

States Army, other than officers of the Regular Army, who incurred physical disability in line of duty while in the service of the United States during the war; to the Committee on Military Affairs.

By Mr. BRENNAN: A bill (H. R. 14307) authorizing the Secretary of the Treasury to sell either or both of the United States Federal buildings, including sites and all improvements thereon, at Detroit, Mich., and to acquire a suitable site in the same locality and to erect thereon a modern building to house the various Federal departments, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. ROBSION: A bill (H. R. 14308) to establish a national park in the States of Kentucky, Tennessee, and Virginia; to the Committee on the Public Lands.

By Mr. WINSLOW: A bill (H. R. 14309) to amend section 206 of the transportation act of 1920; to the Committee on Interstate and Foreign Commerce.

By Mr. TURNER: A bill (H. R. 14310) to establish memorials to deceased soldiers of the World War; to the Committee on Public Buildings and Grounds.

By Mr. DAVILA: A joint resolution (H. J. Res. 442) to authorize the transportation to Porto Rico of a committee representing the Fourth Ohio Infantry, war with Spain; to the Committee on Military Affairs.

By Mr. WHITE of Maine: A resolution (H. Res. 525) requesting the Federal Trade Commission to investigate and to report to the House the facts relating to the ownership of radio patents, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By the SPEAKER (by request): Memorial of the Legislature of the State of Oregon, asking permission of the Federal Government to allow the officials of the State of Oregon to examine income-tax returns in the said State; to the Committee on Ways and Means.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of Nebraska: A bill (H. R. 14311) granting a pension to Matilda Gordon; to the Committee on Invalid Pensions.

By Mr. BEEDY: A bill (H. R. 14312) granting a pension to Clara J. Foss; to the Committee on Invalid Pensions.

By Mr. BOX: A bill (H. R. 14313) for the relief of the Orange Car & Steel Co., successor to the Southern Dry Dock & Shipbuilding Co., of Orange, Tex.; to the Committee on Claims.

By Mr. COOPER of Wisconsin: A bill (H. R. 14314) granting an increase of pension to Edwin M. Brainard; to the Committee on Invalid Pensions.

By Mr. FAIRFIELD: A bill (H. R. 14315) granting a pension to Catherine E. Steward; to the Committee on Pensions.

By Mr. FESS: A bill (H. R. 14316) granting an increase of pension to Cynthia L. Nelson; to the Committee on Invalid Pensions.

By Mr. FISH: A bill (H. R. 14317) granting permission to Capt. Norman Randolph, United States Army, to accept the decoration of the Spanish Order of Military Merit of Alfonso XIII; to the Committee on Foreign Affairs.

By Mr. JOHNSON of Kentucky: A bill (H. R. 14318) granting an increase of pension to Ruth E. Stickler; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 14319) for the relief of J. I. Hall, of Jackson, Ky., to the Committee on Claims.

By Mr. SWEET: A bill (H. R. 14320) granting an increase of pension to Bertram B. Soper; to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 14321) granting an increase of pension to Hanna M. Batt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14322) granting an increase of pension to Jesse H. Harrison; to the Committee on Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7278. By the SPEAKER (by request): Petition of Northeast Boundary Citizens' Association, of Washington, D. C., protesting against the erection of the so-called "mammies" monument; to the Committee on the Library.

7279. Also, petition of the city of Chicago, relating to the bill declaring the West Fork of the South Branch of the Chi-

cago River a nonnavigable stream; to the Committee on Rivers and Harbors.

7280. By Mr. FULLER: Petition of sundry citizens of Belvidere, Ill., favoring joint resolution to extend aid to the famine-stricken people of the German and Austrian Republics; to the Committee on Foreign Affairs.

7281. By Mr. KISSEL: Memorial to the Legislature of the State of Oregon, relating to the Federal income tax act; to the Committee on Ways and Means.

7282. Also, petition of the Citizens' Medical Reference Bureau New York City, N. Y., relating to the vaccination law in the District of Columbia; to the Committee on the District of Columbia.

7283. By Mr. LEA of California: Petition of 15 residents of Chico, Calif., to abolish discriminatory tax on small-arms ammunition and firearms; to the Committee on Ways and Means.

7284. By Mr. LUCE: Petition of the Massachusetts Federation of Churches, urging amendment of the Constitution to give Federal Government the power to regulate child labor; to the Committee on the Judiciary.

7285. By Mr. ROUSE: Petition of sundry citizens of Kentucky, favoring legislation extending aid to people of German and Austrian Republics; to the Committee on Foreign Affairs.

7286. By Mr. SNYDER: Petition of J. J. McLoughlin and 41 others, favoring the abolishment of the tax on small arms and ammunition; to the Committee on Ways and Means.

7287. By Mr. TINKHAM: Petition of the International Typographical Union, protesting against the passage of the ship subsidy bill; to the Committee on the Merchant Marine and Fisheries.

## SENATE.

TUESDAY, February 13, 1923.

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

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

Gracious God, we thank Thee that Thou hast consideration for our needs. For all the blessings of life we return to Thee thanks this morning. As we look out upon a world in need we know Thou canst meet every necessity. Amidst all the turmoil give unto us rest and quiet in Thyself, and an understanding of the times, and how best to meet the manifold issues presented. Give wisdom this morning and help in all the deliberations of the hour, to the glory of Thy great name. Through Jesus Christ. Amen.

#### NAMING A PRESIDING OFFICER.

The Secretary, George A. Sanderson, read the following communication:

UNITED STATES SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D. C., February 13, 1923.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. GEORGE H. MOSES, a Senator from the State of New Hampshire, to perform the duties of the Chair this legislative day.

ALBERT B. CUMMINS,  
President pro tempore.

Mr. MOSES thereupon took the chair as Presiding Officer.

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

#### CALL OF THE ROLL.

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

The PRESIDING OFFICER. The Secretary will call the roll. The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Glass	McNary	Shortridge
Ball	Gooding	Moses	Smith
Bayard	Harrel	Nelson	Smoot
Brookhart	Harris	New	Spencer
Broussard	Harrison	Nicholson	Sterling
Calder	Heflin	Norris	Sutherland
Cameron	Hitchcock	Oddie	Swanson
Capper	Jones, Wash.	Overman	Townsend
Caraway	Kellogg	Page	Trammell
Colt	Keyes	Phipps	Wadsworth
Couzens	King	Pittman	Walsh, Mass.
Culberson	Ladd	Poindexter	Walsh, Mont.
Curtis	La Follette	Pomerene	Warren
Dial	Lodge	Ransdell	Watson
Dillingham	McCormick	Reed, Mo.	* Willis
Fletcher	McCumber	Robinson	
Frelingerhuysen	McKellar	Sheppard	
George	McLean	Shields	

The PRESIDING OFFICER. Sixty-nine Senators having answered to their names, a quorum is present.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed without amendment the bill (S. 3169) to equalize pensions of retired policemen and firemen of the District of Columbia, and for other purposes.

The message also announced that the House had passed the bill (S. 2531) to create a board of accountancy for the District of Columbia, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a joint resolution (H. J. Res. 418) authorizing the use of public parks, reservations, and other public spaces in the District of Columbia; and the use of tents, cots, hospital appliances, flags, and other decorations, property of the United States, by the Almas Temple, Washington, District of Columbia, 1923 Shrine Committee (Inc.), and for other purposes, in which it requested the concurrence of the Senate.

## ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Presiding Officer [Mr. MOSES] as Acting President pro tempore:

H. R. 5224. An act to authorize the Secretary of the Navy to certify to the Secretary of the Interior, for restoration to the public domain, lands in the State of Louisiana not needed for naval purposes;

H. R. 13046. An act authorizing the Secretary of the Treasury to convey to the city of Wilmington, N. C., marine hospital reservation; and

H. R. 13760. An act to amend an act entitled "An act to authorize the construction of drawless bridges across a certain portion of the Charles River, in the State of Massachusetts," approved November 14, 1921.

## PETITIONS AND MEMORIALS.

The PRESIDING OFFICER [Mr. MOSES] laid before the Senate the following concurrent resolution of the Legislature of South Dakota, which was referred to the Committee on Commerce:

## A concurrent resolution.

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

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

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

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

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

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

Mr. CAPPER presented a petition of sundry citizens of Fort Scott, Kans., praying for the enactment of legislation to regulate radio broadcasting, which was referred to the Committee on Interstate Commerce.

Mr. LODGE presented memorials of the Framingham Central Labor Union and the Buildings Trades Council, both of Framingham, and Local Union No. 6, United Hatters of North America, of Boston, all in the State of Massachusetts, remonstrating against the passage of the so-called ship subsidy bill, which were ordered to lie on the table.

## REPORTS OF COMMITTEES.

Mr. GOODING, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 4478) to promote agriculture by stabilizing the price of wheat, reported it with amendments and submitted a report (No. 1141) thereon.

Mr. LODGE, from the Committee on Foreign Relations, to which was referred the bill (H. R. 13880) for the reorganiza-

tion and improvement of the foreign service of the United States, and for other purposes, reported it without amendment and submitted a report (No. 1142) thereon.

## BILLS AND JOINT RESOLUTION INTRODUCED.

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

By Mr. DIAL:

A bill (S. 4536) to authorize the building of a bridge across the Peedee River in South Carolina; to the Committee on Commerce.

By Mr. POINDEXTER:

A bill (S. 4537) for the relief of George Turner (with the accompanying papers); to the Committee on Foreign Relations.

By Mr. TOWNSEND:

A bill (S. 4538) granting a pension to Minnie L. Foster (with the accompanying papers); and

A bill (S. 4539) granting a pension to Clarissa A. Grover (with the accompanying papers); to the Committee on Pensions.

By Mr. SMITH:

A bill (S. 4540) to authorize the building of a bridge across the Peedee River, S. C.; to the Committee on Commerce.

By Mr. FRELINGHUYSEN:

A bill (S. 4541) for the relief of Thomas N. Emley and Ida E. Godfrey; to the Committee on Claims.

By Mr. OWEN:

A bill (S. 4542) relative to the claim of the Export Oil Corporation (with an accompanying paper); to the Committee on Claims.

By Mr. SPENCER:

A bill (S. 4543) to amend an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916; to the Committee on the Judiciary.

By Mr. CURTIS:

A bill (S. 4544) to authorize the extension of the period of restriction against alienation on surplus lands allotted to minor members of the Kansas or Kaw Tribe of Indians in Oklahoma; to the Committee on Indian Affairs.

By Mr. LODGE:

A bill (S. 4545) to amend section 14 of the military services act, approved June 10, 1922; to the Committee on Military Affairs.

By Mr. BROUSSARD:

A joint resolution (S. J. Res. 279) authorizing the Secretary of War to loan 3,000 wooden folding chairs for the use of the United Confederate Veterans at their reunion to be held in New Orleans, La., on April 11, 12, and 13, 1923; to the Committee on Military Affairs.

## SHIPPING BOARD DATA.

Mr. POMERENE. I submit a Senate resolution calling for certain information from the United States Shipping Board. I may state that on January 23 I presented a resolution and a response came under date of February 5. That related to ships which were sold since March 4, 1921. The resolution which I am now offering relates to ships which were sold on or before that date. I ask that the resolution may be acted upon.

The resolution (S. Res. 440) was read, considered by unanimous consent, and agreed to, as follows:

*Resolved,* That the United States Shipping Board be, and it is hereby, directed and instructed to furnish to the United States Senate the following detailed information:

First. State number of ships sold by the United States Shipping Board on or before March 4, 1921.

Second. Give the names of persons, partnerships, or corporations to whom said sales have been made.

Third. Give the terms of the sale, whether for cash or on deferred payments, and the amount of each, with dates of maturity of deferred payments.

Fourth. Give in detail what settlements, if any, have been made for each of said ships so sold with said persons, partnerships, or corporations.

Fifth. If there has been any difference in the said terms of settlements, give the reasons therefor.

Sixth. If settlements have not been made in accordance with terms of sale by any of said persons, partnerships, or corporations, give the reasons therefor.

## HOUSE JOINT RESOLUTION REFERRED.

H. J. Res. 418. A joint resolution authorizing the use of public parks, reservations, and other public spaces in the District of Columbia, and the use of tents, cots, hospital appliances, flags, and other decorations, property of the United States, by the Almas Temple, Washington, D. C., 1923 Shrine Committee (Inc.), and for other purposes, was read twice by its title and referred to the Committee on the District of Columbia.

## BOARD OF ACCOUNTANCY FOR THE DISTRICT OF COLUMBIA.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2531) to create a board of accountancy for the District of Columbia, and for other purposes, which were, on page 3, line 13, after "education," to insert "or who, in the opinion of the board, has had sufficient commercial experience in accounting"; on page 6, line 21, after "compensation," to insert "for actual time employed"; and, on page 6, line 22, after "determine," to insert "and the remaining surplus, if any, shall be covered into the Treasury of the United States to the credit of the District of Columbia."

Mr. BALL. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

## PROPOSED CHANGE IN PRESIDENTIAL AND CONGRESSIONAL TERMS.

The PRESIDING OFFICER. Morning business is closed.

Mr. NORRIS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the joint resolution (S. J. Res. 253) proposing an amendment to the Constitution of the United States, fixing the commencement of the terms of President and Vice President and Members of Congress, and providing for the election of President and Vice President by direct vote. It is the joint resolution which I moved to take up on yesterday.

The PRESIDING OFFICER. Is there objection?

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

Mr. NORRIS. Mr. President, there seemed on yesterday to be a sort of tacit understanding that there would be no opposition to the joint resolution as it is proposed to be modified and that we should be able to pass it during the morning hour. I wish to call attention to a mistake which I made on yesterday in the manner in which I then proposed to modify the joint resolution. I stated that the proposition was to strike out all of section 1, but I only proposed to strike out that part of section 1 pertaining to the election of President and Vice President. When thus amended there will be but little of the joint resolution left, and it will provide that the terms of President and Vice President shall commence at noon on the third Monday in January following their election; that the terms of Senators and Representatives shall commence at noon on the first Monday in January following their election; that Congress shall assemble at least once in every year, and that such meeting shall be on the first Monday in January, unless otherwise a different day shall be appointed by Congress; that the terms of President and Vice President and Members of Congress who may be in office at the time that the proposed constitutional amendment shall take effect shall expire, in the case of the President and Vice President on the third Monday in January instead of on the 4th of March, and in the case of Members of Congress on the first Monday in January instead of on the 4th of March.

Mr. ROBINSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Arkansas?

Mr. NORRIS. I will yield in just a moment. It will be observed that the commencement of the term of President and Vice President is two weeks subsequent to the commencement of the term of Members of Congress. The idea is to give Congress ample time to organize and to canvass the votes for President and Vice President, which, under the Constitution, it must do. I do not think it would be an insuperable objection if the terms of all these officers commenced on the same day; but if the joint resolution shall be adopted unamended, it will make a difference of two weeks in the time of the commencement of their terms and would give time to Congress to meet and for each body to organize before they held their joint session.

Mr. WARREN. Mr. President, will the Senator from Nebraska permit a question?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Wyoming?

Mr. NORRIS. I first promised to yield to the Senator from Arkansas [Mr. ROBINSON], and after I shall have done so I shall then gladly yield to the Senator from Wyoming.

Mr. ROBINSON. As I understand, the only change in the joint resolution as now proposed by the Senator from Nebraska, as compared to the modification which he proposed on yesterday, relates to the term of President and Vice President?

Mr. NORRIS. No. It relates to the method of the election of President and Vice President.

Mr. ROBINSON. I do not think the Senator understood my question.

Mr. NORRIS. It may be that I did not.

Mr. ROBINSON. On yesterday the Senator from Nebraska announced that it was his purpose so to modify the joint resolution as to omit all provisions relating to the election of President and Vice President, so as to confine the joint resolution solely to the terms of Senators and Representatives and the time when Congress shall assemble.

Mr. NORRIS. That is correct.

Mr. ROBINSON. I understand it is proposed by the Senator from Nebraska also to make the joint resolution applicable to the terms of President and Vice President?

Mr. NORRIS. That is correct.

Mr. ROBINSON. And to make their terms begin on the third Monday in January following their election instead of on the 4th of March as at present?

Mr. NORRIS. That is correct.

Mr. ROBINSON. The Senator now proposes the joint resolution in a form that will require the old Congress, to wit, the Congress sitting when the election may be held, to pass upon the election?

Mr. NORRIS. Oh, no; that would not be the effect of it. The Senator will observe that the new Congress will meet on the first Monday in January—

Mr. ROBINSON. Yes.

Mr. NORRIS. And that the President will not be inaugurated until the third Monday in January.

Mr. ROBINSON. So that the proposal is that the new Congress shall have ample time to pass upon the matter before the time for the inauguration of the new President arrives?

Mr. NORRIS. Yes.

Mr. McCUMBER. Mr. President—

Mr. NORRIS. I yield first to the Senator from Wyoming.

Mr. WARREN. I was about to ask the Senator from Nebraska a question relative to the last clause of his joint resolution, which would seem to cut short the term of the President who may occupy the office at the time the proposed amendment would go into effect. Is that correct?

Mr. NORRIS. Yes; and it would also shorten the terms of Members of Congress.

Mr. WARREN. As to the President, would not the amendment, if it were ratified, infringe on the President's vested right to his office under his election in pursuance of the Constitution?

Mr. NORRIS. I think so far as the change of the Constitution is concerned there could be no objection made on the ground of the curtailing of any vested right under the Constitution.

Mr. WARREN. I am not a lawyer, as is the Senator from Nebraska, and I wish to know if a change in the Constitution can be made to operate retroactively?

Mr. NORRIS. No; a change in the Constitution, however, may be made, I think, so as entirely to abolish a constitutional office, the same as may be done by a change of law.

Mr. WARREN. There is no doubt about that; but the Constitution limits the term of the President to four years, and the four years end on the 4th of March. It is now proposed that the presidential term shall end on the first Monday in January, and that the successor of the President shall then take the place of the incumbent of the office. That is the point I wish to make.

Mr. NORRIS. I do not see any legal objection to that. Of course, the ratification of the constitutional amendment would shorten the term of whoever happened to be President, the same as it would, by a couple of months, shorten the term of whoever happened to be Members of the Senate and of the House of Representatives whose terms expired on the 4th of March.

Mr. DIAL. Mr. President—

Mr. NORRIS. I yield first to the Senator from North Dakota.

Mr. McCUMBER. Mr. President, the Senator from Wyoming has practically asked the question that I was about to ask; that is, whether it was the intent to shorten the terms of those who had been elected under the Constitution as it now stands, and whether there ought not to be some provision so that at least the terms of those who are elected prior to the adoption of any new provision in the Constitution shall expire at the time now fixed under the present Constitution.

Mr. NORRIS. We shall, by some method, have to change the term of office, because if a man is elected before the proposed constitutional amendment goes into effect his term of office does not commence until the 4th of March; if it shall go into effect while he is in office his term would have to be shortened; but it would only be by a couple of months.

Mr. McCUMBER. To be sure, but it could be provided in the proposed amendment that those who were elected prior to the change of the Constitution should serve until the expiration

of their terms. Then those who would be elected subsequently, of course, would serve in their initial term for two months less.

Mr. NORRIS. That is true.

Mr. McCUMBER. That would seem to be the fairer and better way.

Mr. NORRIS. Let us see how that would work. That would be one way of solving the difficulty.

Mr. WARREN. Mr. President—

Mr. NORRIS. Just a moment. If we did that there would be somebody, for instance in the House of Representatives, elected for two years whose term would be shortened; somebody's term must be shortened, either the man who is in office or the man who is elected; there will be one term in the House of Representatives which will be shortened about two months.

Mr. McCUMBER. That should be the term of the newly elected Representative.

Mr. WARREN. Mr. President, there is no trouble about that; but those who have already been elected for a certain term have, it might be said, what is in the nature of a contract between them and the people of the United States who elected them under the Constitution. While I agree with the Senator that we should bring about in some manner this change, and I favor it, it looks to me as though in that particular situation it would be necessary to make some different provision for those who have been elected and are holding office.

Mr. NORRIS. There can not be any question about the proposal as a matter of law. The courts have always held, for instance, that a legislative office may be absolutely abolished by the legislature which established it and which has constitutional jurisdiction. Whoever is in office goes out when the office is abolished. That has been a common occurrence. On the other hand, a constitutional office by amendment of the Constitution may be entirely abolished; and it will be just as long as it is short in this case, because if we do not shorten the term of the man who happens to be in office we will have to shorten the term of the man who succeeds him. I myself do not care in which way it is worked out.

Mr. LODGE. Mr. President, I think the Senator is correct as to our right to take such action, but could we not meet the difficulty that has been suggested by providing that the proposed constitutional amendment shall take effect after the election of the first President who may be elected under it, so that the President in office will not have his term shortened, but that the proposed change in the Constitution shall apply to the next President who is elected under it?

Mr. NORRIS. We could do that, instead of adopting the provision I have placed in the joint resolution, and, if the Senate thinks that is a proper way to proceed, of course, I myself would not object, although I do not see anything wrong about it as it now stands, because the man who has been elected to office has not any contract with the Government such as a man has who makes a civil contract with another.

Mr. WARREN. But he has rights under the Constitution.

Mr. NORRIS. No; he has not any right to continue in office if the office is abolished. Now, let us see what would happen.

Mr. WARREN. Would the Senator abolish the office of President?

Mr. LA FOLLETTE. Mr. President—

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

Mr. NORRIS. I will yield in a moment. I should like to say a few words myself. Suppose we adopt the constitutional amendment and it is also adopted by the House and goes to the legislatures of the various States, everyone in the country will know that it is pending.

If an election occurs while it is pending and before it is ratified by a sufficient number of States to make it a part of the Constitution, candidates at that election know that, perhaps, the action of only two more States is required to make the proposed constitutional amendment effective; they understand that; everybody understands it; candidates are making their campaign on the strength of it. If it happens to be a presidential election—and it is not likely to be—candidates for President will understand that their term of office may be, instead of four years, about six weeks less than four years. No advantage will be taken of anybody. There is not anything under cover. It is all understood, and everybody knows what is going to happen, and they will make their campaign on that theory. If there are only a few legislatures left on the 7th of November, a year from next November, when we hold the election, every candidate, from President down, will know that the probabilities are that some time following the election, when the legislatures convene again, perhaps in February, March, or April, there will be an approval of this amendment,

and thereby the term for which those men were elected, although they knew it when they were elected, will be shortened a month or two.

I want to say to the Senator from Wyoming that if it should happen that this amendment should be approved at once in sufficient number by the legislatures that are now in session—which I do not anticipate; nobody does, I think; it would be too much to expect—it would be in effect before the expiration of the present terms, and I would be one of those who would have his term cut short. I do not myself see any objection to it, because if we ever bring about this reform in this way we must shorten somebody's term of office.

Mr. WARREN. Mr. President—

Mr. NORRIS. I yield again to the Senator.

Mr. WARREN. I agree entirely with the Senator as to the Members of Congress, and so forth; but unless perhaps the Senator expects that the term of a Senator will expire before we shall be at work under this amendment, I think after a President has been elected for four years and duly installed, if we undertake to legislate him out of office we are going beyond what we have a right to do. I understand the Senator's remarks about shortening the term of a Senator. That is perfectly all right. A man, before he is elected, goes in knowing that his term is to be shortened.

Mr. NORRIS. The matter can be changed as suggested by the Senator from Massachusetts and the Senator from Wyoming.

Mr. WARREN. I think that suggestion is a good one, and I think it ought to be done. If the Senator wishes to put it into effect, I think an amendment of that kind should be made.

Mr. NORRIS. Let us see, first, if there is any objection to the amendment that I want to propose, striking out the last part of the section.

Mr. President, in accordance with the understanding that I outlined yesterday, I move to amend the joint resolution as follows: Commencing on page 1, line 11, after the word "election," strike out the comma, insert a period, and strike out the balance of the section, namely, all down to and including line 17, on page 3.

I should like to have the Secretary state the amendment.

Mr. WARREN. I wish it might be stated.

The PRESIDING OFFICER (Mr. McNARY in the chair). The amendment will be stated.

The ASSISTANT SECRETARY. On page 1, line 11, after the word "election," strike out the comma, insert a period, and strike out the remainder of section 1, or all down to and including the words "United States," on line 17, page 3.

The PRESIDING OFFICER. The question is upon the adoption of the amendment offered by the Senator from Nebraska.

The amendment was agreed to.

Mr. NORRIS. Now, Mr. President, I have not anything further to say, unless some Senator wishes to ask me some question. The Senator from Wisconsin [Mr. LA FOLLETTE] rose awhile ago. Does he desire to interrogate me?

Mr. McCUMBER. Mr. President, if I may ask the Senator a question, taking section 2, which reads:

That the terms of Senators and Representatives shall commence at noon on the first Monday in January following their election—

What objection would there be to an amendment to that which would make it read—

That the terms of Senators and Representatives elected after the adoption of this amendment shall commence on the first Monday in January following their election?

Mr. NORRIS. I will say to the Senator that I will not offer any objection if the Senator offers that amendment.

Mr. McCUMBER. I think that ought to apply to all of them.

Mr. NORRIS. Of course, if it is desired to carry out the idea that has been suggested, that ought to be offered; and the same amendment ought to apply to article 1, in regard to the President and Vice President.

Mr. McCUMBER. I think so.

Mr. DIAL. Mr. President—

Mr. NORRIS. I will ask the Senator to wait until the Senator from North Dakota concludes his suggestion. Does the Senator desire to offer that amendment?

Mr. McCUMBER. Yes; I desire to offer it as to both matters.

Mr. NORRIS. Yes; it ought to be offered at both places.

Mr. McCUMBER. Will the Senator accept it?

Mr. NORRIS. I will not object to it.

Mr. McCUMBER. I offer the amendment so that in section 2, after the word "Representatives"—

Mr. NORRIS. Let us commence at the beginning first. Let us take the President first.

Mr. McCUMBER. I am reading from a different print.

Mr. NORRIS. Then I had better offer it from this one. The Secretary has the same print that I have.

Mr. President, I offer the following amendment: On line 10, page 1, after the words "United States," I move to insert "elected after the adoption of this article."

The PRESIDING OFFICER. The amendment will be stated. The ASSISTANT SECRETARY. On page 1, line 10, after the words "United States," insert a comma and the words "elected after the adoption of this article."

The PRESIDING OFFICER. The question is upon the amendment offered by the Senator from Nebraska.

The amendment was agreed to.

Mr. NORRIS. Then, on page 3, after line 17, I move to insert the same language.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 3, at the end of line 18, after the word "Representatives," insert a comma and the words "elected after the adoption of this article."

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Nebraska.

The amendment was agreed to.

Mr. NORRIS. Mr. President, with those amendments in, I call the attention of the Senator from Massachusetts and the Senator from North Dakota to the fact that we ought to strike out section 4. We have corrected the joint resolution now so that that will be absolutely unnecessary.

Mr. McCUMBER. I think that is true.

Mr. NORRIS. I move to strike out section 4.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Nebraska.

The amendment was agreed to.

The PRESIDING OFFICER. Let the Chair ask the Senator from Nebraska whether the word "article" just inserted as an amendment should not be "amendment"?

Mr. NORRIS. I supposed it was "amendment."

Mr. LODGE. It ought to be "amendment."

Mr. NORRIS. Yes; that is the way I intended to offer it.

The PRESIDING OFFICER. Very well; the correction will be made.

Mr. LODGE. Also, Mr. President, at the proper time, which is not now, we ought to correct the title by striking out the words "and providing for the election of President and Vice President by direct vote."

Mr. NORRIS. Yes; we will have to.

Mr. LODGE. That comes later. That is an amendment to the title.

Mr. NORRIS. That is not in order now. That will have to come after the passage of the joint resolution.

Mr. LODGE. Yes.

Mr. DIAL. Mr. President—

Mr. NORRIS. I now yield to the Senator from South Carolina.

Mr. DIAL. Do I understand that this amendment changes the length of term of the President and Vice President?

Mr. NORRIS. No; their term is four years; just the same.

Mr. President, I do not know of anything else, unless some other Senator has a question to ask.

Mr. CALDER. Mr. President, let the amendments so far agreed to be read.

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

The PRESIDING OFFICER. The Secretary will call the roll.

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

Ashurst	France	McCumber	Ransdell
Ball	Frelinghuysen	McKellar	Reed, Mo.
Bayard	George	McKinley	Robinson
Borah	Glass	McLean	Sheppard
Brookhart	Harreld	McNary	Smith
Broussard	Harris	Moses	Smoot
Bursum	Harrison	Nelson	Spencer
Calder	Heflin	New	Sutherland
Cameron	Hitchcock	Nicholson	Swanson
Capper	Jones, Wash.	Norbeck	Townsend
Caraway	Kellogg	Norris	Trammell
Colt	Keyes	Oddie	Wadsworth
Couzens	King	Overman	Walsh, Mass.
Culberson	Ladd	Page	Walsh, Mont.
Curtis	La Follette	Phipps	Warren
Dial	Lenroot	Pittman	Watson
Dillingham	Lodge	Poindexter	Williams
Fletcher	McCormick	Pomerene	Willis

The PRESIDING OFFICER. Seventy-two Senators having answered to their names, a quorum is present.

Mr. NORRIS. I presume we must have a record vote on the passage of the joint resolution, and I ask for the yeas and nays.

Mr. CALDER. I ask that the joint resolution be read as amended.

Mr. KELLOGG. I would like to have the joint resolution reported.

The PRESIDING OFFICER. The Secretary will read the joint resolution as amended.

The ASSISTANT SECRETARY. As amended, the joint resolution reads as follows, after the resolving clause:

SECTION 1. That the terms of the President and Vice President of the United States elected after the adoption of this amendment shall commence at noon on the third Monday in January following their election.

SEC. 2. That the terms of Senators and Representatives elected after the adoption of this amendment shall commence at noon on the first Monday in January following their election.

SEC. 3. That the Congress shall assemble at least once in every year, and such meetings shall be on the first Monday in January, unless they shall by law appoint a different day.

The joint resolution was reported to the Senate as amended and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The question is, Shall the joint resolution pass? The Senator from Nebraska demands the yeas and nays on the passage of the joint resolution.

Mr. LODGE. I think they are necessary under the circumstances.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. HARRISON (when his name was called). I have a general pair with the junior Senator from West Virginia [Mr. ELKINS]. I understand that if he were present he would vote as I intend to vote. I vote "yea."

Mr. KELLOGG (when his name was called). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. He is absent, and I withhold my vote.

Mr. McCORMICK (when his name was called). I have a standing pair with the junior Senator from Wyoming [Mr. KENDRICK], who, if present, would vote as I purpose to vote, and therefore I vote. I vote "yea."

The roll call was concluded.

Mr. LODGE (after having voted in the affirmative). My pair, the senior Senator from Alabama [Mr. UNDERWOOD], is absent. I transfer that pair to the senior Senator from Pennsylvania [Mr. PEPPER] and allow my vote to stand.

Mr. BAYARD. I have a general pair with the junior Senator from Pennsylvania [Mr. REED]. I transfer that pair to the junior Senator from Rhode Island [Mr. GERRY], and vote "yea."

Mr. JONES of New Mexico. Has the Senator from Maine [Mr. FERNALD] voted?

The PRESIDING OFFICER (Mr. Moses in the chair). He has not voted.

Mr. JONES of New Mexico. I have a general pair with that Senator. I do not know how he would vote upon this question, and being unable to obtain a transfer I withhold my vote. If I were permitted to vote, I would vote "yea."

Mr. SMITH. My pair, the senior Senator from South Dakota [Mr. STERLING], not being present, and being unable to ascertain just how he would vote or to get a transfer I withhold my vote. If allowed to vote, I would vote "yea."

Mr. SHIELDS (after having voted in the negative). Not noticing the absence of my pair, the Senator from Maine [Mr. HALE], when my name was called, I voted. I am unable to obtain a transfer, and therefore withdraw my vote.

Mr. CURTIS. I desire to announce the following general pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN]; and

The junior Senator from Kentucky [Mr. EBNST] with the senior Senator from Kentucky [Mr. STANLEY].

The roll call resulted—yeas 63, nays 6, as follows:

YEAS—63.			
Ashurst	Fletcher	McCumber	Robinson
Ball	Frelinghuysen	McKellar	Sheppard
Bayard	George	McKinley	Smoot
Borah	Glass	McLean	Spencer
Brookhart	Harreld	McNary	Sutherland
Bursum	Harris	Moses	Swanson
Calder	Harrison	Nicholson	Townsend
Cameron	Heflin	Norbeck	Trammell
Capper	Hitchcock	Norris	Wadsworth
Caraway	Jones, Wash.	Oddie	Walsh, Mass.
Colt	Keyes	Page	Walsh, Mont.
Couzens	Ladd	Phipps	Warren
Culberson	La Follette	Pittman	Watson
Curtis	Lenroot	Poindexter	Williams
Dial	Lodge	Pomerene	Willis
Dillingham	McCormick	Ransdell	

NAYS—6.			
Broussard	King	Overman	Reed, Mo.
France	Nelson		

## NOT VOTING—27.

Brandegee	Gooding	New	Smith
Cummins	Hale	Owen	Stanfield
Edge	Johnson	Pepper	Stanley
Elkins	Jones, N. Mex.	Reed, Pa.	Sterling
Ernst	Kellogg	Shields	Underwood
Fernald	Kendrick	Shortridge	Weller
Gerry	Myers	Simmons	

The PRESIDING OFFICER. On the passage of the joint resolution the yeas are 63, the nays are 6. Two-thirds of the Senators present and voting having voted in the affirmative, the joint resolution is passed.

Mr. NORRIS. I move to amend the title by striking out the words "and providing for the election of President and Vice President by direct vote."

The PRESIDING OFFICER. The question is on the motion of the Senator from Nebraska to amend the title.

Mr. ASHURST. Mr. President, the joint resolution we have just passed reads as follows:

SECTION 1. That the terms of the President and Vice President of the United States elected after the adoption of this amendment shall commence at noon on the third Monday in January following their election.

