether or not there was going to be any systematic opposition to it on the part of the minority. In view of the number of bills that have been slaughtered here to-day I do not want to take any chances on getting this bill killed if I can possibly avoid it.

Mr. MOON. And he did not object. Mr. Speaker, I want to make a statement for a moment or two. I am not making any captious objection to these bills. I am willing that any bill upon the calendar should pass by a vote of the House of Representatives if it is entitled to pass, but there is a condition existing here that I think is improper. This House took from the Speaker the right of recognition on unanimous-consent requests, and it seems by common consent that everybody now goes to the gentleman from Illinois [Mr. MANN] to see whether he will object or not. I had a bill here to-day to which the gentleman objected that is identical with the bill of the gentleman from Colorado except that he hopes to have a place fixed for his court, and we have already got the place. That is all the difference between them. Just like the balance of you gentlemen, I talked with my friend [Mr. MANN] about the propriety of this matter some time ago, and he wanted to know how many cases arose in that county. Well, I could not tell him how many cases came up in a single county. I knew that division of the State had an immense amount of litigation and that that county furnished a great part of it, and I said I would send for the statement, but it had not come. Now he persists in his objection to a local measure of this kind. He proposes to determine for himself whether my bill shall pass or not. He does not make any objection to the bill of the gentleman from Colorado and does not make any objection to others.

Mr. TAYLOR of Colorado. Will the gentleman permit an interruption?

Mr. MOON. I will.

Mr. TAYLOR of Colorado. I may say the gentleman from Illinois did not agree not to object to it, but he said—

Mr. MOON. I want to say this: The gentleman from Illinois [Mr. MANN] had the right, and I am not questioning his right, to make objections to any bill in this House to which he sees fit to make objection, but when a simple measure like the one I

have already referred to is presented in this House, nothing in the world in it except to hold court at two places in one county in a division, not changed or altered by the terms of the law, for the convenience of the lawyers and the convenience of the public, there comes that objection. Under such conditions I felt that it was about time in this House that bills cease to pass by unanimous consent, if a measure of that sort could not pass. I have no objection, of course, to the bills, but I have to the method of procedure—to this method of the minority leader determining in this House as to whether measures shall be passed or not because he likes or dislikes certain Democrats who may have them up. Now, why did not the gentleman object to that bill? He objected to mine. As I said, the gentleman has the right to object to my bill or anybody else's bill. I concede he has the right to continually make any sort of remark that he sees fit, until he gets to the danger line, and then very probably he will not make them—remarks about Members who are not even engaged in the debate, as he did in reference to myself to-day. Decent procedure in this House demands under such conditions that bills hereafter shall pass by a vote of the House of Representatives and not by unanimous consent, and I shall object from now on except in specially meritorious cases.

The SPEAKER. The gentleman from Tennessee objects.

Mr. TAYLOR of Colorado. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TAYLOR of Colorado. Will the Speaker entertain a motion to suspend the rules and consider this bill at this time?

The SPEAKER. He will.

Mr. TAYLOR of Colorado. Then, Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 13765).

The SPEAKER. The gentleman from Colorado moves that the rules be suspended and the bill be passed which the Clerk will report.

Mr. TAYLOR of Colorado. There are no amendments.

The Clerk read as follows:

A bill (H. R. 13765) to amend section 73 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

Be it enacted, etc., That section 73 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, be, and the same is hereby, amended to read as follows:

"Sec. 73. That the State of Colorado shall constitute one judicial district, to be known as the district of Colorado. Terms of the district court shall be held at Denver on the first Tuesday in May and November; at Pueblo on the first Tuesday in April; at Montrose on the second Tuesday in September. That the counties of Archuleta, La Plata, San Juan, Montezuma, and Dolores, in said State, shall constitute the southwestern division of said district, and a term of said court shall be held at the city of Durango, in said district, on the first Tuesday in October of each year; and the clerk of said district court of said State shall maintain an office at said city of Durango, in charge of himself or a deputy, which shall be kept open at all times for the transaction of the business of the court; and the selection of jurors for attendance upon said court in said southwestern division may be selected from said counties: *Provided*, That if at the time of holding a term of said court in any year at said city of Durango there is no business to be there transacted by said court the term may be adjourned or continued by order of the judge of said court in chambers at Denver, Colo.

The SPEAKER. Is a second demanded? [After a pause.] The Chair hears no request for a second. The question is on suspending the rules and passing the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

#### CONCURRENT JURISDICTION OVER COLUMBIA RIVER.

Mr. JOHNSON of Washington. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 6097, with an amendment which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the bill and read the amendment into it.

The Clerk read as follows:

A bill (H. R. 6097) to ratify the compact and agreement between the States of Oregon and Washington regarding concurrent jurisdiction over the waters of the Columbia River and its tributaries in connection with regulating, protecting, and preserving fish.

Be it enacted, etc., That the Congress of the United States of America hereby consents to and ratifies the compact and agreement entered into between the States of Oregon and Washington relative to regulating, protecting, and preserving fish in the boundary waters of the Columbia River and other waters, which compact and agreement is contained in section 20 of chapter 188 of the general laws of Oregon for 1915, and section 116, chapter 31, of the session laws of Washington for 1915, and is as follows:

"All laws and regulations now existing, or which may be necessary for regulating, protecting, or preserving fish in the waters of the Columbia River, over which the States of Oregon and Washington have concurrent jurisdiction, or any other waters within either of said States, which would affect said concurrent jurisdiction, shall be made, changed, altered, and amended in whole or in part, only with the mutual consent and approbation of both States."



Nothing herein contained shall be construed to affect the rights of the United States to regulate commerce or the jurisdiction of the United States over navigable waters.

This act shall take effect from and after the date of its passage.

The SPEAKER. Is a second demanded?

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

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The gentleman from Washington [Mr. JOHNSON] is entitled to 20 minutes, and the gentleman from South Carolina [Mr. FINLEY] to 20 minutes.

Mr. FINLEY. Mr. Speaker, I would like to ask the gentleman from Washington to explain the necessity for this legislation on the part of Congress.