SEC. 2. That the terms of Senators and Representatives elected after the adoption of this amendment shall commence at noon on the first Monday in January following their election.

SEC. 3. That the Congress shall assemble at least once in every year, and such meetings shall be on the first Monday in January, unless they shall by law appoint a different day.

It was my intention to offer an amendment to this proposed constitutional amendment so that hereafter upon all constitutional amendments a referendum should be had to the people of each State, but as the Committee on the Judiciary is now holding hearings upon that particular subject and doubtless will report a resolution to that purpose and effect, I shall be obliged to content myself by awaiting the action of that committee.

Mr. CARAWAY. Mr. President, I call attention to the fact that there is something new under the sun. This will be the first amendment ever submitted, if the joint resolution shall be agreed to by the House, that originated in the Committee on Agriculture and Forestry and not in the Committee on the Judiciary.

I introduced a concurrent resolution providing that Senators and Representatives who had been defeated or who had not stood for reelection should refrain from voting upon material legislation after the election and before the expiration of their terms. That resolution, of course, as everyone knew, rightfully belonged in the Committee on the Judiciary. I so announced it when I offered it, but asked unanimous consent that it be referred to the Committee on Agriculture and Forestry, and it went to that committee. A proposed constitutional amendment came back in its stead, striking out my resolution and incorporating a joint resolution proposing to amend the Constitution. I am glad it has passed. I want to utter a word of explanation.

I introduced the resolution, and I tried to say then, and I wish to repeat, that it was no expression of discourtesy or lack of confidence in the Members of the Senate and House who are about to retire. They are men of high character. But it was then known, and it is now known, that the principal administration measure before the Senate—the ship subsidy bill—could not be passed if the new Congress were permitted to vote upon the measure. The expiring Congress was called into extraordinary session in order to hasten that measure. And to emphasize that fact I introduced the resolution. I was conscious that Congress had no power to deprive a Representative or a Senator of his right to vote upon any measure that might be submitted to his branch of Congress during his term of office. The resolution did not seek to deprive him of it. It expressed the sense of the Congress that he should refrain from seeking to fasten upon the American people a measure the people in the recent election had repudiated. It emphasized that fact, and it hastened, I believe all will agree, the vote upon the proposed constitutional amendment. Without my resolution the Committee on Agriculture and Forestry could not have reported the joint resolution, and the Senate to-day could not have voted upon it.

I hope that it does more than that. I hope it will cause the administration to pause in its drive to fasten upon the American people during this Congress a measure which the President of these United States and every Member of the Senate knows would not be adopted if the Congress elected when that measure was before the people should be permitted to pass upon the question.

It seems to me there should be a sense of duty to the American people that ought to imbue public officials, the President

most of all, with a respect for what the people have declared is their wish.

We hear much about the mandate of the election of 1920 to keep out of Europe. They want to respect that mandate, and yet as to one held two years later touching a material domestic policy, the President has said he "hoped Congress would not regard an ill-considered public opinion expressed in the last election." In other words, "Disregard the wishes of the people whose representative you are, and listen to me. I have the power yet to reward you if you are unfaithful to the people and if you respect my wish as I have ascertained what my wish is through Mr. Lasker, the chairman of the Shipping Board."

I know there is not a man on the floor of the Senate who will not agree with me that if only Members who are to hold their commissions in the Sixty-eighth Congress should vote upon it the measure would not pass. If a unanimous-consent agreement should be submitted that only those who are to be Members of the Sixty-eighth Congress shall vote upon the ship subsidy, we might have a vote on that shipping bill before to-night. Now, why, then, should those who pretend they want the shipping bill and who contend that the people want it refuse to agree to that suggestion?

I want to say again that I am not questioning the high character of those who go out of the Senate. Those we lost on this side are as shining lights in the public councils of the Nation, and we shall be the poorer by their going. Those gentlemen on the other side who go out are men also of high character; I am not questioning that; but we have just recorded our conviction that the organic law ought to be so amended that hereafter no repudiated Congress may come back and fasten upon the people legislation that the people have tried to avoid.

Here, Mr. President, is what I wish to say: If the measure is of such transcendent importance that the organic law of this Nation should be amended so as to make such a situation impossible to happen in the future, is it not of such importance that we might respect it now? Shall we insist that the Constitution shall be amended to prevent a thing that we know is about to happen, and yet pay no attention to the evil we seek to cure? That is the question which I wish to emphasize. Mr. President, if the Constitution ought to be amended so that a repudiated Congress can not come back and legislate, why should we not respect the will of the people as recorded by a substantial majority on the 7th day of November last and lay aside the shipping bill? There would be no occasion to revive it, for the next Congress would not pass it. Why? Because the people elected that Congress with the issue before them, and the Members of that Congress will know the people oppose it.

Another thing, Mr. President: The very Senator—and I have very great respect for him—who is seeking to drive that measure through the Senate was the author of a shipping bill two years ago. He was just as certain then that he had solved the problem of an American merchant marine as he now is. The President of the United States, who was then a Senator, was sure that was the measure to solve the American shipping problem, and he made a speech in its favor. That bill provided that when commercial treaties and conventions were abrogated, we could discriminate in favor of American merchant ships in the transportation of products to be imported into this country and thereby assure an American merchant marine. Why does not the President, then, under that law do what that law required the President to do? When a Senator he voted for it. The law required the President to negotiate new commercial treaties and to denounce existing treaties. Then, why does not the President obey the law of the land, for which he himself voted, and denounce these commercial treaties and conventions and give us the possibility of establishing a merchant marine, as he said when he was a Senator two years ago it would insure an American merchant marine?

I think he might take counsel of his own wisdom when he was a Senator, for I think he showed a great deal more wisdom as a Senator than he has shown as the President of these United States. I think he was a very much better Senator than he has been a President. However, I think there were plenty of Senators here then who were as wise as was the President when he was a Senator; and I am not overly complimentary of the Senate, either. I do not want anybody to think I am indulging in flattery of the Senate.

Mr. President, I am going to call attention to this matter again shortly. I merely wish, while the Senate is so busy proposing to amend the Constitution or to facilitate its amendment in order to prevent happening in the future what they have the power to prevent happening right now, to see if they are as courageous to correct an evil which they have the power

to correct as they are now insistent that the Constitution shall be amended to prevent some other Senate from doing in the future.

Mr. FLETCHER. Mr. President, will the Senator from Arkansas yield to me?

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Florida?

Mr. CARAWAY. I yield.

Mr. FLETCHER. Speaking about the President's relation to the Senate, if we may at all judge by what the newspapers are stating, the President does not seem to have much respect for the Senate or the House of Representatives or this whole aggregation down here. In the News of yesterday—I do not know whether this is true or not but there must be something to it, because it has been carried in various newspapers, including a notice in the Washington Post of Sunday bearing on the same subject—there is this specific statement:

Harding foils "pork bill." Won't allow Weeks to spend money appropriated. President Harding, in an effort to prevent spending the \$30,000,000 appropriation for rivers and harbors, which, although not provided in the Budget, was attached to the Army appropriation bill, has ordered—

Has ordered—

Secretary Weeks to spend only the amount provided in the Budget.

The remainder, the appropriation of which raised a great cry of "pork," is to accrue in the Treasury.

Congressional leaders who have been expecting to see Harding bow regularly to their will are perplexed.

I do not know, of course, whether or not that is true; I am simply referring to it as having been stated in the press so emphatically that the President will assume to say to the Secretary of War what part of the appropriation which has been made by Congress shall be spent and what part shall not be spent.

Mr. CARAWAY. Oh, there is no question but the President said it. Of course, the President, as Senators know, will refine upon what he said until possibly we shall never know what he meant. The President has already explained what he said, but his explanation is as obscure as is the statement which he sought to explain. There is not any question but the President gave out an interview which all understood to be a declaration that he would substitute his own judgment for the expressed will of Congress and permit the expenditure of money in river and harbor improvements only on those projects which he himself should approve. I have an idea—and I do not mind "tipping off" my friends here—that if one has a project that he is particularly anxious about he would do well to vote for the British debt settlement and for the ship subsidy in order that he may stand well when he goes down to the department to have his river project approved by the President. I rather imagine that the President's statement is going to get some votes for the ship subsidy bill. I am rather inclined to suspect that the President hastened to give us that statement in advance of his having an opportunity to examine the Army appropriation bill, in which the river and harbor appropriations are carried, in order that he might influence the Congress into accepting his judgment.

Oh, Mr. President, the President said in his address to the joint meeting of the two Houses of Congress that we must hasten this British debt settlement; that in it was peace or war; that if we should approve it peace would smile upon the earth, while if we should disapprove it the shadow of war would hover over all the world. Nobody ever heard of it being a peace or war measure before; but the President, in his imagination, drew that picture, that in approving or disapproving it we were either voting for peace or war.

War threatens now, Mr. President; and yet, with this message of peace before the Senate, the President of these United States is not willing for that measure to be considered until the Congress shall record its submission to the President and to Mr. Lasker by voting for the shipping bill. Could it be possible that the President sincerely believes that the approval of the British debt settlement means peace or that its rejection means war, and is then willing to thrust the shipping program into the controversy and risk imperiling the peace of the world in order that he may enable Mr. Lasker to turn over the American fleet to his friends and business associates? That is the logic of his position.

Mr. McKELLAR. Mr. President, I desire at this time to place in the Record a statement relative to the subject of the speech just made by the Senator from Arkansas [Mr. CARAWAY]. I read from to-day's New York World an editorial headed "Mr. Harding's Gamble":

Last Wednesday Mr. Harding told Congress that the British debt settlement is "a recommitment of the English-speaking world to the validity of contract"; that "it is in effect a plight against war and war expenditures"; that "it is a covenant of peace and recuperation"; that it is "a covenant of peace no less effective than it

would be if joint British and American opposition to war were expressly agreed on."

To make sure that he was placing sufficient emphasis on the supreme importance of this transaction, the President further informed Congress that "the failure of the British undertaking would have spread political and economic discouragement throughout the world and general repudiation would have likely followed in its wake."

It is now evident that the earnestness that Mr. Harding displayed in his address to Congress was sheer affectation. He did not believe what he said. No sooner did the Senate take steps to insure an early vote on the debt settlement than the President intervened. He objects to having his ship-subsidy bill displaced on the calendar. He insists that it must be pressed to a vote and the debt settlement must wait. When he talks to Congress the debt settlement is vital. When he talks with the Republican leaders the subsidy must have the right of way.

Nobody has ever satisfactorily analyzed Mr. Harding's mental processes, and it is unlikely that anybody ever will. There are no data on which to arrive at an understanding of a President who describes the British debt settlement as "a covenant of peace" and then promptly drags a discredited ship-subsidy bill across the trail.

If Mr. Harding had believed the assertions that he made in his address he would have unhesitatingly sacrificed a score of ship-subsidy bills in order to get the immediate acquiescence of the Senate to the British debt settlement. He would have regarded everything else as so trivial in comparison that he would have permitted nothing to stand in the way. What he actually does, however, is to push his ship-subsidy legislation ahead of the debt settlement and gamble against a parliamentary deadlock.

Mr. Harding's infatuation for a ship subsidy is quite beyond explanation. It excludes everything else from his thoughts. He called Congress back into special session in November to pass it and learned nothing whatever from his failure. He is still confident that somehow and in some way the lame ducks in the Senate who are now dependent on him for further emoluments of office will manage to push it through for him, and the Treasury will be committed for the next 15 years to hundreds of millions of expenditure for the enrichment of favored interests.

The fact that the November elections disclosed no sentiment in favor of the subsidy and a very aggressive sentiment against it only increases the President's determination. He has his packed jury of defeated Republican Senators now; he will have no packed jury after March 4, and so he bends all his energies to the task of obtaining a verdict from a jury that has no moral right to sit in the case. What would Mr. Harding have said as Senator if Mr. Wilson had ever been guilty of such astounding folly?

Mr. President, I commend this editorial to all Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nebraska to amend the title of the joint resolution.

Mr. NORRIS. Mr. President, I wish to modify my motion by not only striking out the words "and providing for the election of President and Vice President by direct vote" but by inserting in lieu of the words stricken out the words "and fixing the time of the assembling of Congress." May I suggest to Senators I hope they will not debate the motion I have made, because at 1 o'clock the joint resolution, although we have passed it, will go to the calendar? There can be no objection, of course, to amending the title.

The PRESIDING OFFICER. The question is on the motion of the Senator from Nebraska to amend the title of the joint resolution as he suggests.

The motion was agreed to.

#### WORLD WAR FOREIGN DEBT SETTLEMENT.

Mr. McCUMBER. I ask unanimous consent that the Senate proceed to the consideration of the foreign debt funding bill, being House bill 14254.

The PRESIDING OFFICER. The Senator from North Dakota asks unanimous consent that the Senate proceed to the consideration of House bill 14254. Is there objection?

Mr. KING. Mr. President, I should like to inquire of the Senator from North Dakota whether it is his purpose when the hour of 1 o'clock arrives to insist upon continuing the consideration of the measure which he seeks to have laid before the Senate?

Mr. McCUMBER. I would be glad if that could be done, but that, of course, is subject to the will of the Senate itself.

Mr. SMOOT. I can say to the Senator that there will be a request for unanimous consent that the unfinished business shall be temporarily laid aside in order that the debt funding bill may be continued to be discussed.

Mr. KING. Why not make a motion at 1 o'clock to that effect?

Mr. SMOOT. Such a motion can not be made now.

Mr. KING. Why not make a motion at that time to consider the debt funding bill and to supersede the subsidy bill so as to give the debt funding bill the right of way?

Mr. LODGE. That motion can not be made now.

The PRESIDING OFFICER. The Chair will state to the Senator from Utah that such a motion can not be entertained now.

Mr. KING. Of course it may not be entertained now, but I was seeking to anticipate what our friends upon the other side will do when 1 o'clock arrives.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Dakota?

Mr. KING. I will not object, but I hope the motion will be made at 1 o'clock to proceed with the consideration of the debt funding bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 14254) to amend the act entitled "An act to create a commission authorized under certain conditions to refund or convert obligations of foreign governments held by the United States of America, and for other purposes," approved February 9, 1922, which had been reported from the Committee on Finance with an amendment.

Mr. McCUMBER. Mr. President, I ask unanimous consent that the formal reading of the bill may be dispensed with and that the bill may be read for amendment, the committee amendments to be first considered.

The PRESIDING OFFICER. Is there objection?

Mr. KING. With the understanding that the text of the bill shall be read for committee amendments, I have no objection.

The PRESIDING OFFICER. The Chair hears no objection, and it is so ordered.

Mr. McCUMBER. Mr. President, let me say to the Senate that I have prepared a short statement of justification for the action of the commission which will require about a half hour. I want to complete the statement, if I may be allowed to do so without interruption, lest at the end of that time we might take up another bill.

Mr. HITCHCOCK. Mr. President, I suggest the absence of a quorum. We ought to take up this matter with a good attendance.

The PRESIDING OFFICER. The Secretary will call the roll.

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

Ashurst	George	McCumber	Sheppard
Bayard	Gerry	McKellar	Shields
Borah	Gooding	McKinley	Smith
Brookhart	Harris	McNary	Smoot
Broussard	Harrison	Moses	Spencer
Bursum	Heflin	Nelson	Stanfield
Cameron	Hitchcock	New	Swanson
Capper	Jones, Wash.	Nicholson	Townsend
Coff	Kellogg	Norbeck	Trammell
Cozens	Keyes	Norris	Wadsworth
Cuberson	King	Oddie	Walsh, Mont.
Curtis	Ladd	Overman	Warren
Dial	La Follette	Pittman	Watson
Dillingham	Lenroot	Ransdell	Willis
Fletcher	Lodge	Reed, Mo.	
Frelinghuysen	McCormick	Robinson	

The PRESIDING OFFICER. Sixty-two Senators having answered to their names, there is a quorum present.

Mr. McCUMBER. Mr. President, I desire to present my justification of the bill before the Senate in the fewest possible words and in as logical a manner as I may be able to present it; and I therefore ask that I may proceed without interruption until I have completed the statement.

Mr. President, the most momentous question ever presented to the American people since the Civil War was that presented on the 6th day of April, 1917. On that day, by an overwhelming vote, both branches of Congress declared that instead of continuing to reap the immense benefits in treasure that were pouring into our coffers from the struggling, bleeding belligerents in that terrible conflict we should ourselves enter the war and expend both our blood and our treasure. That decision has cost us, I think, more than forty billions of dollars, twenty-three billions of which is still represented by bonded indebtedness.

Second in importance to that declaration of war is the bill now before the Senate to validate a settlement between the commissioners of this country and those of Great Britain, which funds an indebtedness of over four and a half billions of dollars and assures the payment of both principal and interest, which, if not sooner liquidated, will by the end of the period given for redemption amount to more than \$11,000,000,000.

This first settlement of foreign indebtedness due the United States is important in bringing into our Treasury the interest due us from Great Britain, the principal debtor nation, not only in that it will exercise a tremendous influence in the stabilizing of world conditions but that it will be a lesson, if not an inspiration, to other debtor nations to come forward and set the seal of national approval upon their several debts and thereby in the end secure the liquidation of every dollar of indebtedness due us.

Mr. President, national repudiation of international obligations is the greatest blow to civilization that any country on the face of the earth at the present time, when all conditions are so uncertain and so chaotic, could give to a bewildered world. When national honor and integrity can no longer be

relied upon, to what haven of safety is it possible for the individual to turn?

The greatest help any nation could give to civilization and to financial and economic stability to-day would be to acknowledge and fund its indebtedness; and, Mr. President, may I add right here that the greatest assistance which the United States, the creditor nation of the world, could bestow upon the present distracted world would be to recognize the dire distress of her debtors and show them the utmost leniency in the matter of maturity and rate of interest, bringing the settlement with each debtor nation within the ability of such nation to meet, recognizing that its budget must necessarily first provide for its national life.

LAW AUTHORIZING COMMISSION.

Mr. President, when the matter of creating a commission to settle our foreign credits was before the Committee on Finance the Secretary of the Treasury and the President, realizing the financial and economic conditions then prevailing in Europe, asked that the commission to be created be given such discretion in the matter of rates of interest and time of payment as would enable it to make settlement with each one of the debtor nations according to the special situation of such nation. I most earnestly concurred in that view. The majority of the committee, however, took the position that we should give no such unbounded power to the commission. The real reason which seemed to pervade the minds of the majority of the committee was not that any nation could proceed forthwith to pay interest upon its obligations and could provide for the payment within 25 years but, by thus declaring by law, it would be necessary for the commission to bring each settlement with each country before Congress for its acceptance; and, Mr. President, this has been the effect and result of that law. This is why it is necessary to have congressional approval of the settlement made by the commission.

By the law enacted on February 9, 1922, it was provided "that nothing contained in this act shall be construed to authorize or empower the commission to extend the time of maturity of any such bonds or other obligations due the United States of America by any foreign government beyond June 15, 1947, or to fix the rate of interest at less than 4 1/2 per cent per annum."

The commission finding it impossible to refund the British obligations on that basis, and taking into consideration the financial and economic conditions of Great Britain at the present time, agreed to a settlement as follows:

Interest on all obligations of Great Britain was computed at 4 1/2 per cent per annum up to the 15th day of December, 1922. This accrued interest was added to the principal. Then there were deducted therefrom two payments made by Great Britain aggregating \$100,000,000, with like interest up to December 15, 1922. This left a total indebtedness due from Great Britain to the United States on that date of \$4,604,128,085.74. Of this sum \$4,128,085.74 was to be paid in cash, leaving a balance of \$4,600,000,000 of principal, for which the British Government is to give its bonds, the principal to be paid in installments on a fixed schedule, the installments to increase with due regularity during the life of the bonds, which may run for a period of 62 years, the interest rate to be 3 per cent for the first 10 years and 3 1/2 per cent thereafter. The first year's installment on principal will be \$23,000,000. If the payments run the full 62 years, the last installment will be \$175,000,000.

I ask here to insert a table which will show the annual installments during the full period of time. Of course, provision is made for payment before due.

There being no objection, the table was ordered to be printed in the Record, as follows:

Statement of amounts payable to the United States on account of the proposed refunding bonds to be issued by Great Britain.

Year.	Principal.	Schedule of annual interest installments to be paid by British Government on refunding bonds at rate of 3 per cent for first 10 years, 3 1/2 per cent until final payment.	Schedule of annual principal installments to be paid on account of principal.	Total annual payments.
1.....	\$4,600,000,000	\$138,000,000	\$23,000,000	\$161,000,000
2.....	4,577,000,000	137,310,000	23,000,000	160,310,000
3.....	4,554,000,000	136,620,000	24,000,000	160,620,000
4.....	4,530,000,000	135,900,000	25,000,000	160,900,000
5.....	4,505,000,000	135,150,000	25,000,000	160,150,000
6.....	4,480,000,000	134,400,000	27,000,000	161,400,000



Statement of amounts payable to the United States on account of the proposed refunding bonds to be issued by Great Britain—Cont'd.

Year.	Principal.	Schedule of annual interest installments to be paid by British Government on refunding bonds at rate of 3 per cent for first 10 years, 3 1/2 per cent until final payment.	Schedule of annual principal installments to be paid on account of principal.	Total annual payments.
7.....	\$4,458,000,000	\$133,590,000	\$27,000,000	\$160,590,000
8.....	4,426,000,000	132,780,000	28,000,000	160,780,000
9.....	4,398,000,000	131,940,000	28,000,000	159,940,000
10.....	4,370,000,000	131,100,000	30,000,000	161,100,000
11.....	4,340,000,000	151,900,000	32,000,000	183,900,000
12.....	4,308,000,000	150,780,000	32,000,000	182,780,000
13.....	4,276,000,000	149,660,000	32,000,000	181,660,000
14.....	4,244,000,000	148,540,000	32,000,000	180,540,000
15.....	4,212,000,000	147,420,000	37,000,000	184,420,000
16.....	4,175,000,000	146,125,000	37,000,000	183,125,000
17.....	4,138,000,000	144,830,000	37,000,000	181,830,000
18.....	4,101,000,000	143,535,000	42,000,000	185,535,000
19.....	4,063,000,000	142,065,000	42,000,000	184,065,000
20.....	4,027,000,000	140,595,000	42,000,000	182,595,000
21.....	3,975,000,000	139,125,000	42,000,000	181,125,000
22.....	3,933,000,000	137,655,000	46,000,000	183,655,000
23.....	3,887,000,000	136,045,000	46,000,000	182,045,000
24.....	3,841,000,000	134,435,000	46,000,000	180,435,000
25.....	3,795,000,000	132,825,000	51,000,000	183,825,000
26.....	3,744,000,000	131,040,000	51,000,000	182,040,000
27.....	3,693,000,000	129,255,000	51,000,000	180,255,000
28.....	3,642,000,000	127,470,000	53,000,000	180,470,000
29.....	3,589,000,000	125,615,000	55,000,000	180,615,000
30.....	3,534,000,000	123,690,000	57,000,000	180,690,000
31.....	3,477,000,000	121,695,000	60,000,000	181,695,000
32.....	3,417,000,000	119,595,000	64,000,000	183,595,000
33.....	3,353,000,000	117,355,000	64,000,000	181,355,000
34.....	3,289,000,000	115,115,000	64,000,000	179,115,000
35.....	3,225,000,000	112,875,000	67,000,000	179,875,000
36.....	3,158,000,000	110,530,000	70,000,000	180,530,000
37.....	3,088,000,000	108,080,000	72,000,000	180,080,000
38.....	3,016,000,000	105,560,000	74,000,000	179,560,000
39.....	2,942,000,000	102,970,000	78,000,000	180,970,000
40.....	2,864,000,000	100,240,000	78,000,000	178,240,000
41.....	2,786,000,000	97,510,000	83,000,000	180,510,000
42.....	2,703,000,000	94,605,000	85,000,000	179,605,000
43.....	2,618,000,000	91,630,000	89,000,000	180,630,000
44.....	2,529,000,000	88,515,000	94,000,000	182,515,000
45.....	2,435,000,000	85,225,000	95,000,000	181,225,000
46.....	2,339,000,000	81,865,000	100,000,000	181,865,000
47.....	2,229,000,000	78,365,000	105,000,000	183,365,000
48.....	2,134,000,000	74,690,000	110,000,000	184,690,000
49.....	2,024,000,000	70,840,000	114,000,000	184,840,000
50.....	1,910,000,000	66,850,000	119,000,000	185,850,000
51.....	1,791,000,000	62,685,000	123,000,000	185,685,000
52.....	1,668,000,000	58,380,000	127,000,000	185,380,000
53.....	1,541,000,000	53,935,000	132,000,000	185,935,000
54.....	1,409,000,000	49,315,000	136,000,000	185,315,000
55.....	1,273,000,000	44,555,000	141,000,000	185,555,000
56.....	1,132,000,000	39,620,000	146,000,000	185,620,000
57.....	986,000,000	34,510,000	151,000,000	185,510,000
58.....	855,000,000	29,225,000	156,000,000	185,225,000
59.....	679,000,000	23,765,000	162,000,000	185,765,000
60.....	517,000,000	18,095,000	167,000,000	185,095,000
61.....	350,000,000	12,250,000	175,000,000	187,250,000
62.....	175,000,000	6,125,000	175,000,000	181,125,000
Total.....	6,505,965,000	4,600,000,000	11,105,965,000	

REASONS FOR EXTENDING TIME OF PAYMENT AND REDUCING INTEREST.

Mr. McCUMBER. Eliminating from our consideration every element of leniency which would influence a humane creditor in dealing with a hard-pressed debtor, it may be said that these were the very best terms that could be secured by the commission. They could either allow the indebtedness to remain in statu quo with no agreed date at which principal or interest would be paid, or they could accept a proposition that would immediately begin to bring into the Treasury of the United States interest upon the full obligation at a good, fair rate and assure the payment of the principal in ever-increasing amounts until the same should be fully liquidated. We all know that when a country like Great Britain executes her bonds with interest payable at specified times, and which interest becomes a component part of the budget of that nation, she is going to meet it and meet it promptly, as every great nation must meet its obligations.

The interest charges agreed upon are fully up to and somewhat beyond the rates generally carried in long-time interest-bearing obligations of the great countries of the world.

Of course, being the creditor nation and having a large debt already due and unpaid, we had the power to say to the British nation, "We will not extend this debt unless we have at least 4 1/2 per cent interest." We, of course, could have said

that, but we could not have gotten a settlement upon that basis. The debtor Government came forward and said to us, "We will pay you every cent that we have borrowed. We will pay you as high a rate of interest or a higher rate than we have ever in times of peace paid on long-time obligations. All we ask of you is that you will give us such time and such rates of interest as will, with our taxing power already pressed to nearly the utmost that our people can possibly bear, enable us to meet the obligations and meet them promptly."

We might have demanded the "pound of flesh," but it would have been a demand only. We are not going to war with any people, we are not going to attempt to enslave a people, to collect a debt. We are not going to imitate the Ruhr invasion to enforce a financial obligation.

And right here, and as bearing directly upon the rate of interest we ought to charge, let us not forget this most important element of the loan we are by this act funding. We did not place the \$4,000,000,000 loaned to Great Britain in her hands and tell her to buy her goods where she could buy them the cheapest. We said, "We will give you a credit of \$4,000,000,000 provided you will purchase the articles you shall need in this war from our merchants and manufacturers."

Not a dollar of this loan was paid in cash. It was all spent in the purchase of goods in the United States. These goods were purchased at enormous prices, giving enormous profits to our people. Not only was this \$4,000,000,000 thus expended, but in addition thereto Great Britain paid in cash another \$3,000,000,000 for like purchases, making a total of \$7,000,000,000, on all of which we realized very great profits. The Government in turn said to our people concerning most of these purchases, "We will allow you any profits you may demand for the sale of your goods to foreign countries, but we will compel you to divide those immense profits with the Government under the provisions of our income, normal and surtax, our excise, profits, and excess profits tax laws." And so a very large part of this so-called loan of money, which was a mere credit, came back into the American Treasury and enabled us to become thereby the creditor nation of the world.

Recalling these immense profits to our people, and remembering the many hundreds of millions of dollars out of these profits which immediately went back into the Treasury of the United States, I say that we not only can with good grace, but in my opinion we should be most lenient in the matter of interest rates and time of payment of the principal.

ECONOMIC CONDITION OF GREAT BRITAIN.

Neither ought we at this time to fail to take cognizance of the economic condition of our debtors. A published statement but a very short time ago coming from Mr. Law himself, as I remember, was to the effect that Great Britain is now paying out \$500,000,000 a year to support her unemployed hundreds of thousands. That of itself speaks of an economic distress that no words can adequately pen.

Neither should we forget the terrible consequences of this war to the British Empire and especially to the United Kingdom of Great Britain and Ireland. Hers are to-day the most heavily taxed people on the face of the earth. Nearly 1,000,000 of the manhood of the country are either sleeping under the poppies of Flanders, the lilies of France, or under the waves of the ocean. Add to that, say, double the number in maimed and dependent, and we begin to realize the heavy burden which that country must bear for many years. Her losses in ships during that war were 2,479 in number, and of a tonnage of nearly 8,000,000. The value of the ships lost with cargoes was probably not less than \$4,000,000,000. Prior to the war, while her imports vastly exceeded her exports, she was able by reason of her great carrying trade on the ocean and her income from foreign investments to balance her ledger of income and expense. With lessened tonnage in ships, with vastly lessened commerce to carry, and her foreign securities sold to meet the expenses of this war, her situation is necessarily most burdensome.

When the matter of the settlement of our foreign indebtedness was under consideration a year ago, I presented certain tables to show the situation of our principal debtors. As these tables are substantially correct to-day I shall present them again.

The first table which I shall present is one showing the principal and interest owing by Great Britain, France, Italy, and Belgium to the United States. The amounts shown are as of the last interest-paying date prior to the time the table was made.

The table is as follows:

*Principal and interest owing by Great Britain, France, Italy, and Belgium to the United States.*

Great Britain:		
Principal	\$4,166,318,358.44	
Interest	509,173,742.89	\$4,675,492,101.33
France:		
Principal	3,358,104,083.20	
Interest	358,410,444.27	3,716,514,527.47
Italy:		
Principal	1,648,034,050.90	
Interest	202,279,732.07	1,850,313,782.97
Belgium:		
Principal	377,564,298.77	
Interest	42,699,698.78	420,263,997.55
Total amount due from above four debtor nations:		
Principal	9,550,020,791.31	
Interest	1,112,563,618.01	10,662,584,409.32
Total due from all other nations:		
Principal	600,380,514.18	
Interest	66,316,307.87	666,696,822.05

Percentage of total indebtedness owing to the United States by Great Britain, France, Italy, and Belgium	94.1
Percentage of total indebtedness owing by all other nations	5.9

I desire to follow this with another table showing the foreign obligations in addition to the obligations from loans made for the purpose of carrying on the war, as follows:

**FOREIGN OBLIGATIONS.**

The Treasury holds \$10,150,401,305.49 of obligations of foreign Governments, distributed as follows:

*Obligations of foreign Governments.*

Held for advances made under the various Liberty bond acts	\$9,434,774,829.24
Received from the Secretary of War and from the Secretary of the Navy on account of sales of surplus war materials (act of July 9, 1918)	574,673,710.21
Received from the American Relief Administration (act of Feb. 25, 1919)	84,093,963.55
Held by the United States Grain Corporation (act of Mar. 30, 1920)	56,858,802.49
<b>Total</b>	<b>10,150,401,305.49</b>

The interest accrued and unpaid up to and including the last interest period upon the obligations of foreign Governments and so-called governments held by the United States amounts to \$1,178,879,925.88, and the amount of interest heretofore paid on such obligations is \$478,833,632.99.

Mr. NORRIS. Mr. President, I wish the Senator would explain a little more clearly just what the second table is.

Mr. McCUMBER. The second table covers those amounts received from the American Relief Administration and from the Grain Corporation.

As shown in the first table, the principal credit we gave to Great Britain for which she purchased goods in this country was \$4,166,318,358.44. It might be well to indicate what Great Britain was doing for her allies while we were giving her this credit, and I therefore insert a table showing loans made by Great Britain up to March 31, 1921, only suggesting that while some of the payments were not made until after the war, they were for obligations that were included during the war. The table is as follows:

*Loans to allies and Dominions by Great Britain, March 31, 1921.*  
[Converted at 4.86.]

Dominions:		
Australia	\$437,400,000	
New Zealand	143,856,000	
Canada	67,068,000	
South Africa	36,450,000	
Other Dominions and colonies	15,066,000	\$699,840,000
Allies:		
Russia	2,728,404,000	
France	2,707,020,000	
Italy	2,317,248,000	
Belgium—		
(a) War	458,784,000	
(b) Reconstruction	43,740,000	
Serbia	107,406,000	
Portugal, Rumania, Greece, and other allies	321,732,000	
Relief	81,162,000	8,765,496,000
<b>Total</b>		<b>9,465,336,000</b>

No information as to the rate of interest charged on the above loans.

It will thus be seen that while we were lending to Great Britain \$4,166,000,000, Great Britain was lending to her allies \$9,465,000,000, or practically two and one-fourth times more than we loaned her. And it ought to be borne in mind right here that while Great Britain has come forward and offered to give

her bonds and cash for the \$4,675,000,000 and interest which has accrued since the table was made, whereby her entire indebtedness will be made to us as good as gold, she does not expect to receive any material amount from the more than \$10,000,000,000 now due her from her allies. She has, so far as I am informed, not received a single cent of interest, and I notice by the press reports that proposals are now made to remit the whole indebtedness.

It might be well also, Mr. President, to include in this statement a table showing the loans to foreign Governments by France. This includes all loans made up to June 30, 1921. I insert the table and simply call attention to the fact that the total amount is \$2,717,888,500. The table is as follows:

*Loans to foreign Governments by France as of June 30, 1921.*

[Converted at 5.18.]	
Belgium	\$584,300,000
Czechoslovakia	106,000,000
Estonia	2,222,000
Georgia	38,500
Greece	177,200,000
Italy	9,450,000
Latvia	2,220,000
Lithuania	1,158,000
Montenegro	2,500,000
Poland	208,800,000
Rumania	213,000,000
Russia	1,111,000,000
Serbia	300,000,000
<b>Total</b>	<b>2,717,888,500</b>

No interest rate has been agreed upon and no interest is being paid.

I think we need but one more table to show the status of our principal debtors as compared with our own and which may well appeal to our sense of justice and fairness. I insert a table showing the national debt, the population, and the per capita indebtedness of the United Kingdom, France, United States, and Italy, as follows:

*National debts, population, and per capita indebtedness of the United Kingdom, France, United States, and Italy.*

National debts (converted at normal pre-war value of the respective currencies):	
United Kingdom	\$37,910,000,000
France	51,000,000,000
United States	23,922,000,000
Italy	18,650,000,000
Population:	
United Kingdom	46,089,000
France	41,476,000
United States	105,683,000
Italy	36,740,000

Per capita indebtedness:	
United Kingdom	
France	\$1,229.62
United States	
Italy	507.62

I wish simply to call attention to the fact that with only one-third of the population of the United States, the United Kingdom of Great Britain and Ireland has an indebtedness of approximately \$38,000,000,000, while that of the United States, with three times the population of the United Kingdom, is something less than \$23,000,000,000.

Mr. POMERENE. Mr. President—

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

Mr. McCUMBER. I yield.

Mr. POMERENE. I ask the Senator whether the \$38,000,000,000 included the indebtedness of the British colonies as well?

Mr. McCUMBER. No. It, however, includes the money loaned by her to the British colonies.

Mr. REED of Missouri. Mr. President, may I ask the Senator a question?

Mr. McCUMBER. Certainly.

Mr. REED of Missouri. The per capita indebtedness, as figured upon the population of the British Isles, takes no account of all the other vast population of the British Empire?

Mr. McCUMBER. That is true, because the indebtedness which I have mentioned is an indebtedness of the British Government; that is, the United Kingdom of Great Britain and Ireland are the principals. They have no authority to levy a tax upon Canada, Australia, New South Wales, or any of the other Dominions.

Mr. POMERENE. I am not quite sure that I understand the Senator's position. Canada, for instance, has a certain bonded indebtedness growing out of the war.

Mr. McCUMBER. Canada has a still further indebtedness than this. I am not mentioning that. The British indebtedness does not include the indebtedness that Canada owes. It simply includes the loans that were made by Great Britain to Canada, Australia, and so forth.

Mr. POMERENE. And neither does it include, I dare say, the indebtedness of New Zealand or Australia.

Mr. McCUMBER. It does not.

Mr. POMERENE. Or any of the colonies?

Mr. McCUMBER. It does not include the indebtedness of any of the colonies. Their indebtedness is in addition to that of the United Kingdom.

While this table shows the per capita indebtedness of the United Kingdom as \$822.54, I am informed that it is to-day more than a thousand dollars per capita, while that of the United States is but \$226.35 per capita. And what I have said with reference to Great Britain applies with still greater force to France, where the per capita indebtedness is even much larger.

It seems to me, Mr. President, that when we take all of these things into consideration we must admit that the commission has exacted everything that it could in conscience have asked of the other country. I am not unaware of the criticism that is made that the bonds representing the credits which I have mentioned should bear the same rate of interest and become due at the same time as our Liberty bonds. The first answer to this is that the condition of each particular creditor nation is such that it is impossible to fulfill that understanding. We must remember, however, that up to the present time we have computed interest on the whole sum due from Great Britain at 4½ per cent, which is greater than the rate of interest of the first Liberty bonds, greater than one of the other issues, and somewhat less than two of the issues; so that up to the present time the charges are about the same as our Liberty-bond interest.

Beginning then with December 15, 1922, we are charging a lower rate of interest than that carried by some of our Liberty bonds. The rate is 3½ per cent, or three-fourths of 1 per cent lower than the 4½ per cent carried by our Liberty bonds.

But let us not forget that in the year 1927, four years from now, we can, and in all probability will, retire all of our second Liberty loan bonds, amounting to \$3,268,430,450, issuing in lieu thereof bonds bearing 3 per cent, or a half of 1 per cent lower than the long-time British bonds.

Again, in 1928 we have the privilege of paying the third Liberty loan bonds of \$3,439,837,750. I believe we shall be able to substitute for these bonds new ones bearing a 3 per cent interest rate. The sum of these two loans, which can be replaced in a very few years by bonds bearing a 3 per cent rate of interest, is greater than the entire British indebtedness, which will, after 10 years, carry a half per cent higher rate of interest than our own bonds.

Again, the fourth Liberty loan bonds, amounting to \$6,329,957,850, can all be paid off in 1933 by the issuance of new bonds bearing a like rate of 3 per cent interest.

Thus, Mr. President, in reality will vanish the claim that we shall lose vast sums due to the fact that our Liberty loans at present carry a rate of 4½ per cent interest.

In my judgment, 10 years from now all of our bonds will be carrying a less rate of interest by one-half per cent than those British bonds which will for 52 years longer be carrying a rate of 3½ per cent.

So the claim that in the 62 years, at the rate of interest we are charging our debtors, our people will lose a billion dollars or more is based upon the entirely unwarranted assumption that our indebtedness will all continue to bear the war rate of interest and bear it for 62 years. We all know that that will never happen. We are certain that our Liberty loans, bearing a higher rate than 3 or 3½ per cent, will be taken up and new bonds issued therefore the moment our right to pay them accrues.

Mr. President, much has been said during the past four years as to the great wealth acquired by some of these debtor nations in accepting mandates over what were once the colonial possessions of the vanquished nations, but I find nothing either in the treaty of Versailles or in any subsequent act providing for the annexation of any of the former German or Turkish possessions to any other country. Much of the territory wrested from the enemy is as worthless as the desert of Sahara, but whatever its intrinsic value, it is held by the different countries under mandates which bind the mandatory power to assure equality of right to every other country in the world; and, so far at least, the mandates have imposed heavy expenses upon the mandatory powers in policing and otherwise protecting the mandated territory, and all of those territories are to-day, I think, a liability rather than an asset.

So, also, I know of no authority of any nation to transfer title to a single foot of these old colonial possessions of the enemy.

Mr. President, so far as we are concerned, we have now on our hands about all the color-line problems that we care to assume. What we want is cash, the payment of our claims and

the interest thereon; and this bill assures the payment of the major part of that indebtedness and all that is owing by the principal country, with good interest—very good interest as measured by the usual interest charges on bonds of great countries in times of peace.

Mr. President, the senior Senator from Utah [Mr. SMOOT] was one of the members of the commission which made this debt settlement. I have no doubt that there are many questions which will be asked concerning what took place in the sessions of the commission and the reasons which guided the commission in agreeing to the terms which I have presented. I therefore ask that the Senator from Utah kindly take charge of the bill for the reasons which I have given.

During the delivery of Mr. McCUMBER'S speech,

The PRESIDING OFFICER. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The ASSISTANT SECRETARY. A bill (H. R. 12817) to amend and supplement the merchant marine act, 1920, and for other purposes.

Mr. JONES of Washington. I ask unanimous consent that the unfinished business may be temporarily laid aside.

Mr. KING. Mr. President—

Mr. McCUMBER. I hope the request will be granted, and that after I have completed my remarks we can take up the question as to whether the laying aside temporarily shall or shall not become permanent for the day.

Mr. KING. Of course, a request from the distinguished Senator from North Dakota under ordinary circumstances is a command, so far as I am concerned, but, much as I should be glad to accede to his request at this time, I feel constrained to object to the request submitted by the Senator from Washington.

Mr. JONES of Washington. I move that the Senate proceed to the consideration of House bill 14254, the British debt funding bill.

Mr. McCUMBER. Just a moment before that motion is put.

Mr. KING. I am very glad the Senator from Washington has made the motion.

Mr. McCUMBER. I understand the Senator from Missouri [Mr. REED], who has just returned to the Senate, desires to have the matter go over to-day, and I hope the Senator from Washington and the junior Senator from Utah, in accordance with that wish, will allow me to complete my remarks and then let the bill go over at least for the day.

Mr. KING. May I say to my friend from North Dakota that if the motion submitted by the Senator from Washington, which is one that I was going to make myself, shall prevail, then the debt bill, which is so important that the President felt that he should come before the Congress and recommend its immediate consideration, will be before the Senate. The Senator then may proceed with his remarks and may take all the rest of the afternoon, and I am sure we shall be delighted to hear him.

Mr. JONES of Washington. Let me say in answer to the suggestion of the Senator from Utah that I think I have been rather decent in connection with the handling of the shipping bill. I recognize the importance of the debt bill, and I am not disposed to hinder or delay its passage. Under the unanimous-consent request which I submitted I was perfectly willing to go on to-day and to-morrow with the debt bill and possibly dispose of it.

I do not know what advantage the Senator from Utah seems to think he might get by moving to take up the debt funding bill. Of course, if we have the votes to take up the shipping bill when the debt bill is disposed of, we can take it up by motion, but it has not been the usual practice to do that. It has been the almost uniform custom in the Senate, as a matter of courtesy, if the Senator in charge of the bill asks to temporarily lay it aside, that it is laid aside for the consideration of other matters. I had hoped the Senator from Utah would permit that to be done in this case, but if he does not desire to do it, I am perfectly willing to have the motion to proceed to the consideration of the debt bill acted upon by the Senate and take up that bill and dispose of it.

The PRESIDING OFFICER. The Chair understands the junior Senator from Utah to object to the unanimous-consent request of the Senator from Washington and that the Senator from Washington has moved that the Senate proceed to the consideration of House bill 14254.

Mr. KING. I accede to that motion, and I hope the Senator will vote affirmatively to displace the ship subsidy bill and proceed to the consideration of this very important measure, which the President of the United States regarded as so im-

portant that he felt it necessary to come and address the Congress in respect to the same. So I am ready for a vote.

Mr. JONES of Washington. Very well.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14254) to amend the act entitled "An act to create a commission authorized under certain conditions to refund or convert obligations of foreign governments held by the United States of America, and for other purposes," approved February 9, 1922.

Mr. JONES of Washington. I merely wish to express the hope now that the Senate will proceed to consider the debt bill until it is finally disposed of.

After the conclusion of Mr. McCUMBER's speech.

Mr. HARRIS. Mr. President, I offer the amendment to the pending bill which I send to the desk, and I ask that it may be read by the Secretary.

The PRESIDING OFFICER. The Secretary will state the amendment proposed by the Senator from Georgia, and it will be printed and lie on the table.

The ASSISTANT SECRETARY. On page 3 it is proposed to insert the following new sections:

SEC. 2. That the first section of the act entitled "An act to create a commission authorized under certain conditions to refund or convert obligations of foreign governments held by the United States of America, and for other purposes," approved February 9, 1922, is amended to read as follows:

"That a World War Foreign Debt Commission is hereby created consisting of eight members, one of whom shall be the Secretary of the Treasury, who shall serve as chairman, and seven of whom shall be appointed by the President, by and with the advice and consent of the Senate. Not more than four members so appointed shall be from the same political party."

SEC. 3. That the provisions of section 2 of this act shall not affect the tenure of office of any person who is a member of the World War Foreign Debt Commission at the time this act takes effect.

Mr. POMERENE. Mr. President, I desire to ask the Senator from North Dakota a question, if I may.

Mr. McCUMBER. I shall be glad to answer any question.

Mr. POMERENE. In the presentation of this subject to the Senate the chairman of the Committee on Finance has referred to the fact that the rate of interest to be paid on bonds which are to be given to us by Great Britain is less than the rate of interest which we are now paying on our bonds. The Senator also called attention to the fact that several of our issues of bonds mature at a comparatively early date, which, of course, would enable our Government to refund those bonds if we are not prepared to pay them. The question I had in mind was this: Did not the Senator from North Dakota understand that when the dates of maturity of these several issues of bonds were fixed it was the belief then not only of the executive branch of the Government but of the Congress of the United States that after the World War had been concluded and world conditions became normal we could certainly refund those bonds at a very much less rate of interest than we were paying on the short-time bonds?

Mr. McCUMBER. I think that was expected, and I think a fair construction of the law would be that if we refunded those bonds at a less rate of interest, as well as if we were compelled to refund at a greater rate, the debtor nations should have the advantage in the one instance and in the other should be bound by whatever interest we had to pay.

Mr. POMERENE. Mr. President, I merely wished to bring that out a little more fully, because I was perfectly clear that that would be the answer which the Senator from North Dakota would make.

Mr. SMOOT rose.

Mr. McCUMBER. Now, Mr. President, if the Senator from Utah will allow me, I desire to say that in the Committee on Finance the other day the Senator from Wisconsin [Mr. LA FOLLETTE] desired to secure what might be denominated the minutes of the meetings of the Debt Commission. The Senator from Utah [Mr. SMOOT] informed him that practically no minutes were kept; that whatever memoranda were kept were simply kept by Assistant Secretary Wadsworth, who was acting as secretary of the commission, and that none of them gave any information as to the discussions of the commission. I informed the Senator from Wisconsin, however, that I would ask Mr. Wadsworth to send up any statements or any records that he kept, and, if he kept any that he thought it was not improper to give to the public, we would have them printed.

The testimony has already been printed, and I should like to have read into the RECORD the letter which I hold in my hand from Mr. Wadsworth in answer to a telephonic communication which I had with him.

Mr. SMOOT. Does the Senator desire to have the letter printed in the RECORD or read at the desk?

Mr. McCUMBER. I asked that it might be read into the RECORD, for I thought possibly Senators would like to hear it.

Mr. POMERENE. I should like to have it read, and I therefore join in the request of the Senator from North Dakota that it be read.

The PRESIDING OFFICER (Mr. WILLIS in the chair). The Secretary will read as requested.

The Assistant Secretary read as follows:

WORLD WAR FOREIGN DEBT COMMISSION,  
Washington, February 10, 1923.

MY DEAR SENATOR: In accordance with your request by telephone, I beg to give you the following information as to the records which were kept by the World War Foreign Debt Commission covering conferences with the representatives of the British Government in regard to the funding of the debt of that Government to the United States.

At the first meeting, which took place on January 8, 1923, it developed that the British representatives were unable to consider terms within the authority of the commission under the act of February 9, 1922, so it was concluded upon the part of the commission that it should proceed by informal discussion in order, if possible, to arrive at an arrangement upon terms which the commission might feel justified in recommending to the President for presentation to Congress for its consideration.

Upon discussion, it proved agreeable to both sides that the conferences should be considered as strictly informal and that nothing which might be said upon either side should be considered as a commitment; that no stenographer should be present or record kept of the proceedings. A number of conferences were held, each lasting for a considerable period, during which a most complete and exhaustive discussion took place of the many questions, economic and financial, which surrounded this problem. Aside from a formal record as to the dates and hours of the meetings and of those present, no further record was kept.

The terms which the commission finally determined to present to the British representatives as the limit which it would feel justified in recommending to the President were arrived at in the course of these conferences. These terms were not reduced to writing until after the British representatives had returned to England and had advised the British ambassador by cable that he was authorized to state that the British Government would accept the suggested terms in principle. Thereupon, in conference with the British ambassador, the terms were reduced to writing in the form of a statement to which the commission and the British ambassador agreed, which statement was given out to the public in the form shown on the attached sheet.

I trust that this fully explains the situation.

Yours very truly,

ELIOT WADSWORTH,  
Secretary of the Commission.

Hon. PORTER J. McCUMBER,  
United States Senate, Washington, D. C.  
(Inclosure.)

FEBRUARY 2, 1923.

The Funding Commission met this afternoon to consider the final details of the proposed plan for funding the debt of Great Britain to the United States. Ambassador Geddes was present.

The commission decided to make the following recommendation to the President as a basis for settlement, which it is understood will be accepted by the British Government:

Summary.

Principal of notes to be refunded.....	\$4,074,818,358.44
Interest accrued and unpaid up to December 15, 1922, at the rate of 4½ per cent.....	629,836,106.99
	4,704,654,465.43
Deduct payments made October 16, 1922, and November 15, 1922, with interest at 4½ per cent thereon to December 15, 1922.....	100,526,379.69
	4,604,128,085.74
To be paid in cash.....	4,128,085.74

Total principal of indebtedness as of December 15, 1922, for which British Government bonds are to be issued to the United States Government at par..... 4,600,000,000.00

The principal of the bonds shall be paid in annual installments on a fixed schedule, subject to the right of the British Government to make these payments in three-year periods. The amount of the first year's installment will be \$23,000,000, and these annual installments will increase with due regularity during the life of the bonds until, in the sixty-second year, the amount of the installment will be \$175,000,000, the aggregate installments being equal to the total principal of the debt.

The British Government shall have the right to pay off additional amounts of the principal of the bonds on any interest date upon 90 days' previous notice.

Interest is to be payable upon the unpaid balances at the following rates on December 15 and June 15 of each year:

Three per cent semiannually, June 15, 1923, to December 15, 1932, inclusive.

Three and one-half per cent semiannually, June 15, 1933, until final payment.

For the first five years one-half the interest may be deferred and added to the principal, bonds to be issued therefor similar to those of the original issue.

Any payment of interest or of principal may be made in any United States Government bonds issued since April 6, 1917, such bonds to be taken at par and accrued interest.

Mr. SMOOT obtained the floor.

Mr. ROBINSON. Mr. President—

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

Mr. SMOOT. I yield.

Mr. ROBINSON. There are comparatively few Senators in the Chamber now. The Senator who is about to address the

Senate is a member of the commission which negotiated this settlement. I think Senators ought at least to have the opportunity of attending and hearing what he has to say. Unless he objects to my doing so, I shall suggest the absence of a quorum.

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

The PRESIDING OFFICER. The Secretary will call the roll.

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

Ball	Glass	McNary	Smith
Bayard	Gooding	Moses	Smoot
Borah	Harreld	Nelson	Spencer
Brookhart	Harris	New	Stanfield
Calder	Heflin	Norbeck	Sterling
Cameron	Hitchcock	Norris	Sutherland
Capper	Jones, N. Mex.	Oddie	Swanson
Caraway	Jones, Wash.	Overman	Townsend
Couzens	Kellogg	Owen	Trammell
Culberson	Keyes	Page	Underwood
Curtis	King	Pomerene	Wadsworth
Dial	Ladd	Ransdell	Walsh, Mass.
Dillingham	Lodge	Reed, Mo.	Walsh, Mont.
Fletcher	McCormick	Robinson	Warren
Frelinghuysen	McCumber	Sheppard	Watson
George	McKellar	Shields	Willis
Gerry	McKinley	Shortridge	

The PRESIDING OFFICER. Sixty-seven Senators having answered to their names, a quorum is present.

Mr. SMOOT. Mr. President, I wish every Senator had listened to the clear and understandable statement of the senior Senator from North Dakota [Mr. McCUMBER] affecting the refunding of the British debt to the Government of the United States. In fact, I had planned to follow the same lines followed by the Senator from North Dakota, but I feel that it would be unwise for me at this time virtually to repeat what he has so well said.

No doubt in the discussion many questions will be asked. It would have expedited matters very greatly if all Senators could have been present when the outlines of the settlement were so well presented. There are, however, a few points that I feel ought to be called to the attention of the Senate that were not covered by the splendid speech of the Senator from North Dakota.

All Senators understand that for two years, at least, there has been a propaganda throughout the country the object of which was to impress upon the American people, if possible, the thought that it would be for the best interests not only of America but of the world as a whole to cancel all of the debts owed by foreign countries to the United States.

Mr. McKELLAR. Mr. President did not the Senator entertain that view himself? Did he not express some such opinion as that here on the floor?

Mr. SMOOT. I did not, but to the contrary; and the Senator knows it, because when he called attention to the matter upon this floor once before I took the Record and asked the Senator to read the Record, and he was kind enough to make the correction upon the floor of the Senate.

Mr. McKELLAR. Yes; there were apparently conflicting statements; but, of course, when the Senator says that he did not entertain that view, that ends it with me.

Mr. SMOOT. Not only has the Senator from Utah been opposed to it from the very first moment it was suggested in the United States, but I want to say that every member of the commission has been opposed to it, and the thought never entered the mind of any member of the commission that it would be the proper thing to cancel the debts of the foreign countries to America. So, whatever propaganda there has been in the past—and it is still on, to a limited degree—it has had no effect whatever in the rates of interest and the terms of settlement of which the commission is now asking Congress to approve.

Shortly after the creation of the commission, and in fact, I may say, at its very first meeting, the commission gave notice to all debtor countries that we were ready to meet with them and negotiate upon the question of refunding their indebtedness to the United States. The representatives of the foreign governments knew what powers had been conferred upon the commission to make a settlement of their obligations. They knew that the powers that were granted the commission were limited. They knew that the minimum rate of interest was 4½ per cent. They knew that it was provided that the life of the obligation should not exceed 25 years, and they knew also that the other power granted to the commission was that whatever interest might have accumulated upon the debt up until the time a settlement was arrived at could be added by the commission to the principal.

Those were the only powers granted to the commission, and they had to undertake to arrive, if possible, at a settlement upon those terms. Your commission knew it was impossible to do so, and I might add that the Finance Committee of the Senate, when they reported the bill to the Senate, knew that

it was impossible to make a settlement upon those terms, and I think upon two occasions the senior Senator from North Carolina [Mr. SIMMONS] gave in the Senate the reason why the terms were as they were, because he knew that whatever modifications of those terms were made must be submitted to the Congress before the commission could agree to a settlement of the claims of the foreign countries. I want to say that, in my humble opinion, knowing the condition of the other countries, outside of Great Britain, which owe this Nation vast sums of money, your commission can not reach a settlement with those countries on the terms they have recommended to the President and which the President has recommended to the Congress to be approved. So I do not look for any settlement with any foreign country to be made by your commission without submitting the terms to Congress and receiving approval from Congress of the terms which may be submitted at that time.

Following the invitations extended to all the countries owing the United States there appeared before your commission diplomatic representatives authorized by their governments to appear in behalf of their government in relation to the indebtedness owing to the United States.

Mr. WALSH of Montana. Will the Senator yield?

Mr. SMOOT. I yield.

Mr. WALSH of Montana. The pending bill would amend the existing law so as to authorize settlements with the other countries upon substantially the same terms as the settlement with Great Britain. If that should be enacted and become a law, the commission would be authorized to make settlement upon those terms without bringing them back to Congress. So I interpret the statement now made by the Senator, to the effect that all these will come back to Congress, to mean that it will be necessary to offer terms to the other nations more favorable than those accorded to Great Britain in its settlement.

Mr. SMOOT. Under conditions in the world to-day, I will say to the Senator that that is my humble opinion.

Mr. WALSH of Montana. So that part of the pending bill becomes rather immaterial, then, because, even with that, the matter will have to come back to Congress.

Mr. SMOOT. Certainly; and I want to say to the Senator that the words referred to by him just now were agreed upon by the Ways and Means Committee of the House. They were not in the original bill as offered by myself in the Senate and by Representative BURTON in the House.

Not only did the diplomatic representatives of some of the countries appear before the commission, but a number of the countries sent delegations to Washington to meet with the commission, ostensibly for the purpose of seeing if an agreement of settlement could be arrived at on better terms than provided for in the act.

Mr. BORAH. Mr. President—

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

Mr. SMOOT. I yield.

Mr. BORAH. The Senator says a number of the countries sent delegations to Washington to see if terms could be agreed upon. Has France ever conferred with the commission and submitted any plan?

Mr. SMOOT. France sent a delegation headed by Mr. Parmentier.

Mr. BORAH. Did they submit any proposition?

Mr. SMOOT. They submitted no proposition, nor could we submit any proposition, because of the fact that they had no authority to talk settlement or terms of settlement.

Mr. BORAH. What was Mr. Parmentier's business over here?

Mr. SMOOT. I think he came because of the invitation issued by the commission. I will say to the Senator, however, that there was nothing whatever accomplished.

Mr. BORAH. And no proposition submitted?

Mr. SMOOT. France did not submit a proposition of settlement.

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

Mr. SMOOT. I yield.

Mr. McKELLAR. I want to call the Senator's attention to lines 16 and 17 on page 3 of the bill—

and settlements, similar but not more favorable in terms, with other Governments indebted to the United States.

Was there any understanding between the commissioners that if the United States would settle upon more favorable terms with other Governments, Great Britain should have the benefit?

Mr. SMOOT. None whatever; and there was no understanding between our commission and the British commission that

those words should be used in any law or in any bill which may be presented to Congress. As I stated before to the Senator from Montana, the words "but not more favorable" were agreed to by the Ways and Means Committee of the House.

No adjustment could be made within the law, or one which the commission could recommend to Congress, except in the case of the United Kingdom of Great Britain and Ireland. The terms of the settlement are incorporated in the pending bill. They have been approved by the President, and it has been earnestly recommended by him that they be adopted by Congress, and as a member of the commission I can not too strongly urge at this time that the terms be approved by Congress. I think they are the very best terms the Government of the United States ought to have asked of England, taking into consideration the conditions existing in the world to-day; taking into consideration the effect the imposition of more drastic terms would have upon the exchange values between the two countries; taking into consideration the fact that it would be an immense advantage to the Government of the United States in her commerce not only with England but with the world if the pound sterling were at par the same as the dollar of America. I think I ought to say at this point that if the pound sterling were at par there would be a much better chance for the exportation of all kinds of foodstuffs from this country to England; and, I might add, not only foodstuffs but everything we export to that country or any of her dependencies.

Under the last administration the payment of interest was suspended upon all the foreign countries' obligations. Secretary of the Treasury CARTER GLASS, now an honored Member of this body, on the 18th day of December, 1919, sent a letter to the Committee on Ways and Means in which he said:

The collection in dollars of this interest under present circumstances would be no less disastrous to American interests than to the interests of the debtors.

I think that statement, made at that time, was absolutely true, and for the reason that the Secretary announced that principle, I say now that your commission thought that under conditions existing to-day it was no more than fair to Great Britain to say that for the first 10 years of the life of the bonds the interest shall be 3 per cent, and for the balance of the time that the bonds run  $3\frac{1}{2}$  per cent.

Further, Mr. President, they were given the privilege of paying the interest in the first five years one-half in cash and one-half in bonds of the British Government similar in form to the bonds which will be given for the original debt, as shown under the provisions of this bill.

Mr. ROBINSON. Mr. President—

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

Mr. SMOOT. I yield.

Mr. ROBINSON. The Senator has just been discussing the reasons for the low rate of interest to be paid by the British Government for the 10-year period beginning December 15, 1922, and expiring December 15, 1932. I have not fully comprehended the justification made by the Senator from Utah for that provision.

Mr. SMOOT. I am not through yet.

Mr. ROBINSON. I understand that it is generally believed that interest rates are higher now than they will be in the future, certainly higher than they are expected to be unless world events take an unfortunate course after December 15, 1932. Why, then, I ask the Senator from Utah, was a lower interest rate made effective for the period when the prevailing interest rates throughout the world are higher than for the period following December 15, 1932, when it would seem that world conditions may have been adjusted to a degree that would justify the hope, at least, that interest rates may be reduced? In other words, why is the interest rate fixed at 3 per cent for the first 10 years and  $3\frac{1}{2}$  per cent for the subsequent period of the loan, when it is universally believed that the interest rate is higher now than it will be after the expiration of the first 10-year period?

Mr. SMOOT. Mr. President, I want briefly to state that there are a number of reasons why, but in the examination of the budget of Great Britain for the year 1923 we find that there is an item of £110,000,000 to be paid to the unemployed in Great Britain.

The Chancellor of the Exchequer, Mr. Baldwin, thought that the amount could not be decreased for some years to come. He was in hopes, however, that the economic conditions of the world, at least within five years, would be such that there will not be the unemployment in Great Britain that exists to-day and has existed for some years past. He was in hopes that out of the amount required now for the payment of the unem-

ployed in Great Britain they will be able to pay us a higher rate of interest following the 10-year period.

But in this connection I wish to say that Great Britain has the privilege of paying the bonds at any time, and if history is to repeat itself and the rates of interest shall average as they have in the world from 1797, Great Britain will be able to borrow money at a very much less rate long, long years before the bonds become due. I call attention to the fact that, taking the equivalent yield upon the obligations of Great Britain for 50 years before the war, the average yield was 2.95 per cent per annum. Taking the years beginning 1888, when the average yield was 2.9, year by year succeeding it was as follows: 2.8, 2.8, 2.9, 2.8, 2.7, 2.6, 2.5, 2.4. The last figure given was in the year 1897, and I have not any more doubt than that I stand here at this moment that the rates of interest will not be very much higher than they have been in the past if economic conditions in the world ever return to what they were before the war.

Mr. BORAH. Mr. President—

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

Mr. SMOOT. Certainly.

Mr. BORAH. The Senator's reply to the Senator from Arkansas a moment ago presents what is to me the most interesting feature of the entire controversy. The supposition seems to be upon the part of those gentlemen who visited us, the members of the British Commission, that conditions are going to be better and the economic situation more encouraging within a short time. Now if the present policies of Europe continue to obtain, Great Britain will be less able to take care of the situation 10 years from now, or 25 years from now than she is now.

That presents, if I should vote against the bill, the only reason why I do so, not because of the rate of interest in the mere settlement of the collection of the debt, but because there accompanies the settlement nothing in the way of an indication upon the part of any of the European powers of a change of policies which must inevitably result before there can be any better economic conditions in Europe.

Mr. SMOOT. But the Senator must admit that with the two great English speaking peoples of the earth agreeing upon a settlement of the debt between the two and upon a fair and just rate of interest, it is going to have a wonderful effect upon the economic situation in the world. I will state to the Senator that if Europe continues to spend money in the way she is doing to-day, and if France particularly, does not cut her budget from what it is for the year 1923, France will not be able to pay her obligations to the United States, nor her obligations to her own people.

Mr. BORAH. I hesitate to express any views contrary to the views of the Senator from Utah in a matter of this kind, but I venture to say that unless there is a complete change of program and policy obtaining on the Continent of Europe the debt settlement effect upon economic and financial conditions will be very temporary, and unless those changes are to be permanent the situation is going to be no better in 10 or 25 years from now than it is at the present time.

I had always hoped that the settlement of the debt proposition would be one of the elements of an undertaking to adjust those conditions so that we might have a different condition of affairs confronting us on the Continent of Europe. The mere fact that two English-speaking races are cooperating or acting together, if the policies remain as destructive as they are at present, will assist the situation very little. It is that phase of the settlement that interests me, not the question of whether or not the rate shall be 3 per cent or  $3\frac{1}{2}$  per cent, but whether or not we are utilizing this instrumentality of debt for the purpose of effectuating or seeking to effectuate policies which will be of some benefit economically not only to Europe but to our own country.

Mr. SMOOT. The Senator from Idaho must admit that even with the debt settlement which we are now asking Congress to approve, we are in a very much stronger position to use our influence with European countries as to their future expenditures of money than we are in holding the I O U's which we are now holding.

Mr. BORAH. Now, if that is true, it is the most conclusive argument that can be presented to me for the settlement of the debt. If it is true that after we have settled the debt, and the terms of it have been agreed upon, and the matter has passed out of our hands—because it is then a mere question of their owing us so much, at stated periods to be paid, and so forth—if it is true that that will enable us to be more influential and more potential in adjusting the economic conditions

of the world, that is a most conclusive argument to me why we should approve of it.

But I do not see much hope in that way. If a man had a large farm and owed me \$10,000, and it was due, and he should come to me for an extension of time for 10 years, I would be very much concerned before I made that grant to know whether or not he was going to change his program so that he could run his farm under better conditions in the future than he had in the past. If he was going to continue to live beyond his means, to absolutely destroy his means of production, and to devote his energy, money, and everything else to that which would not produce but would destroy, I would be interested in taking possession as soon as I could. Now, we can not take possession, and we do not want to do so; but I have always thought, and I still think, that with the adjustment of these debts ought to be an effort to adjust the economic problems, without the adjustment of which the settlement of the debt will not mean a great deal. I would treat them as a single element in the whole economic situation.

Mr. SMOOT. I want to say, in answer to the Senator, that if Great Britain becomes a bankrupt, at any time in our lives at least, I say God have pity upon the other peoples of the world.

Mr. BORAH. If a nation is in a position where it can not pay its debts and says that it can not pay its debts according to its agreements, as announced, what is the difference between that nation and a bankrupt nation? All these nations are threatened with bankruptcy, and if the present policies of war and turmoil and huge military establishments continue they will be bankrupt.

Mr. SMOOT. I have not any doubt that England will conform to and pay her obligations if the settlement is agreed upon.

Mr. BORAH. That may be true.

Mr. SMOOT. I have not the least doubt of it, but I want to say to the Senator in passing that I can not say the same so far as some of the other countries are concerned.

Mr. BORAH. No; and the disposition does not seem to be there.

Mr. SMOOT. No; that is true, too.

Mr. BORAH. But what I say is that England may be able to meet this obligation, but she has given us to understand that as it existed, with the obligation as it was, she was unable to meet it. Now, the fact of the business is that those nations are either bankrupt or upon the verge of bankruptcy.

Mr. POMERENE. Mr. President, assuming the situation to be as the Senator from Idaho suggests, is not this the first necessary step to take, namely, to settle the obligation of Great Britain, and then we can take care of world conditions thereafter by an economic conference and the association of nations which is to be formed?

Mr. SMOOT. Well, Mr. President, I do not want to get into the question of an economic conference.

Mr. BORAH. No; and I do not want to get into the subject of an economic conference either. I want to say that we may treat it lightly or we may treat it seriously, but this thing of juggling with debts until the securities of the debts are arranged and new policies are adopted upon which the security may be based with some degree of certainty will not bring the satisfaction now anticipated. If they are going to continue to build a vast military establishment and expend their money for destructive purposes, the mere question of arranging the debt will have but little effect upon the people of the country.