Mr. JOHNSON of Washington. This matter is explained in the report of the committee which accompanies the bill. The States of Oregon and Washington have each, in joint sessions of their legislatures, passed memorials to Congress asking for this legislation by Congress, which is in the nature of a ratification of an agreement between the legislatures of the two States. Under the Constitution of the United States the different States can not make treaties and agreements with each other. Any compact or understanding that may be reached has to be ratified by Congress. To provide for such ratification is the purpose of this bill.

Mr. FINLEY. How will it affect the fishing rights of the citizens of other States?

Mr. JOHNSON of Washington. Citizens of other States can not be concerned. These two States have concurrent jurisdiction over the waters of the Columbia River, which runs for 300 miles between the States.

Mr. FINLEY. I understand that. So there is nothing of that kind in the statute or enumerated in the bill?

Mr. JOHNSON of Washington. The right to take fish for sale is limited to citizens of the United States and to persons who have declared their intention to become such and who have been residents of one or other of the States on the Columbia River. We have, by amendment, provided that none of the laws of the United States in regard to navigation may be done away with or anything of that kind.

Mr. FINLEY. I was asking a question with reference to fishing rights of the citizens of other States.

Mr. JOHNSON of Washington. They are not affected.

Mr. FINLEY. One provision that I heard read said they may be altered or amended by the respective States.

Mr. JOHNSON of Washington. I will try to make the general situation clear to the gentleman. For 25 years these two States have had fishing laws that differed greatly. For instance, in regard to placing nets at the mouth of smaller streams that run into the Columbia River, the law was different on one side of the river from that on the other side. The law in regard to citizenship was different, and so on. After these 25 years of quarreling and trouble the two legislatures appointed commissions to get together and harmonize the laws. Then the legislatures adopted uniform laws and then they passed identical memorials to Congress asking for the ratification of a compact, as explained in the bill.

I ask for a vote, Mr. Speaker.

Mr. ADAMSON. I would like to ask the gentleman if the saving amendment that he spoke to me about has been read into the bill?

Mr. JOHNSON of Washington. It has been read into the bill.

Mr. ADAMSON. A provision not to interfere with commerce over navigable waters?

Mr. JOHNSON of Washington. Yes; that has been read in.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

#### APPROPRIATION FOR THE ORGANIZED MILITIA.

Mr. McKELLAR. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 15005.

The SPEAKER. The gentleman from Tennessee moves to suspend the rules and pass the bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 15005) to appropriate \$200,000 for training the Organized Militia of any State, Territory, or of the District of Columbia.

Be it enacted, etc., That for paying the expenses of the Organized Militia of any State, Territory, or of the District of Columbia, which may be authorized by the Secretary of War to participate in such encampments as may be established for the field instruction of the troops of the Regular Army, as provided by sections 15 and 21 of the act of January 21, 1903, entitled "An act to promote the efficiency of the militia, and for other purposes," to be immediately available and to remain available until the end of the fiscal year 1917, \$200,000 is hereby

appropriated: *Provided*, That when it is not practicable to obtain the presence of regular troops for a joint encampment, the funds herein appropriated shall be available for such encampments, maneuvers, and field instruction for the Organized Militia as the Secretary of War may prescribe.

The SPEAKER. Is a second demanded?

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

Mr. McKELLAR. Mr. Speaker I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that a second may be considered as ordered. Is there objection? [After a pause.] The Chair hears none.

The gentleman from Tennessee [Mr. McKELLAR] is entitled to 20 minutes and the gentleman from Illinois [Mr. MANN] 20 minutes.

Mr. McKELLAR. Mr. Speaker and gentlemen of the House, this is a bill that comes from the War Department, and the reason for it in substance is as follows:

The Division of Militia Affairs has been arranging for some time to hold summer encampments. It was first contemplated they should be joint encampments composed of divisions of the Regular Army and of the Organized Militia.

However, the Army appropriation bill has been retarded because of the fact that we have to finish the new Army reorganization bill before the Army appropriation bill can be passed. Now they need this money for organizing these camps. Several of them are fixed before the 30th of June, and in the Army appropriation bill the amount appropriated for this purpose will be decreased by this sum of \$200,000 appropriated in this bill. The Secretary of War has recommended that this be done. They need the money in order to carry out these summer-camp plans, and I take it for granted that there can be no real objection to the passage of this bill at this time.

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

The SPEAKER. Does the gentleman from Tennessee yield to the gentleman from Mississippi?

Mr. McKELLAR. Yes.

Mr. SISSON. Is there an item in the Army bill of this character?

Mr. McKELLAR. Yes; it is precisely like this; but it will be omitted from the Army bill. This will take the place of the provision that ordinarily goes into the Army bill. It is just appropriating at this time for this purpose in lieu of the usual appropriation in the Army bill. I will say to the gentleman that the Army appropriation bill is frequently passed by this time.

Mr. SISSON. Does the Army appropriation bill carry this amount of money? Is it in the bill?

Mr. McKELLAR. It will be in the bill. The bill has not been reported out yet, and we can not report it out, I will say to the gentleman, until after the Hay or the Chamberlain bill, or a composite bill, is passed.

Mr. SISSON. It is in conference now?

Mr. McKELLAR. Yes.

Mr. SISSON. The conference report, of course, will have to come in and be adopted before the Committee on Military Affairs will be able to understand what organization they will have to appropriate for?

Mr. McKELLAR. Yes.

Mr. SISSON. If that becomes a law, your committee will not appropriate this amount of money for the current year?

Mr. McKELLAR. No; we will not appropriate this amount of money for this purpose this year.

Mr. TILSON. Mr. Speaker, will the gentleman yield to me for a statement?

Mr. McKELLAR. Does the gentleman want time?

Mr. TILSON. Yes; I would like to have two minutes.

Mr. McKELLAR. I will yield to the gentleman from Connecticut two minutes and reserve the balance of my time, Mr. Speaker.

Mr. TILSON. Mr. Speaker, this is by way of anticipation of the usual maneuver-encampment appropriation. It is important that these encampments be extended over as long a period as possible so as to enable as many Regular Army officers as possible to attend them; and if all the encampments must be arranged after June 30, so as to come in under the regular appropriation bill, the time would be very much limited. Hence the importance of having this bill pass ahead of the regular appropriation bill, making \$200,000 immediately available. It is the intention of the committee to report just \$200,000 less in the item for the joint encampments than would be reported if this bill should not pass.

Mr. McKELLAR. If nobody wishes to be heard, Mr. Speaker—

Mr. MANN. Mr. Speaker, I am not opposed to the passage of this bill. If anyone who is opposed to it desires time, I will

yield time. But I want to make a statement or two in reference to it.

Because of the necessities of the case I am not opposed to the bill, but it is an extremely bad practice. The Committee on Military Affairs does not have jurisdiction over deficiency appropriations. We have passed already in this Congress three deficiency appropriation bills, and if the War Department had attended to its business it would have asked for a deficiency appropriation to have gone in one of those appropriation bills instead of sending in a letter to have an appropriation made, not in an appropriation act at all but as a legislative act.

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

Mr. MANN. Certainly; I yield.

Mr. McKELLAR. I imagine that the gentleman will agree that our Army appropriation bill has been delayed because of this new Army reorganization bill.

Mr. MANN. Oh, the Army appropriation bill would not have become a law in any event until after the 1st of July. The gentleman knows that. It did not two years ago.

Mr. TILSON. Mr. Speaker, will the gentleman yield to me?

Mr. MANN. Certainly.

Mr. TILSON. As a matter of fact, the gentleman from Illinois is right, and this appropriation ought to have been made in the Army appropriation bill that passed a year ago. They knew at that time that there ought to be maneuver encampments held prior to July 1, 1916, and this sum ought to have been included in last year's appropriation bill.

Mr. MANN. I am not going so far back as that. We are told every day that we are to follow the military experts all along the line. In the main, I agree with that; but the military experts in the War Department are not very expert as to legislation.

They ought to know, and they do know, that when they want a deficiency appropriation they should make an estimate for it as a deficiency appropriation, and let it go before the proper committee as such. We have passed three deficiency appropriation bills which have become laws at this session of Congress. This item, or a part of it, ought to have been included in one of those bills, if they were in a hurry. If it had not been for the unusual circumstances to-day, any one Member could have knocked this bill into a cocked hat if he had wanted to. That is the way the Army does its expert business at times.

Mr. McKELLAR. I will say to the gentleman that if I had known that was what he was going to say, I would not have interrupted.

Mr. MANN. I am not criticizing the Committee on Military Affairs. They did not ask for a deficiency appropriation. They asked for the passage of a bill, which shows how foolish people can be at times.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and two-thirds voting in the affirmative, the rules were suspended and the bill passed.

#### ARMY SUPPLIES TO MILITARY SCHOOLS AND COLLEGES.

Mr. MILLER of Minnesota. Mr. Speaker, I move to suspend the rules and pass the bill (S. 4726) to permit issue by the supply departments of the Army to certain military schools and colleges.

The SPEAKER. The gentleman from Minnesota moves to suspend the rules and pass a bill, which the Clerk will report.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of War is authorized to issue, at his discretion and under such regulations as he may prescribe, such quartermaster supplies and stores belonging to the Government, and which can be spared for that purpose, as may appear to be required for the establishment and maintenance of military instruction camps by the students of any educational institution to which an officer of the Army is detailed as professor of military science and tactics, and the Secretary of War shall require a bond in each case in the value of the property for the care and safe-keeping thereof and for the return of the same when required.

The SPEAKER. Is a second demanded?

Mr. FOSTER. I demand a second.

Mr. MILLER of Minnesota. I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that a second may be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Minnesota is entitled to 20 minutes and the gentleman from Illinois to 20 minutes.

Mr. MILLER of Minnesota. Mr. Speaker, I can state in a moment's time the reason for the passage of this bill.

For several years the military departments of some of our leading universities, as well as some of the schools in the United States organized and conducted along military lines, have de-

sired the practical experience to be obtained only from fieldwork. Four years ago I introduced a bill permitting the Secretary of War to loan tents and equipages of that kind to schools of this class for the purposes indicated. It did not become a law.

At the beginning of this session of Congress this bill was drawn by the Secretary of War, or under his direction, sent to the Senate and introduced there by Senator NELSON, and passed that body. It has been unanimously reported by the House committee, and is here on the calendar for consideration.

A paragraph in the pending general Army reorganization bill contains this provision. The reason for asking consideration of this bill now is that it is generally agreed that the Army reorganization bill will not become a law until some time in June, or later. There are numerous colleges in the United States that desire to avail themselves of the privileges of this act early in June of this year. I have special reference to the University of Minnesota, with its cadet corps of 1,400 students, which has already made arrangements to mobilize on the Fort Snelling Reservation and conduct a series of field maneuvers lasting eight days, an unusually serious effort for practical military training by this cadet corps, which is pronounced by military inspectors to be one of the best in the United States. The president of the university informs me that it is necessary that this bill be passed immediately, in order that they may avail themselves of the opportunity to get the necessary supplies.

Mr. FOSTER. Mr. Speaker, I do not know that I am opposed to this bill, except for the fact that, as I understand, this provision is in the Army reorganization bill, which in all probability will be reported to the House and Senate for some final action within the next week or 10 days. For that reason I do not see the necessity of passing a separate bill providing for a loan of certain supplies to these military schools and colleges. I suppose that 30 days will not make much difference to these schools and colleges in getting these supplies, which this bill provides shall be obtained from the War Department.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. FOSTER. Yes.

Mr. GREENE of Vermont. The gentleman from Illinois realizes, of course, that a summer camp requires advance preparation by the school authorities, and the procurement of the necessary supplies must be anticipated with sufficient certainty so that they may make requisitions in order to get the supplies in time for use.

Mr. FOSTER. Let me say to the gentleman from Vermont—

Mr. MOON. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Tennessee rise?