Mr. SMOOT. It is my opinion that if the settlement is accomplished and becomes a fact, it will have more effect upon the economic condition of the world than all the economic conferences that could be held. I want to say frankly to the Senator from Idaho that I can not see what is going to come out of an economic conference, to be held here or in any foreign country, taking all the countries into account, because I believe that the very first demand that would be made of the United States in such a conference would be to cancel all the debts of foreign countries owing to the United States. The next demand, I think, that would be made at that conference would be that France should be guaranteed against invasion from Germany. I think those questions would be the first that would be presented and would be the very first demands to be made; and are we prepared to grant them? I think not.

Mr. McCUMBER. Let me suggest to the Senator that the first thing which would be demanded would be money.

Mr. BORAH. Well, Mr. President, suppose the first thing demanded were money; suppose the second thing demanded were a guaranty, and the third thing demanded were a cancellation, what would our representatives be doing in that conference? Would we accede to the demands without hesitation? At a

conference are different demands made from those which are made when commissions meet? Would the demand have any more sanction behind it than that in any other conference? I assume that the conference would be gathered together for the purpose of presenting the different views of the various nations, and if they presented their views as to the necessity of cancellation we might well say "In consideration of the cancellation, what do you propose to give in return in the way of adjusting your policy?" So far as I am concerned, Mr. President, I would be perfectly willing to cancel every dollar of this indebtedness if the economic conditions of Europe could be so adjusted that the producers of this country could have the benefit of the European markets for the next 20 years. If they do not have that benefit, the mere fact of the adjustment of this debt will be of very little benefit to the farmers of this country who in the meantime are being sold out for taxes.

Mr. SMOOT. Mr. President, I do not think it would be profitable at this point to go any further into the question of an economic conference.

Mr. CARAWAY. Mr. President, I wish to ask the Senator from Utah a question.

Mr. SMOOT. I yield to the Senator.

Mr. CARAWAY. In this morning's newspapers appears the statement that with the adjustment of the British debt other countries, especially France, will be permitted to go on and make no adjustment of their debt. Is there anything in that statement?

Mr. SMOOT. There is nothing whatever in that statement.

Mr. CARAWAY. The country may understand, then, that France and the other countries which owe us are to be pressed for a settlement?

Mr. SMOOT. Your commission is going to do everything in its power to try to arrive at a settlement with all of the countries which are indebted to the United States.

Mr. CARAWAY. Immediately?

Mr. SMOOT. Just as quickly as it is possible to be done.

Mr. CARAWAY. But there is to be no let up in the effort to do it now?

Mr. SMOOT. None whatever.

I will say to the Senator that we have answers from nearly all of the countries that are indebted to us, but some of those answers are not satisfactory. Your commission is going to try, if possible, to secure some kind of a proposition from those countries, and when their propositions shall have been submitted your commission will follow the same course as it has in the case of Great Britain and ask for authority to make the settlement. There are a number of countries, I will say to the Senator from Arkansas, that I wish we could receive the full amount of the indebtedness which they owe us without any interest from them in 10 or 20 years if such a settlement could be secured.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER (Mr. MOSES in the chair). Does the Senator from Utah yield to the Senator from Idaho?

Mr. SMOOT. I yield.

Mr. BORAH. I was going to say, Mr. President, as the Senator from Arkansas [Mr. CARAWAY] has asked about the other countries, that the Prime Minister of France has notified us when France is going to pay her debt. He has stated that she would pay it when she has collected from Germany.

Mr. SMOOT. I will say to the Senator from Idaho that the Prime Minister of France has not notified the Debt Commission to that effect, and even that is a better promise than we have received.

Mr. BORAH. Well, the commission could not have received a much worse proposition.

Mr. SMOOT. Mr. President, perhaps I ought to state, in answer to the question which the senior Senator from Arkansas [Mr. ROBINSON] asked me, that the debt per capita in Great Britain to-day is \$800, and the taxes which are imposed upon the British people amount to-day for every man, woman, and child to a little over \$100 a year.

I also call attention to the fact that the cost of the British Government between the years 1914 and 1920 was more than it was for the 226 years preceding the year 1914, and in those figures the cost of all her former wars is taken into consideration. So during a period of six years the people of Great Britain incurred a debt and raised tremendous sums by taxation, the aggregate of which was more than the cost of the British Government for 226 years. Great Britain owes approximately \$85,000,000,000, and yet I feel just as confident as that I live that if this settlement is made with Great Britain she will live up to the terms of the settlement; and if, perchance, conditions shall be such as to compel her to extend the payment of the debt over a period of 62 years, she will have paid us at

the end of that time nearly \$11,200,000,000. I thought I had the exact figures before me, but I can not at this instant find them.

Mr. McKELLAR. Mr. President—

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

Mr. SMOOT. I yield.

Mr. McKELLAR. How much will the American Government have paid out on account of this \$4,600,000,000 indebtedness in a like period?

Mr. SMOOT. Does the Senator from Tennessee refer to the interest upon the indebtedness?

Mr. McKELLAR. I refer to both interest and principal. The Senator is figuring the interest and principal on what the British Government is going to pay, and I ask the Senator what amount he has figured, or has he figured it at all, the American Government is going to pay on the same debt during the same time?

Mr. SMOOT. No one would be able to give those figures, because the amount would depend upon how much of the indebtedness we collected and applied to the redemption of our interest-bearing obligations.

Mr. McKELLAR. Our bonds already bear interest and have already been issued, so it would be very easy to calculate as to how much we should pay in that period.

Mr. SMOOT. If we should take every dollar to be paid us by Great Britain and lock it up in a vault and should not redeem any of our bonds, then the argument of the Senator from Tennessee would have some effect; but who would be so silly as to do a thing of that kind?

Mr. McKELLAR. Mr. President, I did not ask any such question as that. The Senator from Utah knows that the aggregate amount of principal and interest payments by Great Britain during the next 62 years will be, on an average, according to his own figures or the commission's own figures, \$15,000,000 less than the interest which the United States is now paying each year. Is not that correct?

Mr. SMOOT. Mr. President, if we were going to keep our obligations at just the same rate of interest that we are paying on them to-day for 62 years, of course, the Senator's statement would be correct; but we have the right to pay off many of our Liberty loan bonds in 1927, and, no doubt, they will be refunded at that time and at a lower rate of interest.

I wish also to say to the Senator that if those bonds were refunded to-day by tax-exempt bonds, I have no doubt the new issue could be floated at 3 per cent. We talk about a rate of interest of 4½ per cent on our bonds, but Senators must remember that those bonds are taxable; they must remember that a certain amount of the interest upon those bonds is collected back by the United States in the shape of taxes.

Mr. McKELLAR. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield further?

Mr. SMOOT. Yes.

Mr. McKELLAR. May I ask the Senator from Utah if he is in favor of the American Government issuing tax-free bonds in lieu of the bonds which are now outstanding to which he has referred?

Mr. SMOOT. The Senator knows my position in relation to tax-exempt securities. If I had my way I would never allow the Government of the United States to issue another tax-exempt bond or obligation of any kind.

Mr. McKELLAR. Of course. Then, why is the Senator endeavoring to figure on the basis of tax-exempt securities when he is opposed to the issuance of such securities?

Mr. SMOOT. Mr. President, I do not look for any early prohibition of the powers of the States or the powers of the Government to issue tax-free securities. I know such a prohibition may not now be brought about, although I know the issuance of such securities is drying up the sources of income of our Government, and that it has a tendency to make districts and counties, States, and the Nation itself extravagant in the expenditure of money. I believe that in the future at some time or other the American people will wake up and realize that tax-exempt bonds for school districts, for counties, for road purposes, for State governmental purposes, and for national purposes have reached such an immense amount that all of the rich men of this country, through their purchase, may escape the payment of every cent of taxes not only to the National Government but to the State governments, to the county governments, and to the cities; and not only that, but when they die they will know that every dollar so invested will go without the payment of any inheritance tax. I believe that some day the people will wake up to a realization of

what the issuance of tremendous volumes of tax-exempt securities means to them and their Government.

Mr. ROBINSON. Mr. President—

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

Mr. SMOOT. I yield.

Mr. ROBINSON. The Senator from Utah realizes that the principal basis for opposition to the bill now under consideration grows out of, first, the interest rate, and, second, the time for payment; and I think it may be stated with reasonable accuracy that at this time the basis for the opposition centers mainly about the interest rate. The Senator has stated that it is expected that the economic conditions of the world, and particularly of Europe, will become so readjusted within the next 10 years that interest rates will decline. I asked him the question purely for information and not in a controversial spirit, why, then, is the interest rate in the settlement made lower for the first 10 years than it is for the remainder of the period for which a portion of the debt may run? If I understand the Senator from Utah correctly, he states that that adjustment and that arrangement were based principally upon consideration of the present ability of the British Government to meet its obligations.

Mr. SMOOT. And to assist in stabilizing conditions in the world to-day.

Mr. ROBINSON. If at the end of the 10-year period the hope of the world shall be realized and conditions shall have become stabilized and interest rates shall have declined so that the prevailing rates on Government securities shall be lower than 3½ per cent, is there in the mind of the commission the reservation that the remainder of the debt then due from the British Government to the United States may be refunded at a lower rate of interest than that contemplated in the pending settlement?

Mr. SMOOT. I have no doubt that, if conditions become normal at the end of 10 years, the rate of interest will be such that England will be able to sell her bonds and pay the Government of the United States.

Mr. ROBINSON. The Senator did not quite comprehend my question. The settlement gives the British Government the benefit of a low rate of interest for the first 10 years, and it fixes a higher rate of interest, somewhat in disregard of the general economic conditions, which would call for a higher rate during the first 10 years than for the remainder of the debt period. That is, it is 3 per cent for the first 10 years and 3½ per cent for the remainder of the period. My question is, if we give Great Britain the benefit of the low rate of interest for the first 10 years, will we likely be asked to give her the benefit of the prevailing rate of interest at the expiration of the 10-year period?

Mr. SMOOT. No such thought ever entered the minds of the commission, and I do not think the British representatives had any such thought in their minds.

Mr. ROBINSON. It is, then, the intention of the commission, so far as the Senator from Utah can express it, that this settlement shall be final, and that, while Great Britain is given an advantage in the rate of interest for the first 10 years, that advantage may be reversed in the remainder of the debt period—52 years—and may reflect itself to the benefit of the United States?

Mr. SMOOT. There is no question about it. The bonds will be issued, the terms of the bonds will be specifically stated, and there is only one way in which they can be withdrawn by Great Britain herself, and she will have to take the initiative, and that is by paying the amount of the bonds.

Mr. McKELLAR. Mr. President, when will they be payable? May she pay them at certain periods? If so, what periods?

Mr. SMOOT. As far as the bonds are concerned, on 90 days' notice she can pay any amount of them that she wants to pay.

Mr. McKELLAR. At any time upon 90 days' notice?

Mr. SMOOT. At any time after 90 days following an interest period.

Mr. ROBINSON. So that if, at the end of a 10-year period, conditions permit, she may refund her indebtedness, and, by procuring a loan at a lower rate of interest, pay off the debt to the United States?

Mr. SMOOT. She has that privilege.

Mr. HITCHCOCK. Mr. President—

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

Mr. SMOOT. Yes.

Mr. HITCHCOCK. It seemed to me when the Senator from North Dakota [Mr. McCUMBER] was speaking, and when he put in the Record the tabulated statement of payments year by year,



that the last column in that table is calculated to give the public an erroneous idea of what amount Great Britain is required to pay to the United States year by year during the next five years. As stated in that list, the United States is to receive in principal and interest the first year \$161,000,000, the second year \$160,810,000, the third year \$160,620,000, the fourth year \$160,900,000, and the fifth year \$160,150,000.

Mr. McCUMBER. Mr. President, if the Senator will allow me, when I mentioned that there would be \$23,000,000 paid the first year, I thought I stated that was on the principal; and, of course, in addition she would have to pay the 3 per cent upon the entire indebtedness of \$4,000,000,000.

Mr. HITCHCOCK. Let me finish this statement. In the five-year period, therefore, it appears, according to this column, that Great Britain would be under obligation to pay us \$803,760,000; but there are two provisions in this bill which give Great Britain a very valuable option, in my opinion.

Mr. SMOOT. It is a valuable option, and it was done for the very purpose of assisting her in tiding over the actual economic conditions existing to-day in Great Britain.

Mr. HITCHCOCK. The effect of that option, if exercised by Great Britain, would be as follows: She would be able to omit the payment of \$23,000,000 in principal the first year and \$23,000,000 in principal the second year. She would be able to cut down her interest payment one-half the first year, one-half the second year, one-half the third year, one-half the fourth year, and one-half the fifth year, and have that added to the principal indebtedness.

Mr. SMOOT. That is, by issuing bonds covering the amounts.

Mr. HITCHCOCK. What is the net result of that? Instead of paying to the United States \$803,760,000 in principal and interest during the first five years the actual payments to us during that period would be \$408,660,000.

Mr. SMOOT. That is, the payments in cash.

Mr. HITCHCOCK. Yes. Let me finish this. The result of that would be that \$395,100,000 would be added to the principal, and that would draw interest at the rate of only 3 per cent.

Mr. SMOOT. Up to the end of the 10 years.

Mr. HITCHCOCK. So that, in effect, those two options amount to allowing Great Britain to add \$395,100,000 to the indebtedness which she will owe us, and upon which she will pay us only 3 per cent for the first 10 years.

Mr. SMOOT. No; from the year she exercises the option. The 5-year period is on the principal only.

Mr. HITCHCOCK. No; the 5-year period is on the interest. I have stated it exactly as it figures up.

Mr. SMOOT. Yes; the Senator is correct.

Mr. HITCHCOCK. Instead of paying us, during the first five years, \$803,760,000 of principal and interest, she will, in effect, by exercising those options, pay us only \$408,660,000, and she will secure from us an additional loan of \$395,100,000 at 3 per cent interest.

Mr. SMOOT. That is, for the interest, up to the end of the 10-year period.

Mr. HITCHCOCK. Yes; within the 10-year period.

Mr. President, I am thoroughly in favor of making a just and a generous settlement with Great Britain. I think the commission has undoubtedly had that in mind, and has done what it considered wise under the circumstances; but I question very much whether, in conceding 3 per cent interest for the first 10 years, we should go so far as to allow Great Britain to add \$395,000,000 to the principal, to bear 3 per cent interest.

Mr. SMOOT. I want to say frankly to the Senator—and I do not think Great Britain would object to my saying so here upon the floor of the Senate—that they did accept, in principle, the proposition made to them of 3 per cent straight for 10 years, and 3½ per cent for the remaining 52 years.

That was the cablegram that came from England, that they accepted it in principle; but the question of what "in principle" meant came up when the commission met, and the British ambassador, being instructed by his Government, asked the commission if they could not recommend to the President and whether the President would not recommend to the Congress to relieve them, because of the conditions existing to-day, of one-half of the interest for that limited period by accepting bonds instead of cash, and that was granted.

Great Britain is not pleading poverty altogether, and it is not all one-sided. If we can get the trade of the world balanced so that we will not have to have gold shipped to this country as it has been in the past, piling up here by the billions of dollars, if we can get our exchange so that it will bring the pound sterling to par, I want to say to the Senator that it means much

to America, it means much to the commerce of our country, it means much to England; and the commission felt that it was not an unreasonable request, taking into consideration the conditions existing to-day.

Mr. HITCHCOCK. Mr. President, do I understand the Senator to say that the representatives of Great Britain accepted by cable the proposition to have this loan based upon 3 per cent interest for the first 10 years and 3½ per cent interest for the last 52 years, and that we voluntarily gave them this additional bonus or privilege?

Mr. SMOOT. No; not voluntarily; I did not say that. I said that in their cable they accepted it in principle—that is, that they would pay the full 3 per cent—but they did request that we give them the further privilege of paying one-half of the amount of interest for the first 10 years in bonds similar to the original bonds and cash for the balance; and whenever advantage was taken of the privilege, whatever year it might be, they would pay interest at the rate provided for in the original bonds.

Mr. HITCHCOCK. Then, in effect, that amounts to loaning Great Britain \$395,000,000 at 3 per cent interest, in addition to what she owes us?

Mr. SMOOT. Of the interest that she owes us; yes—not of the principal that she owes us; of the interest that she owes us.

Mr. HITCHCOCK. It is an additional advance to Great Britain of \$395,000,000 at 3 per cent within the 10 years over and above what she already had agreed to.

Mr. SMOOT. Mr. President, I do not want the Senator to say that she had agreed to it. She agreed to it in principle, and the ambassador of Great Britain asked that his Government be given the further privilege during this period of paying one-half the interest in bonds instead of in cash.

Mr. HITCHCOCK. Then, Mr. President—

Mr. POMERENE. Mr. President—

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

Mr. HITCHCOCK. I will defer to the Senator from Ohio.

Mr. POMERENE. I simply wanted to offer this suggestion: It has been said that this was in effect making a new loan. As I understand the proposition, it is simply deferring the payment of that interest. It is not by any means a new loan.

Mr. HITCHCOCK. Mr. President, I have another criticism to make. I am very sure that the average individual, in reading this tabulated statement, would draw the conclusion that the commission had made a deal with Great Britain which obligated Great Britain to pay us in principal and interest during the next five years \$803,000,000.

Mr. SMOOT. Yes.

Mr. HITCHCOCK. But upon reading these two provisions, evidently injected into the bill as a subsequent matter, we find that instead of receiving \$803,000,000 we will receive only \$408,000,000 and that \$395,000,000 will be deferred at 3 per cent interest. I say that even admitting that the Senator was justified in going beyond the original contract which Great Britain had accepted in principle, it ought to be shown here on this tabulated statement, which was put in for the guidance of Senators, that instead of receiving \$803,000,000 during the next five years we may, and probably will, receive only \$408,000,000. We should at least be candid with ourselves.

Mr. SMOOT. Certainly; and I want to be candid with the Senate. We could not make out a tabulated statement of that kind, because we do not know whether Great Britain will take advantage of that option for half the period, or one-third the period, or what part of it. She is not going to postpone payment any longer than she has to. She wants to stop whatever interest she can, of course; but I believe, as the Senator says, that she will be compelled to take advantage of the option to pay half of the interest during that period.

Mr. HITCHCOCK. Undoubtedly, because she will be borrowing \$395,000,000 at 3 per cent, whereas in the open market she would be paying about 5 per cent.

Mr. SMOOT. Oh, no; not now.

Mr. HITCHCOCK. I do not know; not on Treasury notes, but upon some of her bonds. I will say she would be paying 5 per cent.

Mr. SMOOT. As to her consols, of course the Senator knows how they are sold; and she can sell them at most any time.

Mr. HITCHCOCK. I think there ought to be a correction of the tabulated statement, and we ought to state the fact that, instead of making a bargain with Great Britain under which she is to pay us \$803,000,000 in five years, it is really a bargain under which she is going to pay us \$408,000,000.

Mr. SMOOT. Of course the bill itself explains that in detail. This tabulation was made just as I stated it was, because we could not have said what the payments would be.

Mr. HITCHCOCK. I have found no difficulty in figuring out what the payments will be, and I can not have any doubt that those are the payments which Great Britain is going to make, because they are the most favorable to her.

Mr. SMOOT. They may be; if the rates of interest are as high, they may be. I do not know what will happen in 10 years.

Mr. DIAL. Mr. President, what amount of unemployment compensation does the Senator say Great Britain is paying annually?

Mr. SMOOT. Their budget calls for £110,000,000 for the year 1923.

Mr. DIAL. Are there any prospects of that decreasing?

Mr. SMOOT. We hope it will decrease. If not England could not pay her budget without a deficit. I think there will be a decrease, and so does the representative of England.

Mr. BORAH. I take it that England does not think so just now, in view of the condition of affairs. I do not know what Mr. Baldwin thinks, but I know that is not the view of the semi-official English press. Under present conditions it is expected it will increase, and a most serious situation is anticipated during the coming summer.

Mr. WALSH of Montana. Mr. President, I find it difficult to conceive why we should make any concession to Great Britain with respect to this loan because she pays five hundred million annually to the unemployed. We do not pay a dollar to the unemployed here, and if one should go into one of the great industrial centers of this country, where there are a large number of unemployed, I would not think he would make very much of an impression upon the audience he addressed if he told them that we are making this agreement with Great Britain because of her heavy expenditures, including five hundred million she annually pays to her unemployed.

Mr. SMOOT. That was only mentioned as showing the burdens Great Britain is carrying to-day. I do not think I could make very much of an impression before an audience by saying that England was owing \$800 for every man, woman, and child in that country. I do not know that I could make any impression upon an audience by saying that between the years 1914 and 1920 her expenses were greater than they were for the 226 years preceding that.

Mr. WALSH of Montana. That prompts me to inquire, if the Senator will pardon another interruption, speaking about the expenditures Great Britain has to make, just about how much she is obliged to expend annually in the territories over which she secured mandates by the treaty, over and above her revenues from those countries?

Mr. SMOOT. I can not answer that question, because I have not the figures with me. If I had the British budget before me, which I have not, I would gladly answer the question.

Mr. WALSH of Montana. It is a very considerable amount, is it not?

Mr. SMOOT. Yes; it is considerable. The Senator from North Dakota [Mr. McCUMBER] in his able address here to-day stated that the British debt was not a debt for dollars sent to Europe, that the money was all expended here, most of it for cotton and wheat and food products and munitions of war. I know this question has been discussed throughout the country considerably, and I think it would be proper at this time to call attention to the fact that during that short period of time England spent in this country, either directly for England or for her allies, \$7,219,408,669.94.

Mr. POMERENE. What period was that?

Mr. SMOOT. During the period of the war, beginning with the first loan we made her.

Mr. POMERENE. She also made expenditures in this country before we got into the war.

Mr. SMOOT. This is after we began to make loans to England and to her allies, and they consisted of these items:

Munitions, including remounts.....	\$1,330,607,883.09
Munitions for other governments.....	205,495,801.10
Exchange in cotton purchases.....	1,682,419,875.31
For cereals.....	1,375,379,343.57
Tobacco.....	99,174,858.34
Other supplies.....	215,331,787.01
For transportation, shipping.....	48,890,000.00
For reimbursements.....	19,302,357.55
For interest.....	337,732,633.50
Maturities.....	353,501,561.61
Relief.....	16,000,000.00
Silver.....	261,643,388.41
Food for Northern Russia.....	7,029,965.94
Total.....	7,219,408,669.94

Mr. WALSH of Massachusetts. Mr. President—  
The PRESIDING OFFICER (Mr. McNARY in the chair). Does the Senator from Utah yield to the Senator from Massachusetts?

Mr. SMOOT. I yield.

Mr. WALSH of Massachusetts. Has the Senator from Utah a list of the expenditures made by this Government in Great Britain as a result of our participation in the war, and also a list of the moneys expended by this Government in France, to the French people and the French Government, by reason of our participation in the war?

Mr. SMOOT. No, I have not.

Mr. WALSH of Massachusetts. So the commission received from the British Government a table of their expenditures in this country as a result of their participation in the World War, but made no inquiry as to how much money the American Government spent in Great Britain or in France?

Mr. SMOOT. This country spent in Great Britain and France just what she had to spend on account of her men being in the war. She did buy from Spain some blankets and a few other commodities which we could not furnish the Army at the time, but as far as any expenditure is concerned, outside of the expenses actually necessary for the maintenance of our men, mind you, we sent all the foodstuffs they used, we sent all the clothing they needed—

Mr. WALSH of Massachusetts. I am asking the Senator for facts. Everybody knows we spent money. The Senator has given the amount Great Britain spent in this country. Now I am asking him to state what we spent in Great Britain and France. It is a fair question, and we ought to have that information.

Mr. SMOOT. I do not think I could find the information. I want to say this, that this is not information which came from Great Britain. This is information which the Senator can find in the annual report of the Secretary of the Treasury. These purchases were made, and a record of the amounts kept, because of the fact that there was a requirement that every dollar advanced and every sale made to every foreign country, not only to Great Britain, but to any foreign country, should be reported to our Government, and we knew just who spent the money, how much it amounted to, and to whom the supplies were sent.

Mr. WALSH of Massachusetts. Mr. President, one of the difficulties I have experienced, as a member of the Finance Committee, in getting the information which led to the formation of its judgment by the Debt Commission, is that the only information available is the financial liabilities of Great Britain, which everybody knows is great. Everybody knows she is suffering from very heavy tax burdens. We have heard a great deal about the liabilities of Great Britain, but not one word about the assets, about the resources. I never before heard of one man settling a debt with another upon his present available cash, and not upon the basis of his real assets, including his possessions and ownership of resources and other tangible properties.

Mr. SMOOT. The estimated value of Great Britain is \$80,000,000,000.

Mr. BORAH. How much?

Mr. SMOOT. Eighty billion dollars.

Mr. BORAH. What does the Senator include in that?

Mr. SMOOT. Everything that she owns outside of her colonies.

Mr. BORAH. Does the Senator mean her colonies and all her resources?

Mr. SMOOT. No; I am speaking of Great Britain alone.

Mr. BORAH. Oh!

Mr. SMOOT. The United Kingdom of Great Britain and Ireland. We are settling with her.

Mr. WALSH of Massachusetts. The British Isles?

Mr. SMOOT. The colonies have nothing whatever to do with this settlement. They are not responsible in any way, shape, or form for the obligation.

Mr. WALSH of Massachusetts. Does the Senator claim that the colonies are not a valuable asset to Great Britain?

Mr. SMOOT. I did not say that.

Mr. WALSH of Massachusetts. While I am on my feet, if the Senator is through with that line of argument, may I call his attention to a phrase in this bill I would like to get his opinion about?

Mr. SMOOT. I will be glad to answer any question that I can answer.

Mr. WALSH of Massachusetts. I want to call the Senator's attention to the last paragraph on page 3, and ask him the meaning of the clause, commencing on line 16. I will read

the paragraph first, and then ask the Senator a specific question. The paragraph reads:

Any payment of interest or of principal may be made in any United States Government bonds issued since April 6, 1917, such bonds to be taken at par and accrued interest, is hereby approved and authorized.

I think it was explained pretty fully to the committee just what that meant, and I do not propose to ask any questions at this time about that part of this paragraph. But, continuing, the paragraph seems to inject an entirely different subject matter. It reads:

And settlements, similar, but not more favorable in terms, with other governments indebted to the United States, as set forth in this section, are hereby authorized to be made, subject to the approval of the President.

Do I understand that language to mean that the debt commission can make no settlement with France or Belgium or Italy or any other country on any terms more favorable than those named in this bill?

Mr. SMOOT. That is what those words mean, in my opinion. Mr. WALSH of Massachusetts. This is of interest, I might say, to my Democratic colleagues because of the fact that a Democrat has offered an amendment proposing that this commission be increased by putting two Democrats on it. If this language means what it is said it means, and what I think it means, what is there left for two Democrats on that commission to do? This bill fixes the rate of interest and the terms, and practically announces to the world the exact terms on which every other debt is going to be settled, because no more favorable terms can be made to any government.

Mr. KING. They might protest.

Mr. WALSH of Massachusetts. They might protest. We are agreed, and there is no doubt about it, that this act is an announcement to every government that before they come in and sit down with our commission to talk over the refunding of their debts, they have already declared that no one, nowhere, no matter what their financial status may be, no matter how bankrupt they may be, no matter how impoverished they may be, no matter how they suffered during the war, is going to get better terms than Great Britain. Is that true?

Mr. SMOOT. That is exactly the conditions of the original law.

Mr. WALSH of Massachusetts. Mr. President—

Mr. SMOOT. Wait until I answer.

Mr. WALSH of Massachusetts. The Senator has answered.

Mr. SMOOT. If the Senator objects to my replying, he may proceed.

Mr. WALSH of Massachusetts. The Senator may explain his answer, but he has answered. He has said it is true.

Mr. SMOOT. The original law gave notice to all of the countries that they could not have any better settlement than 4½ per cent interest, and for a 25-year period, with the interest added to the principal. That is what the original law provided.

Mr. WALSH of Massachusetts. That is the law enacted during the war?

Mr. SMOOT. No; not during the war; after the war. It was enacted, I think, in 1921.

Mr. ROBINSON. No; it was enacted in February, 1922.

Mr. SMOOT. That is correct. In February, 1922, the law was enacted.

Mr. WALSH of Massachusetts. I have that law before me.

Mr. SMOOT. That is when the law was enacted, and the Senator was out of the Chamber when I discussed that question in my remarks when I first began. The commission did not have any power or authority to make a settlement with Great Britain on the terms provided for in the pending bill. The commission never has undertaken to say that it had that authority.

The commission stated it would recommend such a settlement to the President and ask the President of the United States to recommend it to the Congress. That is what it did. The Senator will remember that when the original bill was presented to the Senate, the senior Senator from North Carolina [Mr. SIMMONS] made the statement that he was perfectly willing to have the bill passed because they could not make a settlement upon the terms of the bill and would have to come to Congress.

Mr. WALSH of Massachusetts. Come back to the Congress?

Mr. SMOOT. Yes. That is exactly what the House has proposed to do by the amendment. By the amendment the House has virtually said—not the commission, but the House of Representatives—that the commission shall not have the power to make any better settlement with any country than can be made under the pending bill.

Mr. WALSH of Massachusetts. May I call the Senator's attention to this phase of the question: The previous law, the law

creating the commission which put certain limitations upon its power, was general and was in the nature of advice to the commission as to the attitude of Congress before any settlements were taken into account. But, now, with the passage of this bill, fixing the terms for Great Britain and with this clause in it, I ask the Senator if we would not be morally and legally bound in honor to Great Britain to make no different terms with any other nation than those named here? Of course, we could come back to Congress with a different refunding bill for Belgium, or France, or any other country. But this clause in the bill, refunding the debt to Great Britain, says that no different terms shall be made with any other country, and I ask the Senator again, are we not morally bound to Great Britain to make no other terms with any other country?

Mr. SMOOT. I say frankly we are not morally bound, and I know that Great Britain will never consider us morally bound. Of course England, I suppose, would like to have, although I am saying it without any authority whatever, a favored-nation clause put into the law, but the Senator knows the commission would never bring such a proposition to the Senate.

Mr. WALSH of Massachusetts. Did the House put it in?

Mr. SMOOT. Yes; the House put it in the bill. If the Senator will look at the bill which I introduced in the Senate and which was introduced by Congressman BURTON of Ohio, in the House he will not find those words.

Mr. WALSH of Massachusetts. So the refunding commission has never passed upon that aspect of this legislation?

Mr. SMOOT. It has not, and not only that—

Mr. WALSH of Massachusetts. Has the Senator from Utah as a member of the commission any opinion as to the wisdom of that clause incorporated in the bill by the House?

Mr. SMOOT. I do not think it is necessary at all.

Mr. WALSH of Massachusetts. Does not the Senator think that with it omitted from the bill we would be in a position to deal with more freedom of action with other nations?

Mr. SMOOT. No; I do not think so, because I do not think we are going to have a better settlement with any country than we have had with England, as I said before. I am quite frank in saying that.

Mr. WALSH of Massachusetts. But does not the Senator think it might be possible that circumstances would develop that we ought to make a more favorable settlement with some other country than we made with Great Britain?

Mr. SMOOT. When the Senator was out of the Chamber I made the statement, and I make it again, that I know of countries owing the United States as to which we would be delighted if they could give security and pay us the face of the obligation.

Mr. WALSH of Massachusetts. Yet the Senator does not think the incorporation of the clause would affect the commission in its negotiations with those countries?

Mr. SMOOT. Not in the least, because we could not promise them anything except that we would come back to Congress and tell why we recommended it.

Mr. WALSH of Massachusetts. What purpose is there in putting the clause in the bill if it is not notice by Congress to the commission and to Great Britain and to the other countries, Great Britain particularly, that the terms named here are as favorable as any other country can get?

Mr. SMOOT. It is at least a notice to the commission. Of course, every country would take notice of those words, just as they took note of the original act; and yet when we extended the invitation to France, she sent a delegation here, knowing that she could not meet the terms of the original act and that it was impossible for her to do so; and that would be the case in the future with other countries if this bill becomes a law.

Mr. WALSH of Massachusetts. If the phrase means nothing except notice to the commission that the terms we have named in the act of 1921 are now modified, why put it in the bill? Why not leave the language as it was?

Mr. SMOOT. The House thought it was necessary and the House put the language in.

Mr. ROBINSON. Mr. President—

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

Mr. SMOOT. I do.

Mr. ROBINSON. I think the provision may have very great importance. It is proposed to incorporate in the bill authorizing a settlement with Great Britain language which in effect declares that the Congress of the United States and the Government of the United States will not enter into a settlement with any other nation more favorable to that nation than the one made with the British Government. It is or may be considered a declaration by the United States that in the adjust-

ment of these debts no discrimination will be practiced by our Government against the British Government.

Now, if it is known that in future negotiations it may become necessary, in order to effect settlements at all, to accord more liberal terms to other governments than those accorded the British Government in this settlement, prudence and fairness to the British Government requires that the provision go out of the bill. Otherwise we will find a just resentment expressed by the British Government after the settlement has been consummated, if it is consummated, against any attempt to accord more favorable terms to other governments.

I think the provision ought to go out of the bill and that each settlement ought to be made on the basis of its merits. The commission ought to be left free, in the event it finds the best interests of the United States require that course, to negotiate for more liberal settlements with other governments less able to pay than is the British Government.

Mr. WALSH of Massachusetts. May I ask the Senator if it is not his opinion that with that clause in the law, which defines our financial obligations with Great Britain, it amounts to a moral obligation that this Government in negotiating the settlement of debts with other nations will not grant any more favorable terms?

Mr. ROBINSON. I think it is in legal effect a pledge that Great Britain having taken the initiative, having made the first move of all governments indebted to the United States to settle, we will take such action as will not prove discriminatory against the British Government. I can not see where such a provision can perform any useful service, and I can see where it may cause dissatisfaction upon the part of the British Government after the settlement has been effected.

Mr. SMOOT. I will say to the Senator that, so far as I am personally concerned, if I had written the bill those words would not be in it.