Mr. MOON. To suggest that we have worked here long enough without a quorum. I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Tennessee makes the point of order that there is no quorum present. Evidently there is not.

Mr. FOSTER. I move a call of the House.

A call of the House was ordered.

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

Adair	Eagan	Howard	Mudd
Anderson	Edmonds	Howell	Neely
Anthony	Edwards	Humphrey, Wash.	Nelson
Austin	Evans	Husted	Nichols, Mich.
Bacharach	Fairchild	Hutchinson	North
Barchfeld	Fitzgerald	James	Norton
Beales	Flood	Jones	Oglesby
Borland	Flynn	Keister	Olney
Britt	Focht	Kelley	O'Shaunessy
Britten	Fordney	Kent	Paige, Mass.
Brumbaugh	Frear	Key, Ohio	Patten
Burnett	Freeman	Kiess, Pa.	Platt
Byrnes, S. C.	Gardner, Mass.	Konop	Porter
Campbell	Garrett	Kreider	Pou
Cantrill	Gillett	Langley	Rainey
Carter, Okla.	Godwin, N. C.	Lee	Roberts, Mass.
Casey	Goodwin, Ark.	Lehlbach	Roberts, Nev.
Chandler, N. Y.	Gould	Liebel	Rowland
Clark, Fla.	Graham	Lindbergh	Rucker
Coleman	Gray, N. J.	Littlepage	Saunders
Connelly	Griest	Loft	Schall
Conry	Griffin	Longworth	Scott, Mich.
Copley	Guernsey	McCracken	Scott, Pa.
Costello	Hamilton, N. Y.	McCulloch	Scully
Cullop	Harrison	McDermott	Sells
Dale, N. Y.	Hart	McPadden	Sherley
Darrow	Haskell	McGuillicuddy	Sherwood
Dent	Hastings	Maher	Shouse
Dewalt	Hay	Martin	Slemp
Dickinson	Heaton	Miller, Pa.	Smith, N. Y.
Driscoll	Helvering	Moore, Pa.	Snyder
Drukner	Henry	Morgan, La.	Sparkman
Dunn	Holland	Morin	Stegall
	Hopwood	Moss, Ind.	Stiness
	Houston	Moss, W. Va.	



Stone  
Sutherland  
Switzer  
Talbot

Towner  
Vare  
Walsh  
Ward

Watkins  
Watson, Pa.  
Webb  
Whaley

Williams, Ohio  
Wilson, Ill.  
Winslow  
Wise

The SPEAKER. On this vote 275 Members have responded to their names—a quorum.

Mr. COX. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Indiana moves that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. Cox) there were 27 ayes and 159 noes.

So the House refused to adjourn.

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

The motion was agreed to.

The doors were opened.

Mr. FOSTER. Mr. Speaker, I asked for a second in order to get some information. The gentleman from Minnesota has given this information and says that the War Department asks for this quick action. While I do not like the plan of putting two laws on the statute books relating to the same thing, the other may not become a law for some time, and I shall make no objection.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

#### BRIDGE ACROSS TOMBIGBEE RIVER.

Mr. ADAMSON. Mr. Speaker, I ask unanimous consent for a minute to make a statement that I think will appeal to the brethren.

The SPEAKER. The gentleman from Georgia asks unanimous consent for a minute to address the House. Is there objection?

There was no objection.

Mr. ADAMSON. The gentleman from Alabama [Mr. GRAY], who is sick, has an emergency bridge bill, and has been trying to get it up, but has been unable to, on the Unanimous Consent Calendar. In consideration of the circumstances, I want to request that the Speaker recognize me to move to suspend the rules and take up that bill. It will take but a moment.

Mr. MANN. I have no objection to the Chair recognizing the gentleman to move to suspend the rules.

Mr. ADAMSON. That is what I want.

Mr. MANN. That is a request addressed to the Speaker.

The SPEAKER. The gentleman is recognized to move to suspend the rules.

Mr. ADAMSON. The gentleman moves to suspend the rules and pass the bill S. 4603 as amended.

The SPEAKER. The Clerk will report the bill, reading into it the amendments.

The Clerk read as follows:

An act to authorize the Jackson Highway Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Tombigbee River at Princes Lower Landing, near Jackson, Ala.

*Be it enacted, etc.,* That the Jackson Highway Bridge Co., a corporation organized under the laws of the State of Alabama, its successors and assigns, be, and are hereby, authorized to construct, maintain, and operate a bridge and all approaches thereto across the Tombigbee River at or near Princes Lower Landing, near Jackson, Ala., at a point suitable to the interests of navigation, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906: *Provided,* That said bridge shall be constructed, maintained, and operated so that it may serve as a roadway for continuous use by the public as a highway bridge, to be used by vehicles, pedestrians, horsemen, animals, and all kinds of highway traffic and travel, for the transit of which reasonable rates of toll may be charged and received.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is a second demanded? [After a pause.] The Chair hears no request for a second. The question is on suspending the rules and passing the bill as amended.

Mr. COOPER of Wisconsin. Mr. Speaker, I would like to ask the gentleman from Georgia a question. Does the bill contain a provision for tolls?

Mr. ADAMSON. It does, but that is regulated by the general bridge act, which authorizes the Secretary of War to control that.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

#### INTERLOCKING DIRECTORATES OF NATIONAL BANKS.

Mr. GLASS. Mr. Speaker, I move to suspend the rules and pass the bill S. 4432, to amend section 8 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15,

1914, as amended, which I send to the desk and ask to have read.

The Clerk read as follows:

*Be it enacted, etc.,* That section 8 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, be, and the same is hereby, amended by striking out the period at the end of the second clause of said section, inserting in lieu thereof a colon, and adding to said clause the following:

*"And provided further,* That nothing in this act shall prohibit any officer, director, or employee of any member bank or class A director of a Federal reserve bank, who shall first procure the consent of the Federal Reserve Board, which board is hereby authorized, at its discretion, to grant, withhold, or revoke such consent, from being an officer, director, or employee of not more than two other banks, banking associations, or trust companies, whether organized under the laws of the United States or any State, if such other bank, banking association, or trust company is not in substantial competition with such member bank."

The consent of the Federal Reserve Board may be procured before the person applying therefor has been elected as a class A director of a Federal reserve bank or as a director of any member bank.

The SPEAKER. Is a second demanded?

Mr. BUCHANAN of Illinois. Mr. Speaker, I demand a second.

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

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Virginia is entitled to 20 minutes and the gentleman from Illinois 20 minutes.

Mr. GLASS. Mr. Speaker, this is a bill known as the Kern amendment to the Clayton Act, reported unanimously from the Banking and Currency Committee of the Senate and passed there, I believe, without objection. It is reported unanimously from the Banking and Currency Committee of the House. Its purpose may best and most briefly be expressed by reading a paragraph from a letter from Gov. Hamlin, of the Federal Reserve Board, to Senator OWEN. In that letter Gov. Hamlin says:

This amendment, if adopted, will give some elasticity to the provisions of the Clayton Act which prohibit directors of other banking institutions from serving as directors of member banks under certain conditions. It would seem to be desirable to have this discretionary power vested in the board, since in many instances the enforcement of the provisions of the Clayton Act will result in depriving a member bank of the services of a director because of his connection with other banking institutions, even though his serving on both boards would not be violative of the spirit of the [Clayton] act.

In a word, this Kern amendment permits a person to be a member of two banking directorates in the same community and one bank directorate in some other community. This is a modification of the Clayton Act only in that respect. It does not contravene the real spirit and intent of the Clayton Act. The dual or triplicate directorship is to be permitted by the action of the Federal Reserve Board first obtained, and only in cases in which it shall appear to the satisfaction of the Federal Reserve Board that there is no substantial competition between the banking institutions upon whose directorates the person wishes to serve.

I reserve the remainder of my time.

Mr. BUCHANAN of Illinois. Mr. Speaker, when the reserve banking act was passed in the last Congress some of us, at least, hoped that the power of Wall Street would be curbed, but it seemed the administration was very kind to that combination which has been committing the crimes against the people and selected members of the Banking Reserve Board who operated affairs in complete accord with those who had been violating—I will not say violating—those who had been exercising the power of depriving the people of their rights. One of the things that we hoped to get a benefit from was denying to the big-business financiers of the country the power of interlocking directorates. This bill puts that power back into their hands. I believe Members of Congress ought to realize that the currency question is one of the biggest questions there is, and they also, at least by this time, when prices are three and four times the normal amount, should realize that there is a power somewhere by which big financiers of the country and big business continue to rob and plunder the wealth-producing masses of the country. And instead of giving them back any part of the power that was taken away from them in the banking and currency bill we ought to be taking more away from them. Why, gentlemen, to-day, through this power that is being exercised, one of the most important commodities there is to the American people, that is steel, has gone up three and four times the price it was before the war occurred, giving the war as an excuse; but in fact the reason is that they have that power or monopoly. They have the power to charge whatever they see fit to the people of the country, and if that power is enlarged at this time, instead of taking it away from them, what can the people of the country hope for?

Now, on account of that enormous robbing price they are charging it is going to stop one of the most important industries of the country if they are not curbed in some manner or other, because they are getting these prices so high that the building and construction industry of the country can not stand it, and it is about time that the Members of Congress and the people of the country wake up to the fact that something ought to be done and that we should take more power away from these people instead of giving them back some of the power that was supposed to be taken from them. Of course as long as the laws are administered by the agents of these criminals and high financiers and they have the judges to construe, strain, wrench, and twist it to suit themselves, it does not matter much about the laws we have in the country, but let us not weaken any of the laws which have been passed. I want to warn the Members of this Congress that if they start to take a step backward that the people of the country will soon become aroused and will relegate to the political scrap heap those who are responsible for it. The administration now is doing nothing to prevent the crimes that are being committed by big business of the country; in fact, they seem to acquiesce in them. We appropriate money here for the investigation of some poor devil who has not committed any crime; but the agents of big business, who are plundering and robbing the great wealth-producing masses of the country, are permitted to run with a free hand rampant over the rights and interests of the people of the country.

Mr. Speaker, this bill did not come to my attention until I came into the Chamber this afternoon. I am sorry that somebody of greater ability has not seen it of sufficient importance to take up this question and try to stop a step backward in this important legislation. In fact, we ought to be giving the people of the country protection from the money power instead of loosening up the reins, so they may have greater freedom in robbing and plundering the great masses of the people.

Mr. SMITH of Minnesota. Will the gentleman yield?

Mr. BUCHANAN of Illinois. I will reserve the balance of my time and will yield time to the gentleman, if he desires.

Mr. SMITH of Minnesota. No; I want to ask the gentleman a question.

Mr. BUCHANAN of Illinois. I do not know that I am prepared to answer the question, but I will if I can.

Mr. SMITH of Minnesota. Is the gentleman aware of the fact that this bill simply permits the Federal Reserve Board to permit a director of a member bank of the Federal Reserve System to be a director of not more than two other banks, and those banks must be noncompetitive?

Mr. BUCHANAN of Illinois. Oh, I understand how those things are done, especially when the control of these privileges are in the hands of the agents of the trusts and big business of the country. I want to say it is dangerous to take such a step. It does not matter whether it is noncompetitive. Who is going to say whether or not they are noncompetitive?

Mr. SMITH of Minnesota. Your Federal Reserve Board created for that purpose.

Mr. BUCHANAN of Illinois. I am not willing that the Federal Reserve Board shall have any more power than they have got now. They have got too much power now.

Mr. GLASS. Mr. Speaker, I ask for a vote.

Mr. MANN. Will the gentleman yield me a minute?

Mr. GLASS. I yield the gentleman—how much time?

Mr. MANN. I do not want but a moment.

Mr. GLASS. I yield to the gentleman.

Mr. MANN. Mr. Speaker, a little while ago we passed a bill authorizing national banks to buy stock in foreign banking companies. When that bill was reported to the House it contained a provision authorizing a national bank in a city of 100,000 to establish branch banks.