Mr. REED of Missouri. Mr. President—

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

Mr. REED of Missouri. If the sole purpose of the language is to limit the power of the commission, and if it is the desire to retain a limitation upon the powers of the commission, it would be a very simple proposition to adopt appropriate language which would make that particular object very plain, as, for instance, "the commission shall not grant better terms to any other country unless it shall first obtain the consent of Congress." Then plainly the words would be a mere limitation upon the commission and would imply the right of the American Congress at any time to change them.

Mr. ROBINSON. As the bill is now presented, I think the language to which the Senator from Massachusetts has called attention is not beneficial. I think it is harmful. It will not only prevent the commission from exercising discretion which it may be compelled to exercise in order to secure settlements of any kind with other governments, but it will form a just basis for some degree of complaint on the part of the British Government if the settlement is effectuated and subsequently more liberal terms are made with other governments.

Mr. REED of Missouri. May I be permitted to call attention to this point while the Senator is on his feet—

Mr. ROBINSON. I agree with the Senator from Missouri that if the purpose of the Congress of the United States is to say that the commission shall effect a settlement only in accord with the terms authorized by Congress, then the language ought to be made such that the commission can not do otherwise. All adjustments of debts due the United States should be subject to the approval of Congress.

Mr. REED of Missouri. If that is the object, it seems to me that it is not necessary. We already have a law which provides the terms and conditions upon which all of these debts may be settled by the commission without coming back to Congress. That, of course, requires the high rate of interest and a short time. Those are the present limitations upon the commission. The commission, finding itself confronted with that limit in the matter of its right to act, had to come back to Congress with the matter. So if there is nothing said in the bill with reference to it any future negotiations would be governed by that law. If it wants to make better terms or, indeed, as good terms with France or Belgium or any other country, the commission must come back and get the authority of Congress. So the words used are surplusage.

Mr. ROBINSON. I agree with the Senator from Missouri. If it is impossible to apply the provisions of the act of February 17, 1922, to the British Government and to adjust the settlement according to the terms of that act, it is unwise to continue in force the provisions of the act of February, 1922, as to governments less favorably situated with respect to their ability to pay their debts than is the British Government.

Mr. SMOOT. But this is an amendment of that act.

Mr. ROBINSON. I understand, and the effect would be this: If the bill as now presented shall be enacted into law, it would authorize more favorable terms than those under which the commission may now legally settle claims with other governments. But we all recognize the fact that even the terms contained in the bill are impossible of effectuation with certain other governments indebted to the United States.

I maintain that the sensible and the practical thing to do is to require the commission to bring its proposed settlements to the Congress for approval. Strike this language out of the present bill and modify the act of February, 1922, so that the commission may have more liberal authority in the performance of its duty, subject always to the approval of the Congress.

Mr. SMOOT. I want to say to the Senator from Arkansas that the commission has never promised any government that it had the power even to settle on the terms which the commission agreed they would recommend to the President.

Mr. ROBINSON. Oh, the Senator from Arkansas well understands that, but the Senator from Utah should understand that when an agency of the Government of the United States completes a negotiation and submits it to the Congress of the United States the issue is quite different from the original issue as to what the terms of the settlement should be. The economic and the political issues are both quite different.

Mr. WALSH of Montana. Mr. President—

Mr. SMOOT. I yield to the Senator from Montana.

Mr. WALSH of Montana. With deference I desire to say that I did not give to the language of the bill the significance which seems to have been attached to it by some of my colleagues. I did not interpret it as anything like a guaranty to the Government of Great Britain that other nations should not be more favorably treated. I understood the purpose of the provision in the bill to be this: Under the existing law no settlement could be made with any of the other nations except at the rate prescribed in the act of February, 1922.

Mr. SMOOT. The Senator is correct.

Mr. WALSH of Montana. That is, 4½ per cent. Now, the settlement being effected with Great Britain at 3 and 3½ per cent, it was intended to give the commission the authority to settle with any other government on terms just exactly as favorable. That is to say, instead of making an agreement with other governments to pay 4½ per cent interest, the commission was authorized to make settlement with other governments at 3 and 3½ per cent, and that without reporting to Congress at all.

Mr. SMOOT. That is correct.

Mr. WALSH of Montana. But if a settlement were made upon terms more favorable than 3 or 3½ per cent, then the commission would have to come to Congress for ratification. So I think, Mr. President, that although the language here is perhaps not altogether clear, though it may be a little ambiguous, the idea certainly ought to be embodied in the legislation, namely, that no harsher terms shall be exacted of any nation than those upon which we settle with the Government of Great Britain. If we strike out the words, the only authority the funding commission would have would be the authority under the prior act which would require them to exact not less than 4½ per cent interest.

Mr. SMOOT. No; the language reads "settlements similar but not more favorable in terms."

Mr. WALSH of Montana. Yes.

Mr. SMOOT. That is the language we should have to follow.

Mr. WALSH of Montana. Yes—"similar but not more favorable in terms."

Mr. SMOOT. With those words stricken out, it would read:

Approved and authorized, and settlements similar in terms with other governments indebted to the United States, as set forth in this section, are hereby authorized to be made.

Mr. WALSH of Montana. I supposed the discussion embraced the terms "settlements similar but not more favorable in terms."

Mr. SMOOT. Those words were inserted in the House.

Mr. WALSH of Montana. The point I wished to make was that the commission ought to be vested with a more liberal authority than that with which it is invested by the present law. It ought to be vested with authority to make settlements with the other governments no more onerous than those exacted from Great Britain.

Mr. ROBINSON. Mr. President, will the Senator permit me to interrupt him?

Mr. SMOOT. I will yield to the Senator in just a moment.

Mr. ROBINSON. Very well.

Mr. SMOOT. I agree with the Senator from Montana that that is the intention of those words. If the words "not more favorable" shall be stricken out, the clause will read:

And settlements similar in terms with other governments indebted to the United States, as set forth in this section, are hereby authorized to be made, subject to the approval of the President.

In other words, if your commission could settle, we will say, with any other of our foreign debtors on similar terms as found in this section as amended, then they would be enabled to do so with the approval of the President, and would not have to come back to Congress; but if the President disapproved of it or if the terms were different from those contained in the pending bill as finally enacted, then the commission would have to come back to Congress.

Mr. WALSH of Montana. I would say, with respect to that, I think the word "similar" is not sufficiently well defined to serve the purpose. I think that something in addition to that ought to be incorporated in the bill.

Mr. SMOOT. I will say to the Senator that I have given that much thought, but if we do not use the word "similar" and do use some more definite word than that, we could not change the annual payments; the annual payments would have to be just exactly the same as enumerated in the bill. The word "similar," however, will certainly cover the 3 per cent and  $3\frac{1}{2}$  per cent and the real fundamentals of a settlement.

Mr. WALSH of Montana. The trouble about that is, if we merely say the settlements shall be "similar" and the bonds go out on the market, the question would then be raised as to whether the terms were indeed similar, raising a doubt that ought not attach to any securities of that kind.

Mr. ROBINSON. Mr. President, with the further indulgence of the Senator from Utah [Mr. SMOOT], I desire to say that I agree that what was probably in mind when the provision was prepared was a relaxation of the limitation on the authority of the commission so as better to enable it to effect settlements. I maintain, however, that the difficulty goes deeper and is more important than this consideration. This settlement is a contract with one of the great governments of the world. It is, in the language employed, in the nature of an agreement that we will not discriminate against that Government; that we are making the same or substantially the same settlement with Great Britain that we shall make with other debtors of the United States. I can readily conceive how, if it becomes necessary for the United States to remit a portion of the principal due from other governments, Great Britain may declare "You have violated the contract that you made with us; you have discriminated against Great Britain."

Mr. WALSH of Massachusetts. Mr. President, may I interrupt the Senator from Arkansas there?

Mr. ROBINSON. I have not the floor.

Mr. WALSH of Massachusetts. I merely wish to suggest that there is not a sentence, not a word in the whole bill, until we get to the clause we are discussing, but speaks of Great Britain. Why is not Great Britain going to read this particular clause in the light of all that has gone before, namely, the contract between Great Britain and the United States? That is all the act is. There is not a word about any other debt except Great Britain's debt. It is not a separate sentence, but it is part of the sentence which says Great Britain in payment for this debt can deliver bonds which we have issued.

I wish to call the Senator's attention to that. Great Britain will be justified in saying, and she will put no other construction upon it than saying, "You gave me your pledge; it is part of my contract; here it is in writing; you said you would not make any different terms with any other nation."

Mr. ROBINSON. Mr. President, that interpretation of the provision is justified from a consideration of the fact that one of the basic principles underlying this whole problem is the maintenance of the integrity of the Governments which are indebted to the United States. I can readily conceive how Great Britain, taking the initiative in effecting these settlements, might desire that other Governments should stand upon the same ground, and might feel that the integrity of national obligations was a question worthy of very great consideration. I think we will find ourselves confronted with this difficulty: If, for instance, a settlement with Serbia should be so adjusted as to cancel a portion of that nation's indebtedness to us because she can not pay and different terms should be effectuated for the settlement than those agreed to with respect to Great Britain, we will find the British Government declaring that the United States has broken faith with her; that she has promised as a part of the program for these settlements to maintain national integrity the integrity of national obligations. It is a consideration that can not be treated lightly.

Mr. REED of Missouri. Mr. President—

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

Mr. SMOOT. I yield.

Mr. REED of Missouri. Is it not absolutely certain that, if there is a difference of opinion now on the floor of the Senate with reference to the meaning of these words, there will certainly be a difference of opinion some years from now or some months from now when we make settlements with other Governments. We are not in a position where we need to permit such a question to arise; we are now making this agreement, and if a difference has already arisen over an ambiguity of language we ought to remove it; that is all there is about it; there ought not to be any question left that raises a doubt in the minds of intelligent men.

Mr. SMOOT. I am going to ask the Senate to pass this question over to-night. I again say that the words "but not more favorable" were put in by the Ways and Means Committee of the House. In the meantime I will try to get the opinion of members of that committee as to why those words should go in the bill. I will frankly say I see no reason why they should. The bill which I first introduced did not contain those words at all; the bill which was originally introduced in the other House by Representative BURTON did not contain those words, but they were put in there for a purpose by the Ways and Means Committee of the House. I ask now that I do not be interrupted any further by a discussion of this particular matter.

Mr. McCUMBER, Mr. FLETCHER, and Mr. WALSH of Montana addressed the Chair.

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

Mr. SMOOT. I yield to the Senator from North Dakota.

Mr. McCUMBER. I think there is one reason, possibly, for retaining the last clause, which is the same reason practically as was given for fixing a limitation upon the commission in the previous law, namely, so that the commission would have to come back to Congress for the ratification of any agreement it might make. If we strike those words out of the bill, even if we could make exactly the same kind of arrangement with another nation, as the law is proposed now to be amended, I think we might have some difficulty. I do not expect, and I do not think anyone else expects, that we can make an agreement with any nation upon the face of the earth which is indebted to us that will be as favorable to this country as the agreement with Great Britain. I do not think any other one of the debtor nations is in a position to make as favorable an agreement with us. I might say in connection with that that I hope the commission will have added members in accordance with an amendment which has been offered, not to this bill but to the original bill—

Mr. SMOOT. The amendment has also been offered to this bill.

Mr. McCUMBER. So that both sides of the Chamber may be represented. I want to say that I believe we had better leave those words in the bill as they now stand, as an indication to the countries of the world that we desire to treat them all alike if it is possible to do so. Personally, I do not think it is possible for us to do so.

Mr. ROBINSON. Mr. President, will the Senator from Utah yield to me?

Mr. SMOOT. Yes.

Mr. ROBINSON. Before passing from this question I think it ought to be stated that undoubtedly the pending bill takes away from Congress any further jurisdiction over the settlement of debts due the United States from other governments. It provides that if a settlement shall be negotiated by the commission upon the mere approval of the President of the United States that settlement shall take effect. I inquire of every Senator who hears me what is the justification for that policy and that provision? From the beginning of this Government the Congress of the United States, particularly the House of Representatives, has been regarded as the guardian of the purse strings of this Government. What can be the justification of denying to Congress the privilege of passing upon an adjustment of our foreign loans which may involve millions or hundreds of millions of dollars and which will involve in some sense the question of the integrity of the nations which are indebted to the United States?

I believe that the present settlement, while it is objectionable in some of its aspects in view of the course that the matter has taken, should be consummated. I believe the Congress of the United States ought not to be deprived of the opportunity of passing upon future settlements of this nature, just as it has

not been deprived of the opportunity of passing upon this settlement.

Mr. SMOOT. I agree with the Senator.

Mr. ROBINSON. Very well; then let us change the present bill so as to provide that the commission may go forward with its negotiations, exercising its sound judgment and performing the best service that it can in behalf of the United States, and require all settlements negotiated by the commission to be submitted to the Congress of the United States and ratified or rejected according to the judgment of the representatives of the people of the United States, who have some interest in this subject, notwithstanding the course the matter has taken.

In this connection may I also say that I do not regard the settlement of debts due the United States by other governments as a political question. Those controversies should be determined solely from a consideration of what is best for the interests of the United States and what is fair to the nations that owe the United States. But, Mr. President, the course that the administration has taken in regard to the settlement of these debts has been calculated, if not designed, to provoke political controversy. When this great problem was first attempted to be adjusted, when the Congress passed the act under which the commission is presumed to be operating, it was not in the mind of Senators that a partisan commission should be created. It was expected both by the Congress and by the people of the Nation that the subject should be dealt with as one affecting the Government of the United States, affecting the general interests of the Nation, and that it should be disposed of as far as possible free from political considerations. But the Executive, in the selection of the commission authorized to execute the mandate of the Congress in the settlement of these debts, made it a partisan commission; and now, after the difficulties have become apparent, after it has become manifest to everyone that partisanship and political considerations should be abandoned and the subject dealt with solely with regard to the national interest, we hear it declared that there is objection to putting Democrats on the commission.

For my part, I am not greatly interested in such an amendment at this time. After the settlement of controlling importance has been effected, after the real issues of the matter have been determined, I am not greatly interested in having the commission made a bipartisan commission in order to give force and effect to the partisan action already taken.

Mr. HARRIS. Mr. President—

Mr. ROBINSON. I yield to the Senator.

The PRESIDING OFFICER (Mr. Moses in the chair). The Senator from Utah has the floor. Does the Senator from Utah yield to the Senator from Georgia?

Mr. ROBINSON. With the indulgence of the Senator—

Mr. SMOOT. I yield to the Senator from Georgia.

Mr. HARRIS. The Senator's reference to a nonpartisan commission to handle this matter is one in which I have been very much interested. I agree with him that this should not be a partisan matter. While I think the President did wrong in not putting some Democrats on the commission at the beginning, I do not think it is too late now to have the minority represented; and I hope the Senator from Arkansas will not oppose the amendment that I have offered.

Mr. ROBINSON. Mr. President, I do not consider that feature of the discussion of the greatest importance. As I have already stated, the settlement with Great Britain is the important settlement. It has been negotiated; and I do not know that it is of very great consequence whether in the future settlements the negotiations be conducted by a bipartisan commission or not, in view of the course the matter has taken. I will say, however, that notwithstanding the effort upon the part of the administration to make it a political issue—perhaps I should not say "effort" but I should say "invitation"—notwithstanding the refusal of the Executive to accord to the minority representation upon this commission, whose duties are of the very greatest importance in so far as they affect the interests of the Treasury of the United States, my purpose is to take that course which is best calculated to promote the interests of the United States. My purpose is to forget the attempt of the administration—the invitation of the administration—to make it a political issue by denying to the minority representation upon the commission; and I hope when the bill is finally voted upon to be in a position to support the settlement.

Mr. SMOOT. Mr. President, as I stated before, I should like very much now to conclude my remarks.

Mr. WALSH of Montana. Mr. President—

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

Mr. SMOOT. For a question only.

Mr. WALSH of Montana. If that matter is disposed of, even though temporarily, I should like to inquire of the Senator concerning the significance and importance of the clause immediately adjacent to that which has been the subject of discussion, namely:

Any payment of interest or of principal may be made in any United States Government bonds issued since April 6, 1917, such bonds to be taken at par and accrued interest.

That is to say, as I understand, the Government of Great Britain is given the option to make its payments required hereunder either in cash or in bonds of the United States. In order to get the bonds of the United States it must go out into the market, of course, and purchase those bonds. They are now sold all practically at par. Of course, if they should go above par, Great Britain obviously will not go out into the market and buy the bonds and make payment in that way. She will do so only when the bonds of the United States are selling on the market below par. That is to say, if at some time in the future the credit of the United States, by reason of adverse conditions of trade and difficulties and embarrassments which may surround its operations in one way or another, or by reason of world conditions, should be depressed upon the market, and the credit of the United States should be thus impaired as thus evidenced, then the Government of Great Britain could go out, take advantage of the embarrassment of the credit of the United States, buy bonds, and pay in bonds. I ask the Senator what was the reason for inserting such a provision as that in the settlement?

Mr. SMOOT. Mr. President, the privilege granted to Great Britain to pay the principal or the interest upon her bonds in any United States Government bonds issued since April 6, 1917, was granted because I can not conceive of a time from now on when we are going to issue bonds that will be below par; but, even though they were below par, we do not want to speculate upon Great Britain in paying a debt that was created here during the war. I can see no wrong whatever, no inconsistency, in saying to Great Britain: "In the payment of the interest and the principal, we are perfectly willing to take our bonds issued after April 6, 1917, at par." Of course there are some bonds that were issued before 1917 drawing 2 per cent, with circulating privileges, and there are some 3 per cent bonds. We do not bring in those bonds. We are not including short-time certificates. It is only bonds of the United States issued after April 6, 1917, all of them drawing as high a rate of interest as we have in this bill, and higher.

Mr. WALSH of Montana. Am I right in the assumption that we could expect no payment in bonds unless the bonds were selling below par?

Mr. SMOOT. Why, certainly the Senator is right; but the mere fact of Great Britain coming into the market and buying the bonds, not by \$1,000,000 or \$10,000,000, but by \$100,000,000, together with the fact that we have a sinking fund and we are purchasing the bonds for that fund will keep those bonds at par.

Mr. WALSH of Montana. Then it was for the purpose of getting Great Britain to help us preserve the credit of our bonds in the market?

Mr. SMOOT. Not at all, Mr. President; it was for the purpose of giving them the privilege, if they wanted to, of paying in bonds, and we would have that many bonds redeemed.

Mr. WALSH of Montana. Why, of course. That is what the bill says. That is what the agreement says.

Mr. WALSH of Massachusetts. Mr. President—

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

Mr. SMOOT. It will not take me very long to conclude what I have to say, and then the Senator from Massachusetts can proceed. I want to get through now.

Mr. WALSH of Massachusetts. I should like to have the Senator develop this feature of the discussion: I should like to say to the Senator from Montana—

Mr. SMOOT. If the Senator is going to ask me a question, I will yield; but I do not want him to get into a colloquy with the Senator from Montana in my time.

Mr. WALSH of Massachusetts. I will ask the Senator if he did not, in the Committee on Finance, interpret the language to which the Senator from Montana has just called his attention to mean that this clause gave the British Government the right to buy only such bonds as were issued between April 6, 1917, and the passage of this bill?

Mr. SMOOT. Yes; I said that I thought it could be construed in that way.

Mr. WALSH of Massachusetts. And is it not true that at the request of the committee the Senator from Utah was sent to the telephone to ask the Secretary of the Treasury if that

was the meaning of this clause, and his reply from the Secretary of the Treasury was that it was not the meaning of the clause, but that any bonds issued by this Government in the next 62 years—not now—at any rate of interest could be purchased and given in payment for this debt? Is not that the fact?

Mr. SMOOT. In the next 62 years, providing the bonds are not all paid off before that time. That is true; but I do not believe, Mr. President, that the American people, knowing the conditions that exist, knowing how this debt was incurred, knowing the amount of profit that was made out of Great Britain through her purchase of \$7,000,000,000 worth of goods in this country, are going to try now to speculate upon the value of our bonds if she desires to purchase them and hold them between interest dates and have them on hand to pay at the time the interest or the amount of the principal becomes due.

Mr. WALSH of Montana rose.

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

Mr. SMOOT. Just a moment. Whenever you take into consideration the privilege granted here you must also take into consideration the fact that Great Britain can not pile up the money here to pay the amounts agreed upon, and upon a certain day, without its affecting the exchange values of money between countries. Why can not we say to Great Britain: "During those periods, if you want your money invested so that you can secure a little interest upon it, purchase these bonds, and at the end of the period we will take the bonds"? That is what the commission agreed to recommend, and that is what the House says is the proper thing to do, and I believe it.

Mr. WALSH of Montana. Just one question, if the Senator please. As to the stabilization feature of the matter, would not the market be just as well stabilized if the British Government paid the United States in cash and the United States went out into the market and bought the bonds?

Mr. SMOOT. It might, but I do not know whether it would or not. If it were known that Great Britain was buying our bonds—

Mr. WALSH of Massachusetts. Mr. President—

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

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

Mr. WALSH of Massachusetts. I did not want the Senator to interpret my question as being critical of the action of the commission necessarily. I want the facts to appear, and every Senator to know just what this bill means. I would also like to have put into the Record, for the benefit of Senators, what appeared before the committee, that this clause was inserted at the request of the representatives of the British Government. The Senator agrees to that?

Mr. SMOOT. Yes; Mr. President, they asked that this privilege be granted to them. That was one of the first requests that was made. There is nothing to conceal about that. It was a fair, open request, and I can not conceive why anybody should object to it.

Mr. REED of Missouri. Mr. President—

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

Mr. SMOOT. I yield.

Mr. REED of Missouri. I do not want to interrupt the Senator if he is worried with these questions.

Mr. SMOOT. I want to answer every question I can. All I had in mind was that I would like to get through with what I had to say, and get it into the Record, and then at any time in the discussion I would be glad to answer any question I can.

Mr. REED of Missouri. This has to do with the very matter we are discussing. If this clause were not in the bill, the United States would then know with reasonable certainty that on a given date it would get a certain amount of cash from Great Britain. It would know with absolute certainty when its bonds were to mature.

Mr. SMOOT. Whose bonds?

Mr. REED of Missouri. Its own bonds.

Mr. SMOOT. We know that now.

Mr. REED of Missouri. That was part of my statement for the purpose of the conclusion. I repeat, if this clause were not in the bill, we would then know when England was going to pay us certain sums in cash. We would likewise know with absolute certainty when our bonds were going to mature, and we could make all of our fiscal calculations based upon those two known facts. But when you put this clause into the bill, do you not first make it so that we do not know whether we are going to get cash from Great Britain or not, and we can make no calculations for the use of the cash because we do not know we are going to get cash? Second, Great Britain has

the right to mature our bonds at will by merely buying them in the market and bringing them to us and insisting that we accept them as cash. Suppose we have arranged our revenues for the purpose of meeting our obligations, and we calculate that within a given period of time Great Britain would pay to us \$2,000,000,000 in cash, and that our own obligations came due at a certain time. But when the time comes around when we expect to have that \$2,000,000,000 to use, when the period has elapsed, we do not have any cash at all, but we have some of our own bonds which were not then due? Does not that introduce a sort of chaos into all our calculations, and make all our fiscal calculations depend upon the action of the British Government? Is there a bank in the country which would make that kind of a deal?

Mr. SMOOT. Oh, certainly, Mr. President. There is not a bank in the country that does not make loans upon demand; not one.

Mr. REED of Missouri. I never knew a bank to make a long-time loan which provided for payment before the fixed maturity without fixing a penalty for the payment before maturity.

Mr. SMOOT. Mr. President, banks all over the world make loans on demand. They also make them payable on or before a date. It is about as common as to make 30-day loans.

Mr. REED of Missouri. I am talking about long-time loans.

Mr. SMOOT. Loans are not made by banks, of course, to run for 50 or 60 years. Banks generally make them for a year; but the loans are made payable "on or before." The debtors can pay any amount of the loan when they want to.

Mr. REED of Missouri. Some of them.

Mr. SMOOT. I want to answer the Senator's question.

Mr. REED of Missouri. Let me finish this. I do not want to be misunderstood. I referred to "banks." Perhaps I should have said loan companies. I never knew of a long-time loan being made with a provision for payment in advance of the fixed period which did not attach a penalty for the payment in advance.

Mr. SMOOT. There is not an obligation due the Government of the United States on account of any of the reclamation projects which the Government of the United States will not allow the debtor to settle at any time.

Mr. REED of Missouri. My question was whether the Senator knew of a private individual or a private concern which would make this sort of a loan, a loan where the creditor has the right to pay at any time, not in cash but in securities? There is no parallel.

Mr. SMOOT. Mr. President, there is no need discussing that question; but I wanted to answer the Senator's original question, because it was a question which ought to be answered. He spoke about \$2,000,000,000 being paid. There can not be more than one year's interest and one year's principal paid, and that can not be at any time more than \$181,000,000.

Mr. REED of Missouri. I said \$2,000,000,000 within the period of time, and I was merely illustrating. The details of an illustration never get you anywhere.

Mr. SMOOT. Oh, yes; they do.

Mr. REED of Missouri. They will pay a given sum of money within a given period, according to the contract. We will make our plans within that 10 years based upon the cash to come in during that 10-year period. We do not get cash; but we get our bonds, which have not yet matured, and which we may not be prepared to handle.

Mr. SMOOT. Mr. President, I will proceed now. In any one year the amount can not be more than \$181,000,000, and our sinking fund amounts to more than that. If we did not want to purchase bonds for our sinking fund we could take these very bonds England pays and use them as a sinking fund, because the sinking fund was maintained under the practice of the former administration, is obtained under this administration, and will be under any other administration that will come into power, by the purchase of bonds. We do not put the money into a safe and let it lie there. We purchase bonds, and they act as a sinking fund, and as soon as they are purchased by the Government the interest stops. So, I will say to the Senator from Missouri, that can not interfere. If we have the money to spare we can still purchase more than are necessary for the sinking fund. We can take these from England as payment upon the principal of the obligation and stop the payment of interest upon the bonds of this Government.

Mr. President, in order that every Senator may know the details of every obligation of our Government as of January 31, 1923, showing the date of issue, the rate per cent per annum, the principal amount outstanding, the interest rate for each issue, and the average rate of interest per annum, I ask

that the table I have in my hand be inserted in the RECORD at this time without reading.

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

Itemized statement of the public debt as of Jan. 31, 1923, showing (1) date of issue; (2) rate per cent per annum; (3) principal amount outstanding; (4) the interest for 1 year on the outstanding principal at the interest rate for each issue; and (5) the average rate of interest per annum (on the basis of daily Treasury statements).

Public debt.	Date of issue.	Rate per annum.	Principal amount outstanding.	Interest for 1 year on principal outstanding Jan. 31, 1923 (partly estimated).	Average rate of interest.
<b>Bonds:</b>		<i>Per cent.</i>			<i>Per cent.</i>
Consols of 1930.....	Apr. 1, 1900.....	2	\$599,724,050.00	\$11,994,481.00	.....
Loan of 1925.....	Feb. 1, 1895.....	4	118,489,900.00	4,739,596.00	.....
Panama's of 1916-1936.....	Aug. 1, 1906.....	2	48,954,180.00	979,083.60	.....
Panama's of 1918-1938.....	Nov. 1, 1908.....	2	25,947,400.00	518,948.00	.....
Panama's of 1961.....	June 1, 1911.....	3	49,800,000.00	1,494,000.00	.....
Conversion bonds.....	Jan. 1, 1916-17.....	3	28,894,500.00	866,835.00	.....
Postal savings bonds.....	Jan. 1, July 1, 1911-1922.....	2½	11,869,200.00	296,505.00	.....
			883,670,230.00	20,889,448.60	2.364
<b>First Liberty loan of 1932-1947—</b>					
3½ per cent bonds of 1932-1947.....	June 15, 1917.....	3½	1,410,001,050.00	49,350,038.75	.....
Converted 4 per cent bonds of 1932-1947.....	Nov. 15, 1917.....	4	11,542,450.00	461,698.00	.....
Converted 4½ per cent bonds of 1932-1947.....	May 9, 1918.....	4½	526,765,400.00	22,387,529.50	.....
Second converted 4½ per cent bonds of 1932-1947.....	Oct. 24, 1918.....	4½	3,492,150.00	148,416.37	.....
			1,951,801,050.00	72,347,680.62	
<b>Second Liberty loan of 1927-1942—</b>					
4 per cent bonds of 1927-1942.....	Nov. 15, 1917.....	4	49,771,750.00	1,990,870.00	.....
Converted 4½ per cent bonds of 1927-1942.....	May 9, 1918.....	4½	3,218,658,700.00	136,792,994.75	.....
			3,268,430,450.00	138,783,864.75	
<b>Third Liberty loan of 1928.....</b>	do.....	4½	3,439,837,750.00	146,193,104.37	.....
<b>Fourth Liberty loan of 1933-1938.....</b>	Oct. 24, 1918.....	4½	6,329,957,850.00	269,023,208.62	.....
			14,990,027,100.00	626,347,858.36	4.178
<b>Treasury bonds of 1947-1952.....</b>	Oct. 16, 1922.....	4½	763,915,800.00	32,466,421.50	4.25
<b>Notes:</b>					
Victory Liberty loan, 4½ per cent, maturing May 20, 1923.....	May 20, 1919.....	4½	843,634,500.00	40,072,638.75	4.75
<b>Treasury notes—</b>					
Series A, 1924.....	June 15, 1921.....	5½	311,191,600.00	17,893,517.00	.....
Series B, 1924.....	Sept. 15, 1921.....	5½	390,708,100.00	21,488,835.50	.....
Series A, 1925.....	Feb. 1, 1922.....	4½	598,384,200.00	28,423,249.50	.....
Series B, 1925.....	June 15, 1922.....	4½	333,334,800.00	14,452,147.50	.....
Series C, 1925.....	Dec. 15, 1922.....	4½	448,901,150.00	20,200,551.75	.....
Series A, 1926.....	Mar. 15, 1922.....	4½	616,769,700.00	29,296,590.75	.....
Series B, 1926.....	Aug. 1, 1922.....	4½	459,039,900.00	19,509,195.75	.....
Series A, 1927.....	Jan. 15, 1923.....	4½	366,741,435.00	16,533,364.57	.....
			3,522,068,885.00	167,767,422.32	4.763
<b>Other:</b>					
<b>Treasury certificates—</b>					
Series T M, 1923.....	Mar. 15, 1922.....	4½	265,170,000.00	11,269,725.00	.....
Series T M 2, 1923.....	Dec. 15, 1922.....	3½	111,994,500.00	3,919,807.50	.....
Series T J, 1923.....	June 15, 1922.....	3½	254,000,000.00	9,900,000.00	.....
Series T S, 1923.....	Sept. 15, 1922.....	3½	227,000,000.00	8,512,500.00	.....
Series T D, 1923.....	Dec. 15, 1922.....	4	197,230,100.00	7,889,204.00	.....
			1,065,394,600.00	41,491,236.50	3.894
<b>War savings securities, series of 1919, 1920, and 1921 (net cash receipts).....</b>	Jan. 2, 1919, 1920; Jan. 3, 1921.....	4	95,990,473.97	3,839,618.96	4
<b>Treasury savings securities (redemption value of certificates outstanding).....</b>	(Various dates from Dec. 15, 1921.....	4½	189,358,114.58	8,047,719.87	4.25
			22,354,059,703.55	940,922,364.86	
<b>Total interest-bearing debt.....</b>					4.209
<b>Average interest rate on total interest-bearing debt.....</b>					4.285
<b>Average interest rate on interest-bearing debt exclusive of pre-war loans.....</b>					
<b>Debt on which interest has ceased.....</b>			118,558,115.04		
<b>Noninterest bearing debt.....</b>			268,544,556.07		
<b>Total gross debt.....</b>			22,731,162,374.66		

Mr. SMOOT. Mr. President, several Senators have questioned the amount of interest accrued and unpaid up to December 15, 1922, at the rate of 4½ per cent. I do not see the Senator from Rhode Island [Mr. GERRY] in the Chamber. He has taken a considerable interest in the question, and claims that he can not figure the interest as stated in the bill. The difficulty with the Senator from Rhode Island is that he did not have the dates on which the obligations were incurred. Of course, if you take the amount of indebtedness, as stated in the bill, of \$4,074,818,358.44, and figure on that sum back to the date of the first obligation that was made, the Senator from Rhode Island would be correct in stating that the interest would not be as stated; but I have here the exact dates at which all of the obligations were made, beginning with the first one that was made, April 15, 1919, down to the last one that was made, November 15, 1922. I ask that that be printed as a part of my remarks, so that all Senators can see it, if they so desire.

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

\$2,643,789,419.86 at 4½ per cent for 3½ years (Apr. 15, 1919, to Oct. 15, 1922).....	\$393,263,676.19
\$2,643,789,419.86 at 4½ per cent for 31 days (Oct. 15 to Nov. 15, 1922), basis 182 days.....	9,569,210.33
\$1,404,028,938.58 at 4½ per cent for 3½ years (May 15, 1919, to Nov. 15, 1922).....	208,849,304.62

\$10,000,000 at 4½ per cent for 3 years, 177 days (May 22, 1919, to Nov. 15, 1922), basis 184 days.....	\$1,479,415.70
\$10,000,000 at 4½ per cent for 3 years, 170 days (May 29, 1919, to Nov. 15, 1922), basis 184 days.....	1,471,331.52
\$7,000,000 at 4½ per cent for 3 years, 143 days (June 25, 1919, to Nov. 15, 1922), basis 184 days.....	1,008,104.62
\$4,074,818,358.44 at 4½ per cent for 30 days (Nov. 15, 1922, to Dec. 15, 1922), basis 183 days.....	14,195,063.95
<b>Total.....</b>	<b>629,836,106.99</b>
<b>Deduct:</b>	
\$50,000,000 at 4½ per cent for 60 days (Oct. 16, 1922, to Dec. 15, 1922), basis 182 days.....	50,350,274.72
\$50,000,000 at 4½ per cent for 30 days (Nov. 15, 1922, to Dec. 15, 1922), basis 181 days.....	50,176,104.97
<b>Total.....</b>	<b>100,526,379.69</b>
<b>Net interest.....</b>	<b>529,309,727.30</b>
<b>Add principal.....</b>	<b>4,074,818,358.44</b>
<b>Total.....</b>	<b>4,604,128,085.74</b>
<b>To be paid in cash.....</b>	<b>4,128,085.74</b>
<b>To be given in bonds.....</b>	<b>4,600,000,000.00</b>

Mr. SMOOT. A question arose in the committee as to why we should use the words "United Kingdom of Great Britain and Ireland." It was thought that the words "and Ireland" should be stricken from the bill. I now read paragraph 5 of



the treaty between Great Britain and Ireland, dated December 6, 1921:

The Irish Free State shall assume liability for the service of the public debt of the United Kingdom as existing at the date hereof and toward payment of war pensions as existing at that date, in such proportion as may be fair and equitable, having regard to any just claims on the part of Ireland by way of set-off or counterclaim, the amount of such sums to be determined in default of agreement by the arbitration of one or more independent persons being citizens of the British Empire.