Partly at my suggestion, I think—I do not want to put the entire responsibility upon the gentleman from Virginia [Mr. GLASS]—when he moved to suspend the rules, he left that provision out in order that it might be considered by itself. It is a matter of some importance to a city like Chicago, both of these propositions, and I presume the same is true in other large cities. There are in the city of Chicago a number of large national banks in the downtown centers. There are in the outlying portions of the city, I think, 30 or 40 or 50 banks, some of them national banks, but most of them State banks. Under the bill now pending these local outlying banks, of course, all clear through the downtown banks. In one sense they are a kind of branch banks, though the stockholders are entirely different. Those local banks cater to the local business. This bill permits a director of one of the downtown banks to be a director of two of these small outlying banks. And the outlying banks always desire, if practicable, to have one of their directors a director

of one of the big banks through whom they clear. It is an advantageous arrangement to everybody, adds to the value of the small bank, and facilitates the watching of the business that goes through the big banks. These small banks, however, were not in favor of a proposition to let the big banks establish branch banks in their locality, thinking that if that were done the branch banks would be merely receiving banks, to receive deposits without giving much attention to the needs of the locality.

I am very much obliged to the gentleman from Virginia [Mr. GLASS] for the action that he took on the former matter, so that these people can be heard if they desire to be heard in the future, and I am very glad to support this bill.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 10750. An act permitting the Mondak Bridge Co. to construct, maintain, and operate a bridge across the Missouri River, in the State of Montana; and

H. R. 8067. An act to quiet the title to certain lands in the possession of G. B. Dickson, and for other purposes.

#### ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 34 minutes p. m.) the House adjourned until to-morrow, Friday, May 5, 1916, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Acting Secretary of the Treasury, inviting attention to an item in the general deficiency bill covering the removal and reconstruction of the wharf at the quarantine station at Honolulu, Hawaii, and making suggestions thereon (H. Doc. No. 1081), were taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (H. R. 12582) to relieve the estate of Thomas H. Hall, deceased, late postmaster at Panacea, Fla., and the bondsmen of said Thomas H. Hall, of the payment of money alleged to have been misappropriated by a clerk in said office, reported the same without amendment, accompanied by a report (No. 636), which said bill and report were referred to the Private Calendar.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills and resolutions were introduced and severally referred as follows:

By Mr. HOOD: A bill (H. R. 15346) for the purchase of a site for a public building at Beaufort, Carteret County, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. BOOHER: A bill (H. R. 15347) to amend existing laws relating to the use of alcohol, free of tax, by scientific institutions or colleges of learning; to the Committee on Ways and Means.

By Mr. PARK: A bill (H. R. 15348) to increase the salaries of the United States district attorney and United States marshal for the southern district of Georgia, and for other purposes; to the Committee on the Judiciary.

By Mr. FERRIS: A bill (H. R. 15349) to amend an act entitled "An act to codify, revise, and amend the laws relating to the Judiciary"; to the Committee on the Judiciary.

By Mr. CARLIN: Joint resolution (H. J. Res. 217) extending until October 15, 1918, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914; to the Committee on the Judiciary.

By Mr. TREADWAY: Joint resolution (H. J. Res. 218) authorizing the acceptance of the gift of the Berkshire Trout Hatchery, Berkshire County, Mass.; to the Committee on the Merchant Marine and Fisheries.



By Mr. HOWARD: Resolution (H. Res. 223) authorizing the installation of an electrical mechanical voting machine in the House of Representatives; to the Committee on Accounts.

By Mr. HUGHES: Resolution (H. Res. 224) authorizing the appointment of an annual clerk to the Committee on Education; to the Committee on Accounts.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 15350) granting a pension to Maria Route; to the Committee on Pensions.

Also, a bill (H. R. 15351) granting an increase of pension to Robert E. Best; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 15352) granting an increase of pension to Louis C. Baughman; to the Committee on Pensions.

By Mr. CALDWELL: A bill (H. R. 15353) granting a pension to Louisa Donnelly; to the Committee on Invalid Pensions.

By Mr. COADY: A bill (H. R. 15354) granting an increase of pension to Benjamin F. Shipley; to the Committee on Invalid Pensions.

By Mr. CRAGO: A bill (H. R. 15355) granting an increase of pension to Herbert W. Barnhart; to the Committee on Pensions.

By Mr. CULLOP: A bill (H. R. 15356) granting a pension to Perneta J. Campbell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15357) granting an increase of pension to John W. Buskirk; to the Committee on Invalid Pensions.

By Mr. DAVENPORT: A bill (H. R. 15358) for the relief of Lottie Gilstrap; to the Committee on Claims.

By Mr. DEMPSEY: A bill (H. R. 15359) granting a pension to Melissa Sisley; to the Committee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 15360) granting an increase of pension to George W. Wolfe; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 15361) for the relief of Daniel O'Connell; to the Committee on Military Affairs.

By Mr. FREEMAN: A bill (H. R. 15362) granting an increase of pension to Sarah V. Pitts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15363) granting an increase of pension to Mary J. Freeman; to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 15364) granting an increase of pension to Ellen B. Thomas; to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 15365) granting an increase of pension to Cecile F. Jacobi; to the Committee on Invalid Pensions.

By Mr. HELVERING: A bill (H. R. 15366) granting an increase of pension to William H. Pitts; to the Committee on Invalid Pensions.

By Mr. JONES: A bill (H. R. 15367) to remove the charge of desertion against the military record of William H. Thompson; to the Committee on Military Affairs.

Also, a bill (H. R. 15368) granting a pension to Augustine L. Sherwood; to the Committee on Pensions.

By Mr. KEATING: A bill (H. R. 15369) granting an increase of pension to Edward N. Webb; to the Committee on Invalid Pensions.

By Mr. KEY of Ohio: A bill (H. R. 15370) granting a pension to Sarah Katharine Dodge (incompetent); to the Committee on Invalid Pensions.

By Mr. LITTLEPAGE: A bill (H. R. 15371) granting a pension to James E. Ratliff; to the Committee on Pensions.

By Mr. MCGILLICUDDY: A bill (H. R. 15372) granting an increase of pension to Henry A. Cross; to the Committee on Invalid Pensions.

By Mr. NEELY: A bill (H. R. 15373) granting a pension to Perry L. Lockhart; to the Committee on Pensions.

Also, a bill (H. R. 15374) granting an increase of pension to Isaac Koon; to the Committee on Invalid Pensions.

By Mr. PATTEN: A bill (H. R. 15375) for the relief of the heirs of the late James L. Watson; to the Committee on Claims.

By Mr. RODENBERG: A bill (H. R. 15376) granting a pension to Sarah L. Truck; to the Committee on Invalid Pensions.

By Mr. SANFORD: A bill (H. R. 15377) granting a pension to Christopher Dahlen; to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 15378) for the relief of James G. Hill; to the Committee on Military Affairs.

By Mr. STEPHENS of Texas: A bill (H. R. 15379) providing for disposal of the inherited estate of Kills On Her Own Ground, wife and heir to one-half of the estate of Dummy, deceased allottee of the Crow Indian Reservation, Mont.; to the Committee on Indian Affairs.

Also, a bill (H. R. 15380) providing for the disposal of the inherited estate of Kills On Her Own Ground, mother and heir to two-thirds of the estate of Small Head, deceased allottee of the Crow Indian Reservation, Mont.; to the Committee on Indian Affairs.

By Mr. STINESS: A bill (H. R. 15381) granting an increase of pension to Mary A. Dixon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15382) granting an increase of pension to Ellener R. Potter; to the Committee on Invalid Pensions.

By Mr. TAGUE: A bill (H. R. 15383) granting an increase of pension to James W. Call; to the Committee on Invalid Pensions.

By Mr. WILSON of Louisiana: A bill (H. R. 15384) to give jurisdiction to the Court of Claims to readjudicate the case of Albert H. Gillispie against the United States, No. 30777 on the docket of said court; to the Committee on the Judiciary.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition; to the special committee to investigate the charges of contempt against H. Snowden Marshall, United States district attorney for the southern district of New York.

Also (by request), memorials of voters at the Leisure Hour Club, Carson City, and mass meeting of Nevada Woman's Civic League, Reno, Nev., favoring a favorable report on the Susan B. Anthony amendment; to the Committee on the Judiciary.

By Mr. BAILEY: Memorial of churches of the western district of Pennsylvania of the Church of the Brethren, against compulsory military training; to the Committee on Military Affairs.

By Mr. CALDWELL: Memorial of the Board of Aldermen of New York, pledging loyalty to the United States Government and favoring adequate preparedness; to the Committee on Military Affairs.

Also, memorial of the Board of Aldermen of New York, favoring House bill 6915 and Senate bill 3081; to the Committee on the Post Office and Post Roads.

Also, petition of Henry W. Volkman, of Richmond Hill, Long Island, N. Y., opposing House bill 13048; to the Committee on the District of Columbia.

Also, petition of sundry citizens of Glendale, Long Island, N. Y., opposing House bills 491 and 6468; to the Committee on the Post Office and Post Roads.

By Mr. DALE of New York: Petition of Nellie H. Nelson, of Minneapolis, Minn., favoring woman suffrage amendment; to the Committee on the Judiciary.

Also, petition of the Chamber of Commerce of Montgomery, Ala., favoring Shields general dam bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of New York Milk Committee, against Senate joint resolution 120, relative to members of United States Public Health Service; to the Committee on Agriculture.

By Mr. EAGAN: Memorial of the Chamber of Commerce of Montgomery, Ala., in re so-called Shields general dam bill; to the Committee on the Public Lands.

Also, memorial of the American Hardware Manufacturers' Association, in re flood control; to the Committee on Flood Control.

By Mr. ELSTON: Petition of D. P. Decker and other citizens of Oakland, Cal., against Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

By Mr. EMERSON: Memorial of Ohio Milk Distributors' Association as to sanitary condition of Ohio dairies; to the Committee on Agriculture.

Also, petition of citizens of the twenty-second district of Ohio, against the water-power bill; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Memorial of Wisconsin Conference of the Evangelical Association, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of 414 members of the Evangelical Lutheran St. Peter's Church, of Dorchester, and 2,170 members of Trinity Evangelical Lutheran Church, of Milwaukee, Wis., against United States in war; to the Committee on Foreign Affairs.

By Mr. FESS: Petition of sundry citizens of Franklin, Madison, and Pickaway Counties, Ohio, against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. FLYNN: Petition of New York Milk Committee, against Senate joint resolution 120, relative to member of United States Public Health Service in a medical or private health association; to the Committee on Agriculture.

Also, memorial of Chamber of Commerce of Montgomery, Ala., favoring passage of the Shields general dam bill; to the Committee on Interstate and Foreign Commerce.

By Mr. FREEMAN: Petition of Woman's Christian Temperance Union of Norwich and Baptist Church of Clinton, Conn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. FULLER: Petition of Illinois Commandery of the Military Order of the Loyal Legion, advocating universal military service; to the Committee on Military Affairs.

Also, petition of Clarence Poe, editor of the Progressive Farmer, relative to rural-credits legislation; to the Committee on Banking and Currency.

Also, petition of associated merchants of La Salle, Ill., opposing the price-maintenance bill; to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany a bill granting an increase of pension to Ellen B. Thomas; to the Committee on Invalid Pensions.

By Mr. GALLIVAN: Petition of sundry citizens of Massachusetts against the Taylor system in Government shops; to the Committee on Labor.

Also, memorial of Bay State Automobile Association in re present prices of gasoline; to the Committee on Interstate and Foreign Commerce.

By Mr. HAMILTON of New York: Papers to accompany House bill 15301, granting a pension to Harriet E. Fellows; to the Committee on Invalid Pensions.

By Mr. KING: Petition of sundry citizens of Kewanee, Ill., against the Taylor system in Government shops; to the Committee on Labor.