That, as I said, is taken from paragraph 5 of the article of agreement for the treaty between Great Britain and Ireland dated December 6, 1921. The British Embassy, in reply to an inquiry, stated that the amount of the liability of the Irish Free State has not been settled and will be a subject of long negotiation. Therefore, it is necessary that we use the exact title "The United Kingdom of Great Britain and Ireland." Whatever advantages there may be in the settlement will redound to the credit of Ireland in the same proportion that she is owing Great Britain. I thought, to save further discussion upon that point, I ought to put that in the RECORD.

Mr. President, I do not think it is necessary for me at this time to go into further detail. No doubt during the discussion there will be many questions asked. I want merely to say in closing that the new bonds will be in conventional businesslike form. The Treasury will know in advance the income that may be depended upon in preparing Budget estimates. In considering its financial plans and dealings the Treasury will know what payments may be expected on account of principal, and therefore to what extent the reduction of the debts of the United States may be accomplished from this source.

Mr. ROBINSON. Mr. President—

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

Mr. SMOOT. Certainly.

Mr. ROBINSON. The Senator has just referred to a question that has been discussed in the press, and I think it has also been mentioned in the Congress. Certainly it was discussed while the bill was under consideration in the body at the other end of the Capitol. That is with reference to the form of the bonds. Is the Senator prepared to discuss that in some detail?

Mr. SMOOT. No; I can not say as to details.

Mr. ROBINSON. Will it be the usual form of British bonds?

Mr. SMOOT. Oh, no. It will be the form of our bonds. It will be made payable in gold coin of the United States.

We will write the bonds, and we will put every detail in the bonds. There will be no question about that.

Mr. POMERENE. The bonds will be payable in dollars and not in pounds?

Mr. SMOOT. The bonds will be payable in dollars. In other words, the bonds will be for \$4,600,000,000 gold, the same as every bank note is executed and signed to-day.

Mr. McKELLAR. Mr. President, are the bonds to be transferable by delivery, or how are they to be treated? Is there any limitation on their transfer in any way? Can the Government transfer them?

Mr. SMOOT. Of course there will be nothing in the bonds to prevent it.

Mr. McKELLAR. They will be negotiable bonds, in other words?

Mr. SMOOT. Yes; under the terms of the bonds themselves. I was asked this afternoon to furnish a copy of the certificate of indebtedness now held by the Government of the United States as to its form, not amount and not for each country. I have in the report of the Secretary of the Treasury for 1920 an exact copy of the certificate of indebtedness now held by the Government of the United States in form as against each and every one of the countries. I ask that this form may be printed in the RECORD following my remarks, so that every Senator, who wants to see the form of obligation now held, will have it before him in the RECORD.

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

The following is a skeleton copy of an obligation received under the fourth Liberty bond act:

CERTIFICATE OF INDEBTEDNESS.  
\$ (amount in figures).

The Government of (name of foreign Government), for value received promises to pay to the United States of America, or assigns, the sum of (number of dollars in words) on demand, with interest from date hereof at the rate of (rate per cent) per cent per annum. Such principal sum and the interest thereon will be paid without deduction for any (name of foreign Government) taxes, present or future, in gold coin of the United States of America of the present standard of weight and fineness at the Subtreasury of the United States in New York, or, at the option of the holder, at the Treasury of the United States in Washington.

This certificate will be converted by the Government of (name of foreign Government) if requested by the Secretary of the Treasury of the United States of America, at par with an adjustment of accrued interest into an equal par amount of (rate per cent) per cent convertible gold bonds of the Government of (name of foreign Government), conforming to the provisions of acts of Congress of the United States known, respectively, as second Liberty bond act, third Liberty bond act, and fourth Liberty bond act. If bonds of the United States issued under authority of said acts shall be converted into other bonds of the United States bearing a higher rate of interest than 4½ per cent per annum, a proportionate part of the obligations of the Government of (name of foreign Government) of this series acquired by the United States under authority of said acts shall, at the request of said Secretary of the Treasury, be converted into obligations of said Government of (name of foreign Government), bearing interest at a rate exceeding that previously borne by this obligation by the same amount as the interest rate of the bonds of the United States issued upon such conversion exceeds the interest rate of (rate of this obligation) per cent, but not less than the highest rate of interest borne by such bonds of the United States.

(Signature of representative of foreign Government.)  
(For the Government of (name of foreign Government).)

Dated the \_\_\_\_\_ day of \_\_\_\_\_.

Mr. JONES of New Mexico. Mr. President, I would like to propose an amendment, in the nature of a substitute for the pending bill, and I ask that it may be printed to-night in order that we may have it before us to-morrow. I will state in a general way just what the proposed substitute is. It proposes to amend the title of the bill so that it will be an act to authorize the settlement of the indebtedness of the United Kingdom of Great Britain and Ireland to the United States of America, and after the enacting clause it simply sets out the terms of this settlement.

This is not an amendment of the proviso of the original act creating the commission. It has been developed here, and I think was generally understood at the time we passed the original act creating the commission, that there would be no final settlement in accordance with the terms and limitations prescribed in that bill, and that settlements would be negotiated from time to time and submitted to the Congress for approval. I was opposed to the creation of any commission at all. I believed that negotiations with foreign governments should be conducted as contemplated by the Constitution—that is, through the executive branch of the Government. Of course, the President of the United States would have a perfect right to call to his assistance the present members of the World War Foreign Debt Commission, or any one else, to aid in the negotiation of any settlement.

It appears now that a settlement has been negotiated with the Kingdom of Great Britain and Ireland. It comes before the Congress of the United States for approval. Personally, I feel like voting for its approval, but I do not believe that we should indulge in any legislation here of doubtful construction. I do not see why we should undertake to amend the proviso of the act creating the commission. Let it remain just as it is, and for the purpose for which it was enacted, namely, to authorize the commission to negotiate settlements which should subsequently be presented to Congress for approval.

With that in view, Mr. President, I offer the following amendment as a substitute for the bill, and ask that it be printed and lie on the table, and also printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment intended to be proposed by Mr. JONES of New Mexico is to strike out all after the enacting clause and insert:

That a settlement of the indebtedness of the United Kingdom of Great Britain and Ireland to the United States, as follows:

Principal of notes to be refunded	\$4, 074, 818, 358. 44
Interest accrued and unpaid up to December 15, 1922, at the rate of 4½ per cent	629, 836, 106. 99
	4, 704, 654, 465. 43
Deduct payments made October 16, 1922, and November 15, 1922, with interest at 4½ per cent thereon to December 15, 1922	100, 526, 379. 69
	4, 604, 128, 085. 74
To be paid in cash	4, 128, 085. 74

Total principal of indebtedness as of December 15, 1922, for which British Government bonds are to be issued to the United States Government at par
 4, 600, 000, 000. 00 |

The principal of the bonds shall be paid in annual installments on a fixed schedule, subject to the right of the British Government to make these payments in three-year periods. The amount of the first year's installment will be \$23,000,000 and these annual installments will increase with due regularity during the life of the bonds until, in the sixty-second year, the amount of the installment will be \$175,000,000, the aggregate installments being equal to the total principal of the debt.

The British Government shall have the right to pay off additional amounts of the principal of the bonds on any interest date upon 90 days' previous notice.

"Interest is to be payable upon the unpaid balances at the following rates, on December 15 and June 15 of each year: At the rate of 3 per cent per annum payable semi-annually from December 15, 1922, to December 15, 1932, thereafter at the rate of 3½ per cent per annum payable semi-annually until final payment.

"For the first five years one-half the interest may be deferred and added to the principal, bonds to be issued therefor similar to those of the original issue.

"Any payment of interest or of principal may be made in any United States Government bonds issued since April 6, 1917, such bonds to be taken at par and accrued interest—is hereby approved and authorized."

Amend the title so as to read: "An act to authorize the settlement of the indebtedness of the United Kingdom of Great Britain and Ireland to the United States of America."

Mr. ROBINSON. Mr. President, to effectuate the change in the bill which the Senator from Utah [Mr. SMOOT] agreed should be made, I submit an amendment, and ask that it be printed and lie on the table. Let me state that the purpose of the amendment is to give the commission authority to negotiate such settlements as the commission may find to be just affecting other debtor nations who may owe the United States, and to make all such settlements subject to the approval of the Congress.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

Mr. POMERENE. Will not the Senator from Arkansas allow me to suggest that the amendment be printed in the Record, so we may have it there?

Mr. ROBINSON. Very well; I make that request.

The PRESIDING OFFICER. Without objection, the amendment will be printed in the Record.

The amendment intended to be proposed by Mr. ROBINSON is to strike out all after the word "settlements," on page 3, line 16, down to the end of line 20 and insert the following: "with other governments indebted to the United States are hereby authorized to be made upon such terms as the commission may believe to be just, subject to the approval of the Congress by act or joint resolution," so as to make the sentence read:

Settlements with other governments indebted to the United States are hereby authorized to be made upon such terms as the commission may believe to be just, subject to the approval of the Congress by act or joint resolution.

Mr. SMOOT. Mr. President, I ask unanimous consent that when the Senate concludes its business to-day it take a recess until 10 o'clock to-morrow morning.

Mr. FLETCHER. No; make it 11 o'clock.

The PRESIDING OFFICER. The Senator from Utah asks unanimous consent that at the conclusion of to-day's business the Senate stand in recess until 11 o'clock to-morrow morning. Is there objection?

Mr. BORAH. I object if the hour is to be fixed at 10 o'clock. Eleven o'clock is early enough.

Mr. UNDERWOOD. I understood the Chair to say 11 o'clock.

The PRESIDING OFFICER. The Chair did say 11 o'clock.

Mr. SMOOT. My request was that the Senate recess until 10 o'clock.

The PRESIDING OFFICER. The request was for 10 o'clock.

Mr. McKELLAR. I object to 10 o'clock.

Mr. UNDERWOOD. I suggest that the Senator make it 11 o'clock.

Mr. SMOOT. Very well, then; I will make it 11 o'clock.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Utah that when the Senate concludes its business to-day it stands in recess until 11 o'clock to-morrow morning? The Chair hears none, and it is so ordered.

#### THE RUHR VALLEY.

Mr. FLETCHER. Mr. President, before proceeding with the bill that is under consideration I wish to submit a few observations with reference to the situation in the Ruhr Valley.

The Supreme Council met in January, 1921, in Paris, to consider reparations proposals. The French claim was then asserted to be 112,000,000,000 gold marks. It was stated, also, that the French share of the total claim against Germany was 52 per cent, making the total demand on Germany 215,000,000,000 gold marks. The interest and other claims would make it nearly double that, if charged and allowed. Germany proposed to make it 50,000,000,000 gold marks.

A number of conferences were held, subsequently, and resulted in reducing the amount of reparations until finally the irreducible minimum was reached about May 5, 1921, and the amount fixed at 132,000,000,000 gold marks gross.

On May 11, 1921, Germany accepted this ultimatum in a note to the Supreme Council.

She has paid on account, until on August 1, 1922, her reparations debt was brought down to 120,000,000,000 gold marks.

Germany started her printing presses going, with the result that the value of the mark collapsed. She evidently intended

to bring that about, and deliberately flooded the country with paper marks. She has brought ruin on her professional and middle classes. She no doubt expected to pay obligations by the use of these paper marks, and repudiation must necessarily follow. She received gold from people of this country to the amount of nearly a billion dollars for some of those marks now worthless. Of course, the more money she makes by the printing-press method the less she has in fact. One dollar in gold will buy to-day 50,000 marks. The number in circulation is increasing at the rate of 20,000,000,000 per day. It is estimated that there are in circulation 2,000,000,000,000.

April 24, 1921, Germany offered to place with the Reparations Commission 150,000,000 marks gold in the form of gold and silver coin and 850,000,000 marks gold in the form of drafts on the treasury. This was when she proposed to make her total engagement 50,000,000,000 marks gold. She had gold then and she has it now. Since her failure to meet her obligations, as agreed on, attributing her plight largely to the decline in the value of the mark, which she deliberately brought about, she has offered to pay what she could in kind, and some payments of that sort were made to some of the Allies. She offered to furnish labor and material to rebuild destroyed towns in France, but no definite decision was reached in that regard. The situation has gone from bad to worse, until France has felt obliged to proceed, substantially, as set forth in the note of the Supreme Council to the German ambassador, dated May 5, 1921, to wit:

Failing fulfillment by the German Government of the above conditions by May 12, to proceed to the occupation of the valley of Ruhr and to take all other military and naval measures that may be required. Such occupation will continue so long as Germany fails to comply with the conditions summarized in paragraph (C).

We are not in possession of all the facts and circumstances; therefore, it seems to me, respecting the justification or the wisdom, from an economic or other point of view, of the course pursued by France may reasonably be questioned. Appreciating this, I venture to say it is believed that France is acting within her rights. If so, what she is doing is a question of expediency, and that France alone should determine.

In the absence of full information regarding all that has taken place and is taking place, no criticism is warranted, and I feel quite certain our advice is not wanted. So far as I have heard there has been no intimation from those in authority that our counsel was desired. If we can not be helpful, which those directly concerned do not seem to believe, we certainly should not volunteer in a situation where more likely we would do harm.

There are a few things we do know.

We know that Germany is responsible for bringing on the most disastrous war of all time in 1914. Her ambition was to make herself a master of nations, and her purpose was conquest.

We know that she was the aggressor in attacking France with sword and every conceivable means of destruction.

We know that she wantonly, wickedly, without cause, violated the pledged neutrality of Belgium.

We know, because we have seen it, we had occasion to know it, that she ruthlessly destroyed whole cities and towns, churches, homes, mines, and fields in Belgium and France, extending over vast areas—as much as four of our States.

We know she enslaved and slew and starved women and children and is responsible for the death of millions of men.

We know that Germany invaded Belgium and France with her armies, employing every engine of destruction conceivable, and was guilty of such atrocities as to arouse the indignation and horror of all civilized people until our own outraged sense of liberty, decency, and justice cried out to stop it.

We know that Germany deliberately and with malice aforethought put the supremacy of right in jeopardy and "imperiled free government everywhere," and by her intolerable aggression showed she respected neither right nor obligation.

It is true that happened under the autocratic power of the Hohenzollerns, her then imperialistic rulers, who flouted the rights of the citizens. That thought merits consideration.

It is now claimed the German people were not responsible for the doings of the militaristic régime in control, but, on the other hand, it is quite generally observed that we have not seen much evidence of regret, nor many admissions of wrong, nor many offers of apology on the part of the German people.

They see their buildings, their homes, their lands, canals, railroads, mines, and industries all intact, and their attitude seems to be rather self-satisfied, with a feeling not of guilt but a sort of consolation that while they did not make a success of the venture they really lost but little, and they see no good reason why they should be held to restitution. They seem to be

perfectly willing to evade doing honestly what they have agreed to do.

President Wilson's policy led to the armistice, and that made it unnecessary for the allied armies to go to Berlin and saved Germany from the effects of an invasion by opposing armies; but he only got abuse and the vilest denunciation from Germans at home and in America afterwards.

His broad liberality in dealing with the whole subject toward Germany was rewarded by their total lack of appreciation and violent animosity.

The manner in which German officials and people treated President Wilson might well cause us to pause before tendering our good offices in the present situation.

The truth is I do not believe that Germany, England, France, or Italy attach very much importance to the United States. They look upon us as new, inexperienced, and incompetent to deal with large problems. I rather suspect we have an exaggerated notion of our supposed influence in Europe.

They believe we have resources and some financial strength and may grow up some day to where our opinions may be entitled to some respect, but we are now youthful, and it would not be well to put our young heads along with those of mature years and wisdom gained by centuries of experience and achievement. I do not believe they would really welcome, and I am quite sure they would not appreciate, any assistance we might perchance render, particularly in dealing with sharp differences where no element of cooperation can be brought into play.

Let us proceed a little further with the things we know.

The time came, following some of the events I have mentioned and without discussing the reasons further, when, on April 6, 1917, we went in as champions of right. We raised armed forces totaling 4,800,000 men. We sent 2,086,000 of them across the sea. We raised internal loans from the people amounting to \$22,228,118,400. We loaned to the Allies \$9,641,882,204. We gave \$400,000,000 to the Red Cross and \$700,000,000 for the relief of Belgium.

We know that October 10, 1918, our military forces held 23 per cent of the western front in France.

We know, too, that of our soldiers 77,118 were killed in battle and 221,059 were wounded.

We can not forget that.

We have already expended through the Veterans' Bureau and Public Health Service, as one of the consequences of that war, over \$2,000,000,000, and the average monthly payments amount to over \$14,000,000.

We know of the dead and wounded of France and the other allies.

We know of the destruction and devastation in France, and I would not now dwell on details, because I would not kindle the fires of hate or revenge. I wish we might get away from those emotions.

We sought no special reparations for ourselves in the settlement of peace.

We stood firmly "for the restoration of right and the assurance of liberty everywhere."

France has expended over 9,000,000,000 marks in restoring the wasted and ruined areas. Germany has only paid to her 1,500,000,000 marks on account of reparations and has made, first partial then complete, default. Justice and right require that Germany should pay the sum finally fixed by the commission after months of inquiry as to her ability to pay and in the light of all the facts and conditions. When she made demand on France in 1871 and set her own terms, France never whined nor bluffed. She went to work and paid in full before it was due—stupendous as the sum was.

The amount as determined Germany should pay is not one-third enough to cover the damage to France's property, to say nothing of the loss of life, for which there never can be compensation. The aggressor, the wrongdoer, was guilty of no ordinary tort in this case. Germany committed a wanton, deadly assault upon Belgium and France and continued it with barbarous frightfulness to the limit of her resources and strength. She did all the damage and committed all the injury she could.

The high court, the arbitrament of arms, the finding of the world, the course of events, resulted in judgment being entered against her.

She fails and refuses to pay. She seems to hold that France's claim was one of *damnum absque injuria*. The evidences of her ruthless destruction are in plain sight. The traveler has no difficulty in realizing, when going easterly from Paris, when he passes from France and reaches Germany.

There is nothing to do but issue execution and levy the *feri facias*.

Germany took Alsace-Lorraine in 1871 as part of her spoils.

France takes the Ruhr Valley temporarily to recover the damages decreed to her as her just due in addition to the return of Alsace-Lorraine and other incidental and pro rata settlements.

It is not a case of giving vent to a military spirit or the exercise of military power. It is not a case of dictation by those in authority arbitrarily and irrespective of the opinions of the French people. Prime Minister Poincaré realizes that the people of his country have reached a point where their patience is exhausted, and they do not propose to longer submit to the dilatory methods, the frivolous excuses, the sullen indifference and studied attempts to avoid payment, and the evident purpose to escape the penalty which Germany has adopted. The force behind the authorities is the public opinion of France, and if Poincaré hesitates, he would go as did Briand.

When Germany understands that France is going to stand on and have her rights, Germany will perform her engagement and meet her obligations, not before. France is evidently endeavoring to impress that understanding on her late enemy now, by the only process open to her.

There will be squirming, loud cries for sympathy, shouts of oppression, propaganda to arouse protests, all of which ought to have been thought of in July, 1914, and before November 11, 1918.

The German people look out upon their own country and see it is not scarred or hurt materially. They have the impression the conflict was a draw; that there was no victory. They appear to think France is lucky to escape capture and complete destruction. They will have to be taught that they lost the war, and although they suffered no damage to their property, France and Belgium did not so escape, and a partial restoration of what Germany ruthlessly destroyed must be made as agreed upon when her grip on the throats of France and Belgium was loosened and she was forced to her knees.

Her people engaged in agriculture have their farms and homes unharmed and are now generally free from mortgage or debt. Her capacity for production, her recuperative powers, are very great.

They can understand the language France now speaks to them; they appear deaf to any other. She is talking to them, not in temper, not in violence, but as calmly as the situation permits, she is telling them to pay up, meet their just obligations, satisfy the judgment recorded; and if they refuse, she must take sufficient property upon which she can realize the amount due her.

The duty of the United States in such a case is to recognize that it is not our affair; we are not directly involved; we are on friendly terms with both parties; it would be meddling and impertinent for us even to make a suggestion to either, unless solicited according to the practice in such cases.

There was a time when the United States was in a position of leadership for the establishment of world order and peace. That time has passed. We threw away the opportunity for usefulness and influence in such situations as threaten Europe to-day. More is the pity, we see plainly now. We retired in the face of small difficulties, and shirked our responsibilities. We are now a rank outsider. Anything we might do or say now would be regarded as voluntary interference in affairs that we declined, when we were needed, to concern ourselves about.

Whereas in the past we asked for no favors or rewards, and could stand out as the only disinterested party in any European controversy, to-day our action would be suspected, our motives questioned, and the place likely to be assigned to us would be that of a self-serving, ubiquitous meddler.

The only course open to us now, especially unless our good offices are requested, is to devote our attention to our own affairs, and let other countries settle their own problems in their own way.

One other thought:

I have always contended that under the Constitution of the United States, with respect to foreign relations, the President is charged with the responsibility of leadership.

I have always believed that in the discharge of that high duty and the exercise of that clearly expressed authority he ought to move unhindered, and that those in office and out of office owe him loyal support.

I shall expect him to point the way, and, so far as my judgment and conscience will allow, which I hope will be the whole distance, I shall accompany him. Certainly I shall not undertake to embarrass him or impede his progress.

On the contrary, as he moves in the solution of those mighty questions peculiarly within his province, I shall endeavor to go with him. He is not the President of one political party alone; He is the President of the whole country and of all the people

and as such his course in these matters of foreign relations I feel it incumbent upon me to make my course if I can, and at least throw no obstacles in his way.

I felt the same way during the administration of his immediate predecessor in office, and I imagine troubled dreams must now come to those who obstructed and thwarted his conclusions and purposes.

#### SETTLEMENT OF DEBT DUE FROM GREAT BRITAIN.

Perhaps I should not have referred to the matters I have mentioned in connection with the consideration of the proposal for the funding of the debt due to the United States from the Government of Great Britain; but I have felt for some days like saying what I have said on the subject of the Ruhr Valley affair, and it would seem to be about as closely related to the debt settlement as that is to the ship subsidy.

Our World War Foreign Debt Commission has unanimously recommended a settlement with the British Government after negotiations with the representatives of that Government, and after giving the fullest consideration to the problems involved, as set forth by the President in his address to the Congress of February 7.

The President embodied the report of the commission in his address, and stated:

I bring it to you with the earnest recommendation that it be given, so far as legislative procedure will admit, a cordial and prompt approval.

The bill now before us is intended to approve and authorize the settlement of the indebtedness of the United Kingdom of Great Britain and Ireland to the United States, so recommended by the commission and approved by the President.

It is unnecessary to recite the details of the settlement which have been already mentioned. Summarized, it may be stated that the British Government is to pay in cash \$4,128,085.74, and to issue her bonds to the United States at par for the total principal indebtedness as of December 15, 1922, \$4,600,000,000. Interest is to be paid December 15 and June 15 of each year at the rate of 3 per cent per annum from June 15, 1923, to December 15, 1932, inclusive, and at the rate of 3½ per cent per annum beginning June 15, 1933, and continuing until final payment.

This Government can readily float at par its bonds bearing the rate of interest specified in this settlement for the period mentioned if issued tax free. It is true that our issues during the war bear a higher rate of interest. These British bonds, however, can be sold, with our indorsement, at par if desired. It is true that we borrowed at a higher rate of interest the money which we loaned to Great Britain; but, while not controlling in the matter, some consideration is due to the fact that the money we loaned was mainly spent in the United States, even though in many instances profiteers were the chief beneficiaries, and to the further fact that the cause with which we became and were associated was advanced by such loans.

In the spirit of good will and cooperation toward the establishment of better world conditions, I strongly favor the settlement recommended by the commission and approved by the President. This is a time when the ideals we have always professed should find practical expression. We should welcome the opportunity to put into practice the broad and generous policy of international cooperation. In doing so we likewise further an enlightened self-interest.

I favor the refunding of these obligations on the terms set forth in the bill.

#### REMOVALS FROM BUREAU OF ENGRAVING AND PRINTING.

Mr. CARAWAY. Mr. President, I desire to call to the attention of the Senate that a resolution I introduced, asking an investigation be had of the causes of the removal of 27 chiefs of bureaus and the Director of the Bureau of Engraving and Printing, went to the Committee to Audit and Control the Contingent Expenses of the Senate. That committee, after putting off from day to day any consideration at all of the resolution, to-day by a strictly party vote declares that no explanation shall be given by this administration of the outrageous removal of these employees; that the committee is willing that the President of these United States, for partisan reasons, shall strike down the good names and reputations of 28 men and women, shall brand them as thieves, shall remove them from office, shall put in their places men and women who are partisan puppets of the present administration, and the matter shall not be permitted to be inquired about by the Senate of the United States.

I think I know, I say now, without threat, some of the reasons why these people were removed, and the names of some who got patronage under that removal, and I am going to call the attention of the Senate to some of them before this week is over if nothing is done. If they want patronage, let them have it. As patronage brokers, let the administration cater to their de-

mands. I have said all the time, if they want the offices, let them have them, but for God's sake let them take them as party spoils-men, which they are, and not brand with infamy the names of men and women simply because they hold places they want.

One of the Senators who was so anxious to deny us this investigation, I am informed, got part of that patronage. I am perfectly willing, as I have said before, over and over again, to have them take the offices. Take them as spoils-men, however. Do not brand men and women as thieves in order that you may give party henchmen jobs.

I want to say, Mr. President, that that is not an end of this matter. Of course, there are only 28 of these men and women. They are not powerful in this world. They are not loaded with wealth or influence; but there is certainly a sense of justice somewhere in the world that will whip any administration for outraging the humble and weak just as much as it will for offending the rich and powerful. They need not imagine that they can go into a committee room and stifle an investigation and escape finally, having the world thus know the motives that actuated the administration in doing it.

I do not like to be discourteous, and yet there comes a time when I do not hesitate to be. I do not like to call to the attention of the public an incident that is not creditable to those in high station, but there comes a time when I am not afraid to do it; and we are going to have some information, Mr. President, this committee to the contrary notwithstanding.

Mr. MCKELLAR. Mr. President, I was not in the Chamber when the Senator from Arkansas [Mr. CARAWAY] began his remarks. I got here just at the close of them. I want to state that this afternoon there was a meeting of the Committee to Audit and Control the Contingent Expenses of the Senate, of which I am a member, and I made a motion to report favorably the resolution introduced by the Senator from Arkansas providing for this investigation. That motion was voted down. The other members of the committee voted against it, and, of course, I was in the minority, and could not report it out.

I want to take this occasion to say that I am thoroughly, heartily, and sincerely in favor of the investigation proposed by the Senator from Arkansas. It ought to be made. Two of these men are from my State, and I know of my personal knowledge that both are men of the highest integrity and the highest standing, unquestioned integrity, and ability. They never ought to have been discharged. It was an outrage upon their rights as citizens and as employees of the Government to discharge them. They never ought to have been discharged, and they ought to be reinstated. They ought to be reinstated with honor, and reinstated with full pay from the beginning, with an apology from the Government, in my judgment, for having been dismissed.

The Senator from Arkansas is exactly right. The time will come when this will be done. These people were dismissed without cause and, as I believe, upon an entire misunderstanding and misrepresentation of the facts. I want to assure the Senator from Arkansas that as a member of that committee I shall continue my efforts to have the resolution reported favorably and shall bring it up at every meeting of the committee.

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

Mr. MCKELLAR. Certainly.

Mr. CARAWAY. I understand that the resolution was voted down.

Mr. MCKELLAR. It was voted down.

Mr. CARAWAY. Then will the Senator bring it on the floor with a minority report?

Mr. MCKELLAR. I will.

Mr. CARAWAY. Will the Senator do that to-morrow?

Mr. MCKELLAR. I will do that to-morrow, if the Senator desires it to be done.

Mr. CARAWAY. All right. Then we will get a chance to let all the Senate go on record as to whether it wants to continue this sham under which the administration is pretending that after a while these men may crawl back like whipped slaves and be given some kind of employment, while their reputations and their futures are damned.

Mr. MCKELLAR. I will say to the Senator from Arkansas that the chairman of the committee has promised that there will be another meeting of the committee on Thursday morning. I said just now that I would file a minority report to-morrow. I do not know that I can do that unless a majority report is filed to-morrow. Whether or not a minority report would bring it before the Senate under those circumstances, I do not know. If it would, I shall be very glad to do it. If it would not, I

shall be glad to take the course that is found to be proper under the circumstances and under the rules of the Senate.

I want to say that I am just as much in favor of the resolution as the Senator from Arkansas is. I think an outrage has been committed against these men, and I will do anything that can be done within the bounds of reason and under the rules of the Senate to bring it up.

Mr. CARAWAY. I know that. When the committee sees fit to turn it down by a purely partisan vote, let us take it on the floor of the Senate; and, if the Senate wants to take the same course, let it do it, but that is not going to end the matter; but let us not let it end in the committee. Let us let it all come here on the floor of the Senate.

Mr. McKELLAR. I shall be glad to confer with the Senator from Arkansas and do whatever he desires about that.

Mr. CARAWAY. All right. I want it here on the floor of the Senate.

Mr. McKELLAR. I shall do my best to get it on the floor of the Senate.

Mr. CALDER. Mr. President, as the Senator knows, I am chairman of the Committee to Audit and Control the Contingent Expenses of the Senate, to which the resolution was referred. This afternoon at a meeting of the committee I proposed that we should put off further consideration of this resolution until Thursday; and I did so, as I explained to the members of the committee present, because I had called upon the Secretary of the Treasury and asked him for any information he had on the subject, in order that I might bring it before the committee to-day in its consideration of the subject. It occurred to me that perhaps information might be obtainable which would convince the committee that the investigation was unnecessary. The Secretary of the Treasury informed me that he expected to have in my hands by to-morrow evening a statement covering all the facts in the case. I shall be pleased to bring it to the attention of the committee at the meeting Thursday, and then they can take action as to whether they care to report the resolution or not.

Mr. CARAWAY. Mr. President—

Mr. CALDER. I yield.

Mr. CARAWAY. Would the Senator be willing at some time during the session to-morrow—any time in the afternoon he would say—to have the committee meet and pass upon the matter again after hearing from the Secretary of the Treasury?

Mr. CALDER. I will say that just as soon as I receive the communication from the Secretary of the Treasury I shall call the committee together.

Just let me say one thing in reply to what the Senator from Arkansas has said. He said that a member of the Committee to Audit and Control the Contingent Expenses of the Senate, as I understood it, had profited in the way of patronage as the result of this tremendous dismissal. I do not know whether he referred to the chairman of the committee or not. If he did, as chairman of the committee, I want to say that I would be glad for him to make public the names and the circumstances—

Mr. CARAWAY. Will the Senator vote out the resolution—

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

Mr. CARAWAY. Will the Senator yield to me?

Mr. CALDER. I yield.

Mr. CARAWAY. Will the Senator report out my resolution, so that we may bring that fact out?

Mr. CALDER. I will say to the Senator that I shall be glad to have the committee pass upon the resolution—

Mr. CARAWAY. Will the Senator vote to bring it out, so that we may develop this fact?

Mr. CALDER. The committee will determine itself, after the information is obtained from the Secretary of the Treasury, whether or not it will report the resolution out.

Mr. CARAWAY. May I ask the Senator if he will vote to bring it out?

Mr. CALDER. The Senator will make no promise to vote for it until the letter of the Secretary of the Treasury arrives, but to-night, this afternoon, or any other time, I will be very glad to have the Senator from Arkansas or any other Senator, or anybody else, give the Senate any information which he has relative to any man I obtained employment for there, either as a result of this dismissal or at any other time.

Mr. CARAWAY. There is one sure way, Mr. President, if the Senator really wants the facts known; let him report the resolution out and I will supply him with the witnesses. There is no use smothering a resolution in the committee and then coming here and saying that we are at liberty to tell what we know. If the committee will report out the resolution, we will furnish a good many valuable and interesting items of informa-

tion, and I shall be very glad, indeed, if the Senator from New York, who is chairman of the committee, will have it brought out. He can if he wants to, I am sure, and he can smother it if he wants to, I am sure.

Mr. HEFLIN. Mr. President, it is well for the average man and woman who work for the Government that there are Senators and Members of the House who will lend a listening ear and go to the trouble of bringing their cases to the floor of Congress. It is a wholesome thing to see a fight made such as the generous-hearted and distinguished Senator from Arkansas [Mr. CARAWAY] is making for ill treated and outraged public servants, who have simply been driven out of the positions which they filled well and honorably to make places for somebody's political henchmen back home. Nothing better could be done by either branch of the Congress than to establish the impression that the cause of the humblest citizen is the cause of the Congress and the cause of the country. There is nothing that will drive bolshevism out of the country so quickly, nothing that will destroy anarchy so speedily, as for strong men who represent the sovereign States of this Union to stand up and demand simple justice to the humblest man and woman in the Republic.