Also, petition of Evangelical Lutheran Church of St. John, of Quincy, Ill., against bills to amend the postal law; to the Committee on the Post Office and Post Roads.

By Mr. LOUD: Petition of E. Bromley and Methodist Episcopal Church of Mecosta, Mich., favoring national prohibition; to the Committee on the Judiciary.

By Mr. McCLINTIC: Petition of sundry citizens of Shattuck, Okla., opposing Senate bill 645; to the Committee on the District of Columbia.

Also, petition of sundry citizens, favoring the Emerson joint resolution; to the Committee on Ways and Means.

Also, petition of citizens of Greer, Okla., opposing House bill 13048; to the Committee on the District of Columbia.

By Mr. MEEKER: Petition of 38 citizens of St. Louis, Mo., against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petitions of Lodges Nos. 24 and 41 of the International Association of Machinists, of St. Louis, and 39 citizens of St. Louis, Mo., favoring House bill 8665, against Taylor system; to the Committee on Labor.

By Mr. MONDELL: Petitions of citizens of Wheatland, Wyo., and vicinity, against war with Germany; to the Committee on Foreign Affairs.

By Mr. NEELY: Petition of citizens of the State of West Virginia, against the Taylor system in Government shops; to the Committee on Labor.

Also, petition of citizens of Grafton, W. Va., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. NOLAN: Petition of the Maryland Realty Corporation, Baltimore, Md., and 39 other leading mercantile establishments of Baltimore, favoring the passage of House bill 11876, known as the Nolan minimum-wage bill; to the Committee on Labor.

By Mr. OAKLEY: Petition of Capital City Lodge, No. 354, I. A. of M., against the Taylor system in Government shops; to the Committee on Labor.

By Mr. POWERS: Petition of sundry citizens of Somerset, Ky., against the Taylor system; to the Committee on Labor.

By Mr. SCOTT of Michigan: Petition of sundry citizens of the State of Michigan, favoring national prohibition; to the Committee on the Judiciary.

By Mr. SIEGEL: Memorial of Board of Aldermen of New York City, favoring preparedness; to the Committee on Military Affairs.

By Mr. SMITH of Idaho: Papers to accompany House bill 15222, granting an increase of pension to Patrick F. Corron; to the Committee on Invalid Pensions.

Also, paper to accompany House bill 6796, appropriating to purchase a site and construct a Federal building at Halley; to the Committee on Public Buildings and Grounds.

Also, memorial of Commercial Club of Lewiston, Idaho, favoring legislation providing for the conducting of experiments for the production of potash and nitrates; to the Committee on Military Affairs.

By Mr. SNYDER: Petition of sundry citizens of the thirty-third congressional district of New York, against Taylor system in Government shops; to the Committee on Labor.

By Mr. STEPHENS of Nebraska: Petition of W. Ganiard and others, of Petersburg, Nebr., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. TINKHAM: Memorial of executive committee of the Society of the Chagres, in re conditions in Canal Zone; to the Committee on Reform in the Civil Service.

By Mr. TOWNER: Petition of Rev. R. L. Wilson and other citizens of Allerton, Iowa, praying for the enactment of a Christian amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. WINSLOW: Petition of sundry citizens of the State of Massachusetts, favoring national prohibition; to the Committee on the Judiciary.

## SENATE.

FRIDAY, May 5, 1916.

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

Almighty God, Thou art worthy to receive all our adoration and praise. Every thought Thou hast had to usward has been a thought of grace, and love, and mercy. Thou hast dealt with us in our larger life, our national life, as Thou hast not dealt with any other people. We pray we may not forget our debt of obligation, an obligation that can be paid only by obedience to Thy will. We thank Thee that Thou hast given to us in this land a patriotism that is not based upon any of those forces that disintegrate and destroy, but upon those high ethical ideals which have been made known to men through the revelation of God. Guide us this day in the discharge of our duties. Forgive our sins. For Christ's sake. Amen.

The Journal of the proceedings of the legislative day of Wednesday, May 3, 1916, was read and approved.

### COAST DEFENSES.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the Senate of April 24, 1916, a tabulated statement showing the military forces now located in the States of Oregon and Washington, the branch of the service to which they belong, the places at which stationed, and the numerical strength at each place; also the coast defenses in the States mentioned. The communication and accompanying paper will be printed in the RECORD and referred to the Committee on Military Affairs.

The VICE PRESIDENT subsequently said:

This morning the Chair laid before the Senate a communication from the Secretary of War in response to a resolution that was introduced by the Senator from Oregon [Mr. CHAMBERLAIN] without reading the letter of the Secretary of War. It is in reference to coast defenses, and in the letter it is stated that it is confidential in character. The Chair ordered the communication printed in the RECORD. The Chair has now withdrawn that order, and if there be no objection the communication will go direct to the Committee on Military Affairs without printing.

### THE REVOLT IN IRELAND.

Mr. BORAH. Mr. President, I ask leave to have read a very short editorial in the New York Sun of to-day, under the heading, "What would have been Abraham Lincoln's counsel?"

The VICE PRESIDENT. Is there objection? The Chair hears none.

The Secretary read the editorial, as follows:

#### WHAT WOULD HAVE BEEN ABRAHAM LINCOLN'S COUNSEL?

The heart of the world will join with John Redmond in hoping and pleading that the course of the British Government regarding the great body of Irishmen recently in armed revolt may be shaped by other considerations than those of a sternly punitive policy. At least three of the leaders—brave men, but both technically and legally in treasonable cooperation with the belligerent enemies of the State—have already paid the extreme legal penalty of their infatuated courage. Even as a matter of political expediency it may be doubted whether further executions either under martial or civil process would add an iota to the repressive effect of example. No man of common sense who has studied the history and justly valued the causes of Irish national discontent can mistake the certain consequences to the Empire's future of an attempt to administer retribution by wholesale.

John Redmond is right; and fortunate it will be for Britain if his loyal advice is taken at this time.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 4726) to permit issue by the supply departments of the Army to certain military schools and colleges.