Mr. President, I want to commend the course of the Senator from Arkansas, who has taken upon himself the burden of these outraged Government employees who were driven out of their positions without rhyme or reason in order to make places for some Senators' political friends back home, or somebody else's political friends.

Mr. President, it is easy to trump up charges against some poor man or woman in the common walks of life, without influence, maybe, and kick them out of a position—shut the door in their faces and tell them the case is closed—but it is hard to get Republican officials to lay their hands upon a big man of big means. We all know that.

I recall when some time ago I charged that Parker Willis was on the Federal reserve pay roll and was at the same time writing editorials for a New York paper attacking me, a Senator, for fighting the maladministration of the Federal reserve banking system by the Federal Reserve Board. That was amongst the big fry, and nobody ever investigated that. It was stated upon this floor that John Skelton Williams made the charge that William Boyce Thompson, chairman of the finance committee of the Republican campaign in 1920, had borrowed \$3,000,000 on a dummy note, but you did nothing about that. William Boyce Thompson has never been interrogated by the constituted authority of the Republican Party. Parker Willis has not been investigated. They are both in the big circle.

Those things go by; but the poor little man and the poor little woman in Washington, giving his or her life to the service of the country, hold places that somebody wants for somebody back home, and they are kicked out; and yet we hear talk about preserving the rules of the civil service. The administration is putting its foot upon them. They are stamping them into the dust. They are ignoring every principle of them.

Mr. President, it is fortunate for the people that there is such a thing as the Democratic Party. The Democratic Party is the friend of the common man. It is the friend of the plain people, men and women. There is no man or woman whose cause is so small that it can not have the friendly and sympathetic attention of the Democratic Party.

Mr. CALDER. Mr. President—

Mr. HEFLIN. Constitutional government—

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

Mr. HEFLIN. In a moment. The welfare of the citizen is the end and aim of constitutional government, and the humblest citizen holding a Government position who has been mistreated by those in authority has the right to have his cause brought to the floor of this august body, the facts disclosed to the Senate and to the country, and let them know that there are men here who will dare to stand up and oppose even Senators who want to kick out an humble man or an humble woman in order to get their places for spoils purposes. I now yield to the Senator from New York.

Mr. CALDER. I know the Senator from Alabama would not make a misstatement intentionally; I am sure he would not. He said that Mr. William Boyce Thompson was chairman of the finance committee of the Republican National Committee and at the same time director in the Federal reserve bank in New York.

Mr. HEFLIN. No; I did not say just now that he was a director of the Federal reserve bank.

Mr. CALDER. May I just say that Mr. William Boyce Thompson was a director of the Federal reserve bank in New York, but when he became chairman of the finance committee

of the Republican National Committee he resigned his directorship. I wanted that to be clear. I thought the Senator said that he was a director in that bank.

Mr. HEFLIN. I did not make the charge in what I said that he was a director, but the charge I am making now is that John Skelton Williams wrote a letter to the Baltimore Sun that he was ready to make proof that he borrowed \$3,000,000 on a dummy note from a member bank in New York when he was chairman of the finance committee of the Republican Party. Nobody ever denied or investigated that. I stated on this floor that John Skelton Williams was ready to produce the proof; but oh, no, a small thing like that was not investigated. Three million dollars borrowed when the Republican campaign was on by the chairman of the finance committee, borrowed from the banking system in New York City, when nobody could get money on Liberty bonds in the South and West to prevent agriculture from going to ruin! That is the point I am making.

You favored those who were speculating. You favored those who wanted money for corrupt purposes in a campaign. They could borrow it on any sort of a note; but honest men and women in the South and West could not get it, and nobody has ever investigated William Boyce Thompson, nobody has investigated Parker Willis, drawing \$6,000 on a Federal reserve pay roll, writing editorials for the New York Journal of Commerce against me, and those who dared to denounce the crooked conduct of certain persons who were administering the Federal reserve banking system on the Federal Reserve Board. But it is all right. You can bristle up and show your courage when you go in and yank one of these little fellows out of a job.

"What are you doing here?"

"I am working for my country. I have been in here for a number of years. I have a record that is clear and good, and I am proud of it. There is not a blot against me. My record is without a blemish."

"I know, but you must get out."

"Why should I get out?"

"Do not ask me any questions; get out."

"Little woman, what are you doing there?"

"I am serving my country as best I can. I have a good record. It is white as the snow. I am complimented upon my work. No fault has been found with it."

"But you must get out."

"For what?"

"Do not ask me any questions."

Is that what happens under Republican rule to those in the humble walks of life? That is civil service with a vengeance, is it not? They put them out, twenty-odd men and women; put them out under charges that they had been doing something wrong against the Government.

Mr. President, no Government has the right to permit those in authority to mistreat those who are rendering faithful service, who have good names, and prize their good names. You have no right to destroy the good name of any man. You have no right to destroy the good name of any woman. I do not care how humble she is. They may live far out in the suburbs of the city; they may live in an humble cabin on the hillside. I do not care how humble their surroundings are, if they have been mistreated their cause is the cause of Congress; it is my cause; it is the cause of my party and my country. The Government that wants to live on and on can make every heart love it and every hand ready to defend by seeing that absolute justice is done, and that nobody is snatched down and his character destroyed under a spoils system instituted by the party in power.

#### CREDIT TO DISBURSING OFFICERS.

Mr. PHIPPS. Mr. President, I ask unanimous consent for the present consideration of Senate bill 4308, to authorize the general accounting officers of the United States to allow credit to certain disbursing officers for payments of salary made on properly certified and approved vouchers. I do not think it will lead to any discussion. It is a bill to do an act of justice.

The PRESIDING OFFICER. The Senator from Colorado asks unanimous consent that the Senate proceed to the consideration of Senate bill 4308. Is there objection?

Mr. UNDERWOOD. Mr. President, I do not like to have bills coming up this late in the evening, where there is any contest about them, or may be a contest, because it is customary to call such bills up by unanimous consent in the morning hour, or what is equivalent to the morning hour when we take a recess. Then Senators who are watching bills can come in, and they do come in, to protect their rights. In the afternoon, after the unfinished business has been taken up, Senators leave with the idea that there is no danger of their rights being affected.

Of course, when some one asks that we take up and pass a bridge bill, to which nobody objects, and which is drawn in accordance with the law, I have no objection. I do not know what is in the Senator's bill, but if we give unanimous consent for the Senator to pass his bill at this time in the evening some other Senator may ask for the consideration of a bill that is contested. That makes it very embarrassing to me.

Mr. PHIPPS. Mr. President, I withdraw my request for this evening. I wish to say, however, that all of yesterday and to-day, so far as I was able to be on the floor, I was looking for an opportunity to ask for the consideration of the measure in order to do an act of justice to an employee and a veteran. However, I shall endeavor to call it up at the earliest opportunity to-morrow.

Mr. UNDERWOOD. In all probability when I heard the Senator's bill read I would be for it.

Mr. PHIPPS. I am sure the Senator would.

Mr. UNDERWOOD. But some of my colleagues might not be favorable to it and, merely occupying for a short time longer the floor leadership in the Senate on this side of the Chamber, unless it is a purely pro forma matter, I do not like to have bills come up at this late hour in the evening when a number of our Members have gone away and can not be here to protect their rights. If it is a merely pro forma matter, of course I would have no objection.

Mr. PHIPPS. The Senator's point is well taken, and I withdraw the request.

Mr. MCKELLAR. I want to call the attention of the Senator from Colorado to the fact that the particular bill to which he refers was reported only yesterday and that there is no report in the files of Senators.

Mr. PHIPPS. The report has been printed to-day.

Mr. MCKELLAR. I hope the Senator will see to it that Senators are supplied with copies, so we may know what the bill is.

#### WORLD WAR FOREIGN DEBT SETTLEMENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14254) to amend the act entitled "An act to create a commission authorized under certain conditions to refund or convert obligations of foreign governments held by the United States of America, and for other purposes," approved February 9, 1922.

Mr. SMOOT. Mr. President, the Senator from Washington [Mr. JONES] last week gave notice that it was the intention to hold a night session to-morrow. I want to state that it is still the intention to hold a night session to-morrow. We would like very much to continue the session right through and not recess, and in that way we could probably adjourn about 10 o'clock in the evening.

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

Mr. SMOOT. Certainly.

Mr. HEFLIN. Does the Senator expect to get through with the debt-settlement question to-morrow?

Mr. SMOOT. I hope so.

Mr. HEFLIN. By to-morrow night?

Mr. SMOOT. Yes; by to-morrow night. I will say to the Senator from Alabama that the idea of holding a night session is to get through with the bill to-morrow if possible.

Mr. OWEN. I should like to ask the Senator what action was taken with regard to the provision in the pending bill as to the settlement being conclusive on all other nations?

Mr. SMOOT. No action has been taken; but I will state, so that the Senate may know, what is my personal opinion relative to that provision. So far as I am personally concerned, I am willing to strike out all the last part of the paragraph beginning with the words "and settlements." Then the bill would only apply, with the amendment which has already been reported by the committee, to the settlement of the British debt. The committee has not acted upon it, and that is only an expression of my own personal opinion.

Mr. OWEN. I would like to ask the Senator from Utah whether that condition was inserted in the bill at the request of the British representatives?

Mr. SMOOT. It was not. It was placed in the bill by the Ways and Means Committee of the House.

Mr. GERRY. Mr. President, simply for the information of the Senator from Oklahoma, I will state that the Senator from Arkansas [Mr. ROBINSON] offered an amendment to that provision to-day which I presume will come up at the proper time.

#### EXECUTIVE SESSION.

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

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent

in executive session the doors were reopened and (at 5 o'clock and 10 minutes p. m.) the Senate, under the order previously entered, took a recess until to-morrow, Wednesday, February 14, 1923, at 11 o'clock a. m.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate February 13, 1923.*

##### UNITED STATES ATTORNEY.

Edward W. Miller to be attorney, eastern district of Wisconsin.

##### POSTMASTERS.

###### GEORGIA.

Rufus H. Johnson, Hogansville.

###### OREGON.

Oscar Daley, Vale.  
Emil F. Messing, Vernonia.

###### WASHINGTON.

Winnie L. Angell, Finley.

###### WISCONSIN.

Peter F. Piasecki, Milwaukee.

### HOUSE OF REPRESENTATIVES.

TUESDAY, February 13, 1923.

The House met at 12 o'clock noon and was called to order by the Speaker.

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

O Lord, thou hast helped us and not we ourselves. Because Thy good hand is upon us we are continued unto this day. Let Thy forgiveness be greater than our guilt. Give us the wise answer to temptation and the right view of every trial. May we have the memory that forgets injuries and the recollection that clings to deeds of kindness. In the light of Thy providence, directed by divine wisdom, we take heart. We bless Thee for the privileges of life, of serving our country, of helpful and abiding associations, of fellowships that have heart of courage and pride that can endure and labor on. Through Christ. Amen.

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

##### FLORENCE A. DONNELLEY.

Mr. IRELAND. Mr. Speaker, I ask consideration of a privileged resolution, which I send to the Clerk's desk.

The SPEAKER. The gentleman from Illinois asks consideration of the privileged resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 512 (Rept. No. 1589).

*Resolved*, That there shall be paid out of the contingent fund of the House from and after January 1, 1923, until otherwise provided by law, compensation at the rate of \$2,500 per annum for the services of Florence A. Donnelley, whose employment shall be under the direction of the Clerk of the House.

Mr. IRELAND. This provides for the employment of a clerk to the late James R. Mann. The minority leader has been consulted, and I believe there is no objection.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

##### ARTHUR LUCAS.

Mr. IRELAND. Mr. Speaker, I ask for the consideration of another privileged resolution.

The SPEAKER. The gentleman from Illinois asks consideration of another resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 505 (Rept. No. 1591).

*Resolved*, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, \$50 to Arthur Lucas for special janitor services rendered during the fourth session of the Sixty-seventh Congress.

Mr. IRELAND. It is the usual resolution providing for janitor service in the office of the gentleman from Illinois [Mr. CANNON].

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

##### RALPH B. PRATT AND HELEN S. BURROUGHS.

Mr. IRELAND. I have a further resolution, Mr. Speaker. The SPEAKER. The gentleman from Illinois submits another resolution, which the Clerk will report. The Clerk read as follows:

House Resolution 499 (Rept. No. 1590).

*Resolved*, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to Ralph B. Pratt the sum of \$228.33, and to Helen S. Burroughs the sum of \$78.33, being the amount received by them per month as clerks to the late Hon. Sherman E. Burroughs.

Mr. IRELAND. That is the customary resolution for the payment of clerks of a deceased Member.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

##### NO QUORUM—CALL OF THE HOUSE.

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

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

The SPEAKER. The gentleman from New York 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 bring in absent Members, and the Clerk will call the roll.

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

Anderson	Fess	Kreider	Rucker
Ansorge	Focht	Lawrence	Ryan
Atkeson	Gallivan	Lehbach	Schall
Bacharach	Garner	Luce	Scott, Mich.
Barkley	Gilbert	Luhning	Sears
Beedy	Goodykoontz	McArthur	Shaw
Beggs	Gorman	McClintic	Sisson
Blakeney	Gould	McFadden	Slemp
Bland, Ind.	Graham, Ill.	McLaughlin, Pa.	Smith, Mich.
Bowers	Green, Iowa	Martin	Stephens
Brennan	Griffin	Mead	Stiness
Britten	Hawes	Michaelson	Stoll
Brooks, Ill.	Hawley	Mills	Strong, Pa.
Brooks, Pa.	Himes	Morin	Sweet
Buchanan	Hogan	Mott	Tague
Burke	Huck	Mudd	Taylor, Ark.
Cantrill	Hukriede	Murphy	Taylor, Colo.
Carew	Husted	Newton, Minn.	Taylor, N. J.
Carter	Hutchinson	Nolan	Thomas
Chandler, N. Y.	James	O'Brien	Thompson
Chandler, Okla.	Jeffers, Nebr.	O'Connor	Thorpe
Classon	Johnson, Wash.	Oliver	Tilson
Clouse	Jones, Pa.	Overstreet	Tinkham
Codd	Kahn	Park, Ga.	Volk
Cole, Ohio	Keller	Parker, N. Y.	Walters
Copley	Kelley, Mich.	Parks, Ark.	Ward, N. Y.
Crowther	Kendall	Perkins	Watson
Cullen	Kennedy	Pringey	Webster
Curry	Kiess	Rainey, Ala.	Wheeler
Dale	Kindred	Ransley	Winslow
Darrow	King	Reber	Wood, Ind.
Davis, Minn.	Kirkpatrick	Reed, N. Y.	Woodyard
Drane	Kitchin	Riddick	Yates
Dupré	Kleccka	Rodenberg	Zihlman
Dyer	Kline, N. Y.	Rogers	
Edmonds	Knigt	Rose	
Fenn	Kraus	Rossdale	

The SPEAKER. Two hundred and seventy-nine Members have answered to their names. A quorum is present.

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

The SPEAKER. The gentleman from Wyoming moves to dispense with further proceedings under the call. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

The doors were opened.

##### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 4379. An act to amend section 1709 of the Revised Statutes of the United States as amended;

S. 1031. An act for the relief of Eugene K. Stoudemire;

S. 1280. An act for the relief of Eli N. Sonnenstrahl;

S. 4313. An act for the payment of claims for damages to and loss of private property incident to the training practice operation or maintenance of the Army;

S. 4366. An act for the relief of W. Ernest Jarvis;

S. 4248. An act to fix the compensation of employees in post offices for overtime services performed in excess of eight hours daily;

S. 1103. An act for the relief of Frank Vumbaca;

S. 3071. An act to extend the benefits of the employers' liability act of September 7, 1916, to Edward N. McCarty;  
 S. 4085. An act for the relief of Samuel H. Butler;  
 S. 4254. An act for the relief of Elizabeth McKeller;  
 S. 661. An act for the relief of Arthur Frost;  
 S. 4310. An act for the relief of the owners of the steamship *Mohican*;

S. 3805. An act to confer jurisdiction upon the Court of Claims to ascertain the cost to the Southern Pacific Co., a corporation, and the amounts expended by it from December 1, 1906, to November 30, 1907, in closing and controlling the break in the Colorado River; and

S. 4311. An act for the relief of the owners of the steam lighter *Comport*.

The message also announced that the Senate had passed with an amendment the bill (H. R. 10003) to further amend and modify the war risk insurance act, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 2531) to create a board of accountancy for the District of Columbia, and for other purposes.

#### PUBLIC SHOOTING GROUNDS.

Mr. SNELL. Mr. Speaker, I desire to present a privileged report from the Committee on Rules.

The SPEAKER. The gentleman from New York presents a privileged report from the Committee on Rules, which the Clerk will report.

The Clerk read as follows:

House Resolution 526 (Rept. No. 1592).

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 5823) entitled "A bill providing for establishing shooting grounds for the public, for establishing game refuges and breeding grounds, for protecting migratory birds and requiring a Federal license to hunt them." That after general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be divided between those for and against the bill, it shall be read for amendment under the five-minute rule. At the conclusion of such consideration the committee shall report the bill back to the House, and the previous question shall be considered ordered on the bill and amendments to final passage.

Mr. SNELL. Mr. Speaker, this rule provides for the consideration of what is known as the migratory bird bill. It proposes one hour of general debate and the usual consideration under the 5-minute rule.

In 1916 the Federal Government made a migratory bird treaty with the Dominion of Canada. In 1918 we passed an enabling act providing for the execution of this migratory bird treaty. Up to the time of this act the migratory birds were fast disappearing, but as a result of this legislation we are pleased to say that they are returning in increased numbers. And now we are up against the proposition of furnishing proper feeding grounds and game refuges to take care of these birds. The present bill is in a general way complementary to the enabling act that was passed in 1918. With the fast disappearing forests, and swamp lands, the increasing amount of these lands in the hands of private corporations and game clubs, we find for the average every-day hunter, the man who does not feel that he cares to spend the money to join some club, but cares to hunt only occasionally, will soon have no place left for him unless something along this line is done. Therefore one of the general provisions of this bill is to provide public shooting grounds and public game refuges that will be available at various times for all the people throughout the country. The money to provide for these public shooting grounds and game refuges is to come from the sale of Federal licenses to the people who desire to hunt migratory birds. Or, to be more specific, the two main objects of the bill are, first, for the maintenance of marsh and water areas especially suitable for migratory wild fowl, which shall be used as free public shooting grounds in the open season and safeguarded as breeding and resting places for these birds in the closed season; second, the administration of the migratory bird treaty in order to more adequately maintain and increase the supply of migratory birds, including not only ducks, geese, and other classes of game, but the great host of smaller species which are so vitally essential to the agricultural interests of the country.

This bill has been before the country for practically two years and has received the widest publicity. Practically the whole press of the country, every game club, Audubon society, and the conservationists of every part of the country are unanimously in favor of it. There are about 38 different States that have regularly organized conservation commissions and 31 or 32 of them are unanimously in favor of the provisions of this bill. It has the approval of the Agricultural Department and of

your Agricultural Committee, and in general terms I might say that it is a safe, sane, practical measure, not only for providing these shooting grounds but for the execution of the migratory bird act; and if it is considered proper to pass it at this time, it will be of inestimable value to the people for all time and will ever increase and maintain an ample supply of wild animal life in this country.

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

Mr. SNELL. I yield to the gentleman from Maryland.

Mr. LINTHICUM. Why do we not take up S. 1452 as amended? Would not that insure the final enactment of the bill at this session?

Mr. SNELL. When this rule was originally granted the Senate bill had not passed. It is the intention of the gentleman from Kansas [Mr. ANTHONY], who is in charge of the bill, after the rule is adopted and before the House resolves itself into the Committee of the Whole, to ask unanimous consent to consider the Senate bill in lieu of the House bill.

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

Mr. SNELL. I yield for a question.

Mr. BLANTON. The gentleman spoke of providing feeding preserves for the birds. The gentleman knows that when wild ducks and wild geese migrate, they migrate according to their own program, just as an airplane goes its way. How are you going to control them in the places where they shall go?

Mr. SNELL. I appreciate the fact that you can not control them as to where they will go, but the people who are interested in these game birds know where it is their habit to go, and are going to provide these shooting grounds and refuges in those places.

Mr. LINTHICUM. Would this bill include the Government reservations?

Mr. SNELL. I believe it is intended to offer an amendment, to which there is no objection, to exclude Government reservations.

Mr. LINTHICUM. Will the gentleman accept an amendment of that kind?

Mr. SNELL. I am not in charge of the bill, but I understand that arrangement has been made.

Does the gentleman from Tennessee [Mr. GARRETT] desire time?

Mr. GARRETT of Tennessee. I would be very glad if the gentleman would yield to me 30 minutes.

Mr. SNELL. Will the gentleman try to get along with 25 minutes?

Mr. GARRETT of Tennessee. Will the gentleman yield to me 25 minutes to use as I desire?

Mr. SNELL. I yield to the gentleman 25 minutes to use as he desires.

Mr. GARRETT of Tennessee. Mr. Speaker [applause], I am opposed to the legislation for the consideration of which this rule proposes to make provision. Therefore I can see no reason for supporting the rule itself. I do not intend to attempt to enter into any elaborate analysis of the bill H. R. 5823. Its general terms are quite sufficient to cause me to oppose it. In a general way that bill provides that those who hunt migratory birds as defined in the treaty with Great Britain and in the act passed subsequent to that treaty shall be required to take out a Federal license, paying therefor \$1; that a portion of the funds derived from these license fees, which are to be collected I believe by the postmasters, are to be invested in the purchase or lease by the Federal Government of lands suitable for game refuges.

Of course this bill has the support of the sportsmen of the country. They are back of it. I like to respect the wishes of the sportsmen of the country. The real sportsman is nearly always a big-hearted, generous, unselfish individual. [Applause.]

But the trouble is that these gentlemen do not realize where this legislation leads to. Earnest as they are, and earnest as are the other societies that are supporting this legislation in their desire to preserve the wild life of the country, they fail to realize the precedent that is fixed here. They fail to appreciate the fact that this is but enhancing Federal power, taking another step toward adding to the restlessness and discontent of the average citizen with the Federal Government. Of course everything that is proposed in this bill could be worked out through the States. There is where it should be worked out. The whole truth is that these earnest people who are interested in this legislation find it easier to turn their batteries upon Washington and bedevil Congress into doing something it ought not to do than to go to the State legislatures and get them to do the thing that the State legislatures ought to do.

And hence we have this new approach, this new step, in the enhancement of Federal power. There are other things in the



bill, but I do not wish to take up so much time. The control of fishing is contained in this bill.

Let me say a few words, if I may, to gentlemen from my section of the country in particular. Some months ago we made a determined and bitter fight in this House upon what was known as the antilyncing act. We took high constitutional ground. We felt that we were fighting not alone the battles of our own people down there, but battles for the people of all the States in attempting to preserve in their integrity the rights and duties of those States. Let me ask you how long do you think we can continue to yield to the blandishments and propaganda and the temptations of expediency on measures such as this? [Applause.] Enhancing the Federal power instead of standing on our own ground. This rule ought not to be here. It is a thing that we think the Federal Government ought not to deal with; a thing that can be worked out through the States, and ought to be worked out through the States. I tell you now, particularly you gentlemen from my section, that if we continue to pass legislation along these lines we will wake up some morning to find that even the migratory birds have come home to roost. [Laughter and applause.]

Mr. BANKHEAD. Will the gentleman yield?

Mr. GARRETT of Tennessee. I yield.

Mr. BANKHEAD. Does not the gentleman think that some of the bills on the calendar of this House awaiting action are of much more importance than to take up this bill?

Mr. GARRETT of Tennessee. I do, indeed. Why is it that the great national policy can not be fixed, for instance, with regard to Muscle Shoals? [Applause.] Why is it you wish to come here and trifle with these matters that the States can attend to, and ought to attend to, to the neglect of these things which the Nation only can do and ought to do?

Mr. HARDY of Texas. Will the gentleman yield?

Mr. GARRETT of Tennessee. I will yield to the gentleman from Texas.

Mr. HARDY of Texas. Does the gentleman have any information in reference to the great fisheries bill to protect the rights of the natives and inhabitants of Alaska in Alaskan waters that has been reported and is on the calendar?

Mr. GARRETT of Tennessee. I have some knowledge of that matter—that is a thing that only the Nation can do, and it ought to be under consideration now, as a choice between that measure and this bill.

Mr. HARDY of Texas. And the Delegate from Alaska can not get an opportunity for a hearing in this House?

Mr. GARRETT of Tennessee. So I understand.

Mr. SNELL. Mr. Speaker, I yield five minutes to the gentleman from Kansas [Mr. TINCHER].

Mr. TINCHER. Mr. Speaker, the only trouble about the argument of the gentleman from Tennessee is that the migratory bird has no respect for any State lines. [Laughter.] If his argument was good that the State should enact this legislation with reference to migratory birds, you might as well apply it to the counties.

What is the subject? It is a subject concerning which our country and a foreign country have had a treaty. Who will place the laws on the statute books to carry out the intent of that treaty? The question answers itself. Will the States do it? One witness appeared before our committee in opposition to this bill. He was an honored Member of this body, a Member of Congress. He said that he was opposed to the bill and opposed to the treaty, because all the migratory birds, practically, in passing from the North to the South alighted on the waters in his district. He testified that he thought the people of that locality should have the right to slaughter and sell the migratory birds. We also had before our committee a gentleman from that section of the country in favor of the bill. He was a game warden, a State officer. He said not to follow the advice of that distinguished Member, although he was our colleague. He called our attention to the fact that, concerning the migratory birds about which these nations have enacted a treaty, in the gentleman's district it would cost me \$77 to shoot a duck under their State law, while that gentleman might hunt to his heart's content on a license of \$3.

It is not only the sportsmen of America but every game warden of the United States, except a few out in the western section, selected by the governors and the people of the States interested in the preservation for future generations of the migratory birds, who are behind the bill.

The gentleman wants to leave it to the States. If you do, take the example as testified to in the hearings by a game warden of Virginia, who told us that the distinguished gentleman who had testified in opposition to the bill in his district had a State law concerning migratory birds that the residents might hunt them. They did not know the lines when they

crossed them. Under the beautiful system as outlined by the gentleman from Carolina, a man living in the District of Columbia or in Kansas shooting a duck in Carolina must pay a license of \$77, while the other man can hunt for \$3. Gentlemen, this is a national subject. The migratory bird has been deemed a national subject, or our Nation would not have dealt concerning it and made a treaty with a foreign nation.

Mr. GARRETT of Tennessee. Mr. Speaker, does the gentleman say that this law will change the licensing system so that it will affect the licenses now in vogue?

Mr. TINCHER. No; I do not.

Mr. GARRETT of Tennessee. Then, it will cost the man \$78 in that State. [Laughter.]

Mr. TINCHER. That is all right; but this law will permit a refuge in that State where they charge \$77 for a license—a Government refuge, where the birds can have protection from the slaughter of the man who wants to kill them and trade them for groceries, as was described by the Congressman who testified before our committee. This is a law looking toward the conservation of a resource which is national in its aspect, and this is the kind of a law that produces an element we have always had to fight when it has been placed on the statute books. It is not only the sportsman. To-day under the law a rich man who can own a preserve can have some assurance that he can hunt. The birds do not belong to the rich nor do they belong to the poor, but a Government refuge where a bird may have protection and where the species may be protected if necessary; and we all know that there will not be such a thing as a migratory bird in a few years—that is, a duck or a goose—if this present system is continued.

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

Mr. TINCHER. Yes.

Mr. MONTAGUE. How could you protect the bird by having a public shooting ground for it?

Mr. TINCHER. The public shooting ground would not so much protect the bird, but this bill provides not only for a public shooting ground where the poor as well as the rich may hunt, but it provides for a refuge where no man can hunt, and the money collected from this tax is to go to the maintenance of that refuge where that species will be protected.

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

Mr. GARRETT of Tennessee. Mr. Speaker, I yield 10 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I approach this subject under conditions of very considerable embarrassment. With the obligations and responsibilities resting upon me I feel it my duty, have always deemed it my duty, to support, if it is possible to do so and square such support with my conception of my public duty, bills that are reported favorably and rules that are presented by a majority of the Committee on Rules. I would not appear to-day in opposition to this bill and in criticism of the rule, though I shall feel it my duty to vote for the rule because I believe that a measure having as much support as this measure has is entitled to consideration, if it were not for the fact that I believe the measure is so far-reaching in its evil consequences, would be so tremendously harmful in the long run to my country and to its people, that I can not bring myself to support it or any part of it. It is true that the Supreme Court, which held in the Connecticut cases and in the case of Ward against Race Horse that game was the property of the States, that full and exclusive dominion over game was a part of State sovereignty, did later hold by a divided court in connection with the treaty relative to migratory birds that what the Congress could not do through a bill passed by both Houses and signed by the President could be done through a treaty negotiated by the Executive and approved by the Senate. That is the law, and as a good citizen I accept it and shall abide by it until some future day that great court shall decide, as I am confident it will decide, that the Constitution of the United States can not be violated by treaty any more than it can be violated by act of Congress. [Applause.]

It will be a sad day for the Republic when it shall be finally settled, if it shall be, that the great basic principles of the Government may be overturned and set aside by the treaty-making power.

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

Mr. MONDELL. I can not yield; my time is brief. It is possible that I have had one letter, but with that possible exception no one has appealed to me against this legislation; on the contrary, I have had, as all Members have had, many appeals in its behalf by associations of hunters or associations of people who are pleased to call themselves conservationists, and so labeling themselves, assume a superior virtue not possessed

by those of us who may not agree with their views. That flag, Mr. Speaker, more than any other flag that ever floated, except for the brief period of our great disagreement, has had the loyal support of the people of a great Nation, and it has had that support largely because under it we have been free from those petty, miserable, and vexatious interferences and annoyances that elsewhere and under centralized governments have made law breakers and even anarchists of men who wanted to be good citizens. [Applause.] We have, thank God, up to this good hour in the main escaped the tyranny of petty officials of a centralized government interfering with the rights, the liberties, and the everyday life of the people locally—an interference which by its very character can not well avoid being tyrannical, a control whose source of authority is so far removed from the people locally that against it they feel hopeless, helpless, and resentful. We have here before us a bill which extends Federal police power, authority, and control more than any measure that has appeared in this Chamber, save the Volstead Act, which the people authorized by amending the Constitution and tolerate because it seeks to cure an appalling national evil, and this bill is to be considered in general debate for only 60 minutes—a bill under which the Federal police power of the Nation is extended to the limits of the Republic and over every barefooted boy, and every youth of the land who may go out to shoot black-birds off the spring crops; a bill under which the regulations of the Secretary of Agriculture, numberless and far extending in their scope, become the law regulating the activities of every citizen who may at any time be disposed to shoulder a shotgun and hunt a peewee or a pelican, for the term "migratory birds" includes about everything that flies save a bat or an English sparrow. [Laughter and applause.]

Mr. GARRETT of Tennessee. Mr. Speaker, I yield the remainder of my time to the gentleman from Virginia, Mr. TUCKER.

Mr. TUCKER. Mr. Speaker, I am opposed to this bill out and out. I have been greatly interested in it, however, because it comes from the great Committee on Agriculture, to whom we look for measures for the relief of the farmers; and the voice of our calm and dispassionate colleague from the State of Kansas [Mr. TINSCHER], who gives us from time to time the story of the needs and sufferings of the farming communities, has been raised in favor of this bill, which he declares provides a refuge for migratory birds. I beg to call the gentleman's attention to the fact that it is not a refuge for migratory birds that this bill provides, but it is a refuge for the hunting clubs of the country. [Applause.] The migratory birds are a secondary affair. Why, gentlemen of the House, in this hour of our trouble, when the question of the relief of the agricultural communities of the country is at stake—when they are asking for relief—why is it that this great committee that has before it matters that would tend to relieve the oppression upon them brings in such a bill as this, which only adds additional taxes, additional offices, and additional revenue agents to harass the people of the country? When the farmer asks for bread you give him this stone.

Why, a reading of the bill proposed shows that it provides for the establishment of shooting grounds for the public. What right have we to pass this bill? Ah, gentlemen say that it comes from the right which devolves upon us in connection with the treaty between this country and Great Britain. What does that treaty provide? For protecting the migratory birds, not for providing hunting clubs, and this bill attempts to provide protection for birds by establishing hunting clubs in their refuges to kill them. This bill provides for the levying of a tax for licenses, which sum is to be used in the purchase of land throughout this country, water and land, to build up great hunting clubs for the benefit of the suffering farmers in Kansas, I suppose. [Laughter.] Mr. Speaker, we are bound to respect that treaty and carry it out. I ask gentlemen who have reported this bill to answer me this: Have not we carried it out in the light of the act of July 3, 1918? We legislated then to carry out this treaty. We provided penalties for violating the treaty. What is this bill for? Stripped of all its paraphernalia, it is a bill for the relief of the hunters of this country and not to carry out this migratory bird law. Mr. Speaker, I agree with my friend from Wyoming [Mr. MONDELL] we are bound in this matter, because the Supreme Court has declared that the law passed to carry out this migratory bird treaty was a valid law, but that treaty may be repealed by a law of Congress.

Mr. HERRICK. Will the gentleman yield?

Mr. TUCKER. Well, for a question.

Mr. HERRICK. The gentleman wants information and has asked for it, and I want to give him some information. I

would answer the gentleman by saying the bill before us is to take up the time of this House and is a pretense of doing something when we are not doing anything. [Laughter.] The truth is this Congress has legislated upon birds, beasts, bugs, foreigners, and special classes, but we can not legislate for the farmer, the laborer, or the masses—only for the classes. [Laughter.]

The SPEAKER. The time of the gentleman has expired.

Mr. TUCKER. Mr. Speaker, I am glad to have the indorsement of one of the leaders on that side of the House.

Mr. SNELL. Mr. Speaker, in my short legislative career I have discovered that when a Member on the floor of this House wants to oppose a proposition for some reason or other and does not know exactly how to go at it he always hides behind the Constitution, State rights, or Federal regulation. That is the position of gentlemen in opposition to the bill. The gentleman from Tennessee stood on the State-rights proposition, while the gentleman from Wyoming stood on the broader proposition of the Federal Constitution.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. SNELL. I will.

Mr. GARRETT of Tennessee. Does not the gentleman think the Constitution is really a good thing to stand behind?

Mr. SNELL. I will agree to that, but when you gentlemen do not want to argue proposed legislation you get behind one of those propositions and forget what is in the legislation proposed. There are two classes of people who are opposed to this legislation. I have been through all the hearings before the Agricultural Committee and the debate in the Senate, and I want the Members of this House to know just who are opposing this bill and let them draw their own conclusions. One Member appearing before the Agricultural Committee stated that he came in the interest of the game wardens of seven of the Western States. He said to the Agricultural Committee he did not want to discuss the merits of this bill, but wanted to refer to some resolution presented to him to be presented to the committee, and I want you to know what those resolutions were. They say that they appreciate the intent of the legislation and they are in full support of it; that they approve the purpose and aims of this bill, but they think it is of enough importance to have a Federal appropriation, and they wind up their resolution by saying, "We are in favor of a direct appropriation by the Congress for the purpose of enforcing the migratory bird treaty and the establishment of public shooting grounds and game refuges, etc."

They are in favor of every provision of this bill, but instead of having the man who gets the benefit pay for it, they want the Federal Government to pay for it. There is one other class who is opposed to the passage of this bill and that is represented by a statement made by another gentleman who appeared before the committee, and he simply gave to the committee the information that his people are against any kind of regulation. All they want to do is that they may kill all the wild animal life at any time and sell it in the open market. Now there are the two classes which opposed this legislation. On the other hand, we are presenting you a clean-cut, practical, conservation measure, one that has the unanimous support of 95 per cent of the people of the United States and the game wardens, who say that they who oppose this proposition do not represent one-fortieth of the entire population of the United States; all the other game conservation commissions in the United States are unanimously in favor of this legislation.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. SNELL. It will provide protection for all time to come and a generous supply of wild-animal life, and it is a measure that is entitled to the careful, conservative consideration of the membership of this House. I yield to the gentleman.

Mr. JOHNSON of Mississippi. I was anxious to know how the gentleman reached the conclusion that nearly 95 per cent of the people of the United States were in favor of the bill. I would like for the gentleman to tell us how he arrives at that estimate.

Mr. SNELL. As a matter of fact, I figured up the population of the various States represented by the game wardens who were opposed to it. That is how I got that conclusion.

Mr. JOHNSON of Mississippi. You got that from the game wardens, but not the people.

Mr. SNELL. From the number of people given in the last census, which these game wardens say they represent, and they are not one-fortieth of the population of this country.

Mr. Speaker, I move the previous question on the resolution.

The SPEAKER. The gentleman from New York moves the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the Speaker announced that the "ayes" appeared to have it.

Mr. GARRETT of Tennessee. A division, Mr. Speaker.

The SPEAKER. The gentleman from Tennessee demands a division.

The House divided; and there were—ayes 71, noes 73.

Mr. SNELL. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from New York asks for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. As many as are in favor of the resolution will, when their names are called, answer "yea." Those opposed will answer "nay."

The question was taken; and there were—yeas 153, nays 117, not voting 156, as follows:

YEAS—153.

Table listing names of members who voted 'yea', including Ackerman, Andrews, Anthony, Appleby, Atkeson, Beck, Bird, Bixler, Bland, Bond, Britten, Browne, Burdick, Burtness, Butler, Cable, Campbell, Chalmers, Chindblom, Clague, Clarke, Cole, Colton, Connolly, Cooper, Coughlin, Cramton, Dallinger, Dempsey, Denison, Dowell, Dumbar, Dunn, Evans, Fairchild, Fairfield, Faust, Fish, Fitzgerald, Foster, Frear, Freeman, French, Frothingham, Fuller, Funk, Gahn, Gifford, Glynn, Gorman, Graham, Green, Griest, Hadley, Hardy, Haugen, Henry, Hickey, Hicks, Hoch, Hukriede, Humphrey, Ireland, James, Kelly, Ketcham, Kincheloe, Kissel, Kline, Knutson, Kraus, Lampert, Langley, Larson, Lea, Lee, Linthicum, Little, Longworth, McCormick, McLaughlin, McPherson, MacLaferty, Madden, Magee, Maloney, Mapes, Merritt, Miller, Mondell, Moore, Morgans, Mott, Nelson, Parker, Patterson, Periman, Petersen, Porter, Purnell, Reece, Reed, Rhodes, Ricketts, Roach, Robertson, Rosenbloom, Sanders, Schall, Shaw, Shreve, Siegel, Sinclair, Snell, Speaks, Sproul, Strong, Summers, Swing, Taylor, Temple, Thompson, Timberlake, Tincher, Tinkham, Underhill, Vaile, Vestal, Voigt, Ward, Wason, Weaver, White, Williams, Winslow, Woodruff, Young.

NAYS—117.

Table listing names of members who voted 'nay', including Abernethy, Almon, Andrew, Arentz, Aswell, Bankhead, Bell, Black, Bland, Blanton, Bowling, Box, Brand, Briggs, Bulwinkle, Byrnes, Cannon, Clouse, Collier, Connally, Crago, Crisp, Curry, Davis, Deal, Dickinson, Dominick, Doughton, Drewry, Dupré, Ellis, Favrot, Fields, Fisher, Fulmer, Garrett, Gensman, Goldsborough, Greene, Hammer, Hawley, Herrick, Hersey, Hill, Hooker, Huddleston, Hudspeth, Hull, Humphreys, Jeffers, Johnson, Johnson, Jones, Kunz, Lanham, Lankford, Larsen, Layton, Lazaro, Leatherwood, Lee, Logan, London, Lowrey, Lyon, McDuffie, McKenzie, McSwain, MacGregor, Mansfield, Martin, Michener, Montague, Moore, O'Connor, Oldfield, Pou, Quin, Radcliffe, Rainey, Ramseyer, Rankin, Rayburn, Rouse, Rucker, Sabath, Sanders, Sandlin, Sears, Sinnott, Sisson, Smithwick, Stafford, Steagall, Stedman, Steenerson, Stevenson, Summers, Swank, Tillman, Towner, Tucker, Turner, Tyson, Upshaw, Vinson, Volstead, Ward, Williams, Wilson, Wingo, Wise, Woods, Wright, Wurzbach, Wyant.

ANSWERED "PRESENT"—1.

Raker

NOT VOTING—156.

Table listing names of members who did not vote, including Anderson, Anson, Bacharach, Barbour, Barkley, Beedy, Begg, Benham, Blakeney, Boles, Bowers, Brennan, Brooks, Brooks, Brown, Buchanan, Burke, Burton, Cantrill, Carew, Carter, Chandler, Chandler, Christopherson, Clark, Classon, Cockeran, Codd, Cole, Collins, Copley, Crowther, Cullen, Dale, Darrow, Davis, Drane, Driver, Dyer, Echols, Edmonds, Elliott, Fenn, Fess, Focht, Fordney, Free, Gallivan, Garner, Garrett, Gerner, Gilbert, Goodykoontz, Gould, Greene, Raker.

Table listing names of members who did not vote, including Hardy, Hawes, Hayden, Hays, Himes, Hogan, Huck, Husted, Hutchinson, Jacoway, Jeffers, Johnson, Johnson, Jones, Kahn, Kearns, Keller, Kelley, Kendall, Kennedy, Kiess, Kindred, King, Kirkpatrick, Kitchin, Kleczka, Kline, Knight, Kopp, Kreider, Lawrence, Lehlbach, Lineberger, Luce, Lühring, McArthur, McClinton, McFadden, McLaughlin, Mead, Michaelson, Mills, Morin, Mudd, Murphy, Nelson, Nolan, O'Brien, Oliver, Overstreet, Parks, Paul, Perkins, Pringle, Rainey, Ransley, Reber, Reed, Riddick, Riordan, Robson, Rodenberg, Rogers, Rose, Rosedale, Ryan, Scott, Shelton, Smith, Snyder, Stephens, Stiness, Stoll, Strong, Sullivan, Sweet, Tague, Taylor, Taylor, Ten Eyck, Thomas, Thorpe, Tilson, Treadway, Volk, Walters, Webster, Wheeler, Williams, Wood, Woodyard, Yates, Zihlman.

So the resolution was agreed to. The Clerk announced the following pairs: Mr. Cole of Ohio (for) with Mr. Treadway (against). Mr. Stephens (for) with Mr. McClintic (against). Mr. Morin (for) with Mr. Paul (against). Mr. Greene of Massachusetts (for) with Mr. Park of Georgia (against).

Until further notice: Mr. Darrow with Mr. Barkley. Mr. Michaelson with Mr. Tague. Mr. Kearns with Mr. Cockran. Mr. Edmonds with Mr. Jacoway. Mr. Bacharach with Mr. O'Brien. Mr. Free with Mr. Thomas. Mr. Strong of Pennsylvania with Mr. Cantrill. Mr. Lehlbach with Mr. Hawes. Mr. Brennan with Mr. Oliver. Mr. Lineberger with Mr. Riordan. Mr. Begg with Mr. Taylor of Colorado. Mr. Gerner with Mr. Collins. Mr. Snyder with Mr. Kindred. Mr. Kennedy with Mr. Taylor of Arkansas. Mr. Kline of New York with Mr. Kitchin. Mr. Barbour with Mr. Parks of Arkansas. Mr. Keller with Mr. Cullen. Mr. Hutchinson with Mr. Buchanan. Mr. Elliott with Mr. Griffin. Mr. Webster with Mr. Sullivan. Mr. Fess with Mr. Drane. Mr. Wood of Indiana with Mr. Clark of Florida. Mr. Fenn with Mr. Gallivan. Mr. Kiess with Mr. Hardy of Texas. Mr. Burton with Mr. Garner. Mr. Tilson with Mr. Hayden. Mr. Williams of Illinois with Mr. Mead. Mr. Davis of Minnesota with Mr. Raker. Mr. McArthur with Mr. Gilbert. Mr. McLaughlin of Michigan with Mr. Driver. Mr. Beedy with Mr. Overstreet. Mr. Kahn with Mr. Stoll. Mr. Mudd with Mr. Garrett of Texas. Mr. Johnson of South Dakota with Mr. Carew. Mr. Perkins with Mr. Carter. Mr. Reed of New York with Mr. Rainey of Alabama.

Mr. LINEBERGER. Mr. Speaker, I desire to vote. The SPEAKER. Was the gentleman present and listening, and did he fail to hear his name? Mr. LINEBERGER. I heard my name called, but not in time to vote.

The SPEAKER. The point is whether the gentleman was listening and did not hear his name.

Mr. LINEBERGER. I heard my name called. The SPEAKER. The gentleman does not qualify. Mr. BARBOUR. Mr. Speaker, I desire to vote. The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. BARBOUR. I did not know it was that kind of a call. I supposed it was a no quorum call.

The SPEAKER. The gentleman does not qualify. The result of the vote was announced as above recorded. Mr. HAUGEN. Mr. Speaker, I ask unanimous consent that S. 1452 be taken up for consideration.

The SPEAKER. The gentleman from Iowa asks unanimous consent that S. 1452, which the Clerk will report by title, be taken up for consideration.

The Clerk read the title of the bill (S. 1452) providing for establishing shooting grounds for the public, for establishing

game refuges and breeding grounds, for protecting migratory birds, and requiring a Federal license to hunt them.

The SPEAKER. The Chair presumes the gentleman means to ask that this bill take the place of the House bill.

Mr. HAUGEN. Yes.

The SPEAKER. Is there objection to the request?

Mr. JONES of Texas. Mr. Speaker, I object.

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of H. R. 5823.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 5823) providing for establishing shooting grounds for the public, for establishing game refuges and breeding grounds, for protecting migratory birds, and requiring a Federal license to hunt them, with Mr. CHAMTON in the chair.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. HAUGEN. I yield to the gentleman from Kansas [Mr. ANTHONY] such time as he may desire.

The CHAIRMAN. The gentleman from Kansas [Mr. ANTHONY] is recognized for such time as he desires, not to exceed 30 minutes.

Mr. ANTHONY. Mr. Chairman, I am heartily in favor of this bill. I think there never was a measure before this House which was so positively and emphatically in the best interests of the whole people of this country as this bill is. [Applause.] This is distinctly not in the interest of the gunning clubs or of the few men who own the rich hunting preserves of this country. It is a bill which will some time put the common people of this country on an equality with the men who in the State of the gentleman from Virginia [Mr. TUCKER] own every valuable shooting right in the State, so that the poor man of his State has no chance to kill a duck if he wants to. The gentleman's remarks were in the interest of the preservation of those rights to the rich and those who could afford them. This bill will give some opportunity to the poor man to get a chance to shoot a duck if he has that inclination, but above all and beyond that the object of the bill is for the conservation and preservation of the wild fowl of the country.

Mr. MCKENZIE. Will the gentleman yield for a question for information?

Mr. ANTHONY. I yield to the gentleman from Illinois.

Mr. MCKENZIE. In the State of Illinois we have a game license law. Every man who wishes to hunt must take out a license. We have many farmers in Illinois living a few miles from the Mississippi River. Occasionally in the fall of the year after their summer's work is ended they want to take a day or two off and go down to the river to shoot ducks. Does this bill provide that those men will be required to go to the post office and take out a Federal license before they can shoot a wild duck on the Mississippi River?

Mr. ANTHONY. Yes; they will be required to pay the tremendous sum of \$1 for a Federal permit; and I have never yet seen a farmer's boy who loves to shoot ducks who would not gladly pay that dollar if he could be assured of the opportunity to do so.

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

Mr. ANTHONY. I yield to the gentleman from Texas.

Mr. BLANTON. Does the gentleman think he ought to ask the membership of the House to vote for a proposition concerning the merits of which he has not yet convinced his own floor leader?

Mr. ANTHONY. I will make a statement in regard to that.

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

Mr. ANTHONY. I yield to the gentleman from Ohio.

Mr. CHALMERS. I am interested in commercial fishing in the Lake Erie district. I should like to ask the gentleman whether this bill will be amended so as to protect the interests of the commercial fishermen?

Mr. ANTHONY. I wish to say a few words about that. I want to say to the House right now that it is evident that some strong interest is fighting this bill. The interest that has gone to the greatest length to oppose this bill is the commercial fishing organizations of the country; and yielding to that great power, which has shown its force on the floor of this House today, I have agreed to strike out of the bill any reference to fish, so that the commercial fishing interests can rest assured that they will not be interfered with on any waters which are set aside as game refuges under the provisions of this bill.

Mr. CHALMERS. I have not been fighting the gentleman's bill.

Mr. ANTHONY. I know that, but others have.

Mr. MONTAGUE. Will the gentleman yield?

Mr. ANTHONY. I yield to the gentleman from Virginia.

Mr. MONTAGUE. I should like to ask the gentleman a question to see if he can satisfy me on this point: Does a public shooting ground in any way tend to preserve game?

Mr. ANTHONY. It does.

Mr. MONTAGUE. Why?

Mr. ANTHONY. A public shooting ground is not the primary purpose of the bill. The primary purpose of the bill is to set aside areas of ground, principally swamp and waste lands which are used as feeding and breeding grounds for the migratory birds, and incidentally to give the whole mass of the people—the poor man, the one-gallus hunter, as you call him—an opportunity to shoot on these public shooting grounds during the open season.

Mr. MONTAGUE. Where will these public shooting grounds be located?

Mr. ANTHONY. They will be scattered all over the country. The principal class of land that would be used for such purposes would be land in swamp areas.

Mr. MONTAGUE. Does the gentleman realize that very few people live in those areas?

Mr. ANTHONY. That is true.

Mr. MONTAGUE. And the people who may hunt upon public grounds will have to come from very long distances?

Mr. ANTHONY. That is true.

Mr. MONTAGUE. That requires a great deal of money and therefore the poor people will be unable to hunt on these grounds.

Mr. ANTHONY. Oh, no.

Mr. HILL. Will the gentleman yield?

Mr. ANTHONY. I yield to the gentleman from Maryland.

Mr. HILL. I should like to ask the gentleman if a bill providing game refuges but not permitting any game to be shot on these refuges would not better preserve the game?

Mr. ANTHONY. It is the intention that certain of these game areas will be set aside as sanctuaries upon which at no time in the year will a shot be fired.

Mr. HILL. None at all?

Mr. ANTHONY. The situation is this: When a duck starts from Canada on its southern migration it is bombarded from every pond and swamp from the Canadian border to the Gulf of Mexico. Unless there is some protection afforded, some areas for the birds where they are protected from the hunter, and a few areas where they will be protected for all seasons of the year, the birds must go out of existence. With the rapid drainage of marsh lands, the wild duck will soon have no natural place to live in this country.

Mr. HERRICK. Will the gentleman explain one section of the bill?

Mr. ANTHONY. I will yield a little later.

Mr. HERRICK. I would rather the gentleman would yield now. [Laughter.]

Mr. ANTHONY. I will yield to the gentleman.

Mr. HERRICK. Here on page 6, section 10, it says "the Secretary of Agriculture is hereby authorized to purchase or rent in the name of the United States such areas as have been approved for purchase or rental by the commission," and so forth. Out of what fund are these areas to be purchased or rented, and where is the appropriation for the purpose?

Mr. ANTHONY. Outside of the initial appropriation of \$50,000, there is no money taken out of the Treasury. Under the licensing provision it is expected that there will be about a million dollars a year derived.

Mr. HERRICK. "Expected," but not certain.

Mr. ANTHONY. And 45 per cent can be used for the purchase or lease of these areas.

Mr. HERRICK. If that is the case, why appropriate the initial \$50,000? Why not enact a law and depend upon the returns to put it into operation?

Mr. ANTHONY. It will require \$50,000 to put the law into operation. Now, I would like the House to notice that there are some material considerations for this bill aside from the philanthropic one of conserving wild life. The House ought to realize the great commercial value of the migratory fowl in this country. I was amazed myself at the hearings before the Agricultural Committee when the game warden of Minnesota said that under the law of his State a hunter who takes out a shooting license each year has to report the number of game birds he has shot the previous year. He said the record would show that last year over 2,000,000 ducks and geese were legally killed during the open season in Minnesota. He placed a value

of \$1 a head on these ducks and geese. I think that is a little high, but that means in the State of Minnesota alone there was legally killed over \$2,000,000 worth of migratory wild fowl, making a total value in the entire country of birds killed legally of easily thirty or forty million dollars each year. So the House will realize that we are conserving a most valuable food supply when it enacts a provision to augment and care for our migratory birds.

When we enacted the law of 1918 supplementing the treaty with Canada we provided for no shooting of wild fowl in the spring. Since that went into effect the supply of ducks and geese has increased 100 per cent.

That is apparent to any man who goes out into the open and shoots. The trouble is that the average man if he wants to shoot wild fowl has no opportunity to do it. In my State and practically every State, if there is good duck-shooting ground, there is some gun club or some rich man, able to afford it, who has bought or leased it, and the average man is prevented from exercising that right.

Mr. MONTAGUE. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. MONTAGUE. How does this bill prevent that evil?

Mr. ANTHONY. Because under the game refuges that will be created the average man on the payment of a dollar license will be permitted to hunt there in the open season.

Mr. MONTAGUE. But they have that right now in every State of the Union.

Mr. ANTHONY. Eventually under present conditions the rich men will possess all the valuable shooting grounds.

Mr. MONTAGUE. And I understand they want this bill enacted.

Mr. ANTHONY. Many of them want it because, undoubtedly, they desire to conserve the migratory birds.

Mr. DEAL. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. DEAL. If it be a fact that the migratory birds have increased since the treaty has been agreed upon, why should not we go along under the law that we have now? Why do we want any additional law?

Mr. ANTHONY. Because if we do not enact the law it is practically certain, with our continued increase in population and drainage of swamp lands, that the supply of wild fowl will be exhausted.

Mr. DEAL. But the gentleman says that they have been increasing since the treaty.

Mr. ANTHONY. They are, but with the increase of population and people who are shooting them the probability is that they will be wiped out. Canada has already taken the step that we propose to take in fulfillment of the treaty. She has created game refuges in Canada. She charges a small license fee to hunt, and it has been working perfectly in Canada, and I think the increase in the migratory birds is largely due to that fact. I think the increase in the number of birds in this country is largely due to the steps taken by Canada in relation to breeding grounds for wild fowls. Let me say that the natural breeding ground for these birds would be in any place north of this parallel of latitude, but since the birds have been so much persecuted and shot at in the last 20 or 30 years very few of them breed in the United States any more. But, under a law like this, the birds will naturally return and propagate in this country.

Mr. DEAL. And is it not a fact that the increase in these migratory birds has been such that there has been some suggestion already that the law shall be suspended for one or two years in order that they might reduce the number?

Mr. ANTHONY. I have never heard that statement.

Mr. CLARKE of New York. There is such record in the hearings of our committee.

Mr. SUMMERS of Washington. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. SUMMERS of Washington. I would like to know the status of the individual hunter in the neighborhood of private game preserves. Here is an area of leased land, for instance, taken by half a dozen men.

Mr. ANTHONY. The individual hunter is absolutely prohibited. I know in my own locality as a boy I used to hunt on a small lake across the river in Missouri. That lake is now owned, half of it by hunters from Kansas City and the other half by others, and the ordinary man can not hunt ducks for miles in that vicinity, unless he goes on the Missouri River.

Mr. SUMMERS of Washington. Could he under this law?

Mr. ANTHONY. There might be areas provided where he could.

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

Mr. ANTHONY. Yes.

Mr. BLANTON. The gentleman would not want to pass legislation, I take it, that would cause these game birds to cease to be wild. It is the fact that they are shot at from Canada to Mexico that causes them to be wild and teaches them how to take care of themselves.

Mr. ANTHONY. That is true. Mr. Chairman, I was rather surprised at the attitude of the gentleman from Wyoming [Mr. MONDELL] on this measure. I think he takes the most selfish position on this conservation measure of any man I have heard speak on the subject. The gentleman from Wyoming has within the confines of his own State the Yellowstone Park, the greatest natural game preserve in the world, and from the borders of that great domain all kinds of game overflow onto the lands of his State, where his people have opportunity for the best shooting and sport in the world.

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

Mr. ANTHONY. No other State that I know of has that great advantage, and I am surprised that he does not want to give anybody else the opportunity that he now enjoys. I yield to the gentleman.

Mr. MONDELL. The gentleman is not well informed. There is no hunting by anybody at any time within the confines of the Yellowstone.

Mr. ANTHONY. I did not make that assertion.

Mr. MONDELL. And it is true that my State, largely, I think I may say, by my influence, has established game preserves covering many hundred thousands of acres, and the other States can do the same.

Mr. ANTHONY. I want to say to the gentleman from Wyoming that instead of opposing further game-conservation measures, the great State of Wyoming ought to take steps to further conserve the game which the Government protects in Yellowstone Park, that overflow into the balance of the State, and where now thousands of elk are permitted to starve to death by the State of Wyoming every winter through lack of food, and these elk ought to be preserved.

Mr. MONDELL. I am in favor of game preservation and have done more to further it probably than any man in this House, but first of all I want to preserve this Republic and the liberties of the people. That is the most important conservation that I know of. [Applause.]

Mr. BANKHEAD. Is it proposed that the titles of these lands which are provided to be purchased under this bill shall be taken in by the Government of the United States?

Mr. ANTHONY. It is so proposed, but no land can be secured in any State unless it is approved by the legislature of the State in question.

Mr. BANKHEAD. If that were true, then all of the States would lose absolutely all control under their police regulations over those areas.

Mr. ANTHONY. They would not.

Mr. BANKHEAD. Is that provided against in the bill?

Mr. ANTHONY. They would lose only such control as is involved in the control over migratory birds.

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

Mr. ANTHONY. Yes.

Mr. HULL. Should this law be passed, what becomes of the license that the State issues now to the hunter?

Mr. ANTHONY. The State still grants licenses and does as it pleases with the money.

Mr. HULL. The hunter would have no protection under that license. Is not that true?

Mr. ANTHONY. I do not know what the gentleman means by protection.

Mr. HULL. Suppose a boy has a license from the State of Iowa and goes out and shoots a blackbird; then some Federal inspector or marshal arrests that boy and he is taken in before some judge.

Mr. ANTHONY. Absolutely. He would have to pay a dollar each year for the privilege of hunting any migratory birds.

Mr. HULL. Then he would have to have two licenses?

Mr. ANTHONY. Yes.

Mr. BLANTON. To kill blackbirds.

Mr. HULL. And has to follow all of the rules and regulations that the Secretary of Agriculture lays down?

Mr. ANTHONY. Yes.

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

Mr. ANTHONY. Yes.

Mr. LONDON. The national law will undoubtedly suspend the State law which will be in conflict with it.

Mr. ANTHONY. No; the only law will be regulations in reference to these migratory birds.

Mr. LONDON. I know, but every State law or regulation which will be in conflict with that—

Mr. ANTHONY. Oh, they have already been contravened by the Federal regulation, and the migratory bird is now under the control of the Federal Government. That has all been decided. That is water that has gone over the dam.

Mr. LONDON. And this is another step in that direction?

Mr. ANTHONY. We have already taken that step, and this goes a little further.

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

Mr. ANTHONY. Yes.

Mr. TUCKER. The gentleman referred to the fact that a Kansas City club had bought a part of a certain lake near his home, and some other club of hunters had purchased the other half. The gentleman also referred to the fact that in my own State the lands which would naturally be refuges have already been bought. Is it contemplated under this law that the Government with the power to purchase the lands can go and condemn those pieces of land?

Mr. ANTHONY. No.

Mr. TUCKER. Then, how are you going to get rid of that trouble?

Mr. ANTHONY. The Government can secure them only by lease or purchase, subject to the approval of the State legislature, but they intend to secure these grounds as refuges and breeding grounds and not primarily for shooting purposes, although shooting would be permitted on certain areas in proper season.

Mr. TUCKER. Then you would not get rid of the trouble that now exists.

Mr. ANTHONY. I see no trouble.

Mr. TUCKER. And the Kansas City club would still keep the gentleman from hunting on that particular lake.

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. ANTHONY. Mr. Chairman, I really feel that I have taken as much time as I should and I will have to reserve the balance of my time.

The CHAIRMAN. The gentleman from Kansas has 11 minutes remaining.

Mr. HAUGEN. Mr. Chairman, I reserve the balance of my time.

Mr. ASWELL. Mr. Chairman, there is one feature of this bill which is very highly important, in my judgment, and one in which I am heartily concerned, and that is the refuge, breeding, and resting grounds for the migratory birds. It is highly important, in my opinion, that these places of refuge be provided; but I am opposed to the Federal license. I can not support a proposition that will require every hunter in the land to take out a license. The annoying, vexing details of getting a license to hunt any sort of a bird would be very objectionable. If this bill can be amended eliminating the license feature, and if you will make a direct appropriation to provide these places of refuge, breeding, and resting grounds, then well enough, I am for it. But unless it is amended I shall have to take a position against the bill. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. Jones].

Mr. JONES of Texas. Mr. Chairman, this bill is in the nature of an anticlimax. During the campaign of two years ago or three years ago we were fed upon promises as rosy as Nebuchadnezzar's hanging gardens. The American people were told that if they would just let the Republicans again take charge of the machinery of the Government everything and everybody would be prosperous. They would simply wave the magic legislative wand and prosperity, clad in the garments of happiness and with a smile on her seraphic face, would appear in all her ribboned loveliness. The dogs would bark prosperity, the breezes would blow prosperity, the birds would sing prosperity, and the bulls would bellow prosperity.

Mr. MADDEN. That is what happened.

Mr. JONES of Texas. In fact, the whole Nation was to be clad in the finest and choicest of apparel, unspeakable all and full of glory. The American people took them at their word. They were placed in charge of both branches of Congress. After waiting about three years the mountains in labor have brought forth a mouse. The great Committee on Agriculture, which, as my friend and colleague [Mr. TUCKER] says, is supposed to look after the interests of the farmer, has reported a bird-pasture bill. We have passed—

Mr. HERRICK. Will the gentleman yield?

Mr. JONES of Texas. I have only 15 minutes, and when I have finished I will yield. We have passed annoying laws here until the American people are crying out in despair, "For heaven's sake, Lucy, give us a rest." The more we pass such laws as this, the more disgusted the people will probably be. Just such laws are driving the American people to despair.

Already there are hundreds of thousands of Federal employees and 30,000 detectives, spies, and special agents, who have been regulating and delving into the lives of American citizens. It would seem that would be enough of them, but this bill would add many more of those officers. Here are more officers, more regulations, more supervision, more Federal control, more legislative tomfoolery. What is the purpose of this bill? It is to reach down into the pockets of every man who shoots an occasional duck, gather in the shekels, and thus create an immense fund to provide ample shooting grounds for the professional huntsman. This is a professional huntsman's bill, to provide a means whereby he may follow the birds from place to place and shoot to his heart's content.

If it is desired to establish game preserves where no shooting whatever is allowed, well and good. Such a plan would furnish cities of refuge where the birds could find a haven of refuge from the professional huntsman's deadly aim; and I would be in sympathy with that kind of a provision, and I shall offer an amendment when it comes to that point that will make this a game refuge bill and not a game destroying bill. But that is not what they want.

If on the other hand it is desired to establish public shooting grounds—and I hope the House will listen carefully to what I am going to say in reference to this—if it is desired to provide public shooting grounds, every man and every boy who shoots an occasional duck should not be taxed to establish such grounds, but only those who shoot upon those grounds should be charged so much per day for every day they hunt upon those grounds. That would be fair, and I shall also offer an amendment to that effect. There is a public shooting gallery on Ninth Street where they use a .22 Winchester to shoot at targets.

Every man in the District who shoots a .22-caliber Winchester is not taxed so much per rifle to maintain that shooting gallery, but those who practice in that gallery are taxed so much per shot, enough to maintain the gallery. Likewise, if you are going to have public shooting grounds, why should the average citizen who works for a living in Maryland or Vermont or Texas be taxed \$1 for the purpose of establishing a public shooting place in some far-away section that is only accessible to a few local people and to the army of professional huntsmen, who might appropriately be termed "the firing squad," and who are the deadly enemies of the birds? Listen. The enemy of the birds is not the farmer or the business man who shoots occasionally, but the habitué, the gentleman of leisure, who practices until his aim is uncanny, and who when he has thinned out the birds in one section sighs for other worlds to conquer, and consequently hies himself to other and greener fields, there builds his blinds and shoots and shoots away, thus following the seasons in their onward march to the South, and shoots away until the helpless birds are driven frantic with fear. He is the man who is fathering this bill and whose associations have indorsed it.

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

Mr. JONES of Texas. For a question; yes.

Mr. COLTON. Do I understand that the State loses its jurisdiction in limiting the amount of birds that may be killed on one of these public grounds?

Mr. JONES of Texas. It does in so far as it conflicts with this bill; every place does that conflicts with this bill. It loses its jurisdiction, and it certainly loses its jurisdiction on the grounds that are established, because they would be strictly under Federal control.

If this bill passes, the farmer, when an occasional flock of ducks lands upon a neighboring farm, will be compelled to saddle old Pete, ride five or six miles to the post office, pay his dollar, secure his license, and when he comes back the ducks will have flown. He will look at the empty pond and then at his puny, useless license, and "cuss" the Government.

That is exactly what will happen.

Do you know that under section 12 of this bill any employee of the Department of Agriculture designated by the Secretary is authorized to arrest a man and haul him before the authorities and cause him great inconvenience? There are 20,000 of these employees; 20,000 who could be licensed and authorized to arrest a man without a warrant, and to haul him before the authorities, no matter where he might be going, for the non-payment of that little old license fee of \$1.

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

Mr. JONES of Texas. Yes.

Mr. LINTHICUM. You will find that same provision in the migratory bird treaty act passed in 1905; the identical words.

Mr. JONES of Texas. Oh, the difference is this: That is simply a season regulation. But here is a regulation that applies to every citizen of the United States, every boy or girl

who shoots a rifle or an air-gun at a blackbird, or a humming bird, or any of the hundred varieties of birds that fly over this country. He may be arrested by some official of the Department of Agriculture and hauled before the authorities.

Mr. LINTHICUM. That is—

Mr. JONES of Texas. I decline to yield.

The CHAIRMAN. The gentleman from Texas declines to yield.

Mr. JONES of Texas. Those are the facts. If the gentleman will read the bill he will see it. I decline to yield. The gentleman can get time under the 5-minute rule in his own right and say all he wants to in regard to it.

Moreover, this measure will add to the burdens of the already groaning and overburdened taxpayer, who is crying out for relief and not for more burdens. It is just another of those altogether too frequent steps toward an overcentralized National Government. It is time that this Congress learn how to spell economy as well as they know how to spell appropriation. But no we must take just this step and just that step until the people are driven into regarding Uncle Sam much as the birds must consider the professional huntsman, who is continually looking for a chance to go gunning for them.

This bill carries an additional appropriation of \$50,000, and if you enforce it at the hands of every man the Lord only knows how many additional employees it would be necessary to put into the field to collect this dollar to build this place where the boy who pays his dollar in some far-away section or the business man who pays his dollar would never see unless he happens to live in the immediate locality in which the shooting place is established.

Now, if the proponents are sincere in their position why do they not eliminate everything but the bird-refuge portion of this bill? Oh, they say they are for the one-gallus man. I have magazine after magazine here, published by the sportsmen, giving pictures of the one-gallus man. But no one-gallus man appeared before the committee, and I will wager that in all the propaganda that has gone out in regard to this bill no Congressman has received a letter from the one-gallus man. No. He is made the goat to establish these places for the professional huntsman.

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

Mr. JONES of Texas. Yes.

Mr. FIELDS. If this bill is enacted, the one-gallus man that hunts one hour on his own premises will be required to pay the same tax as the other fellow who hunts on his neighbor's land?

Mr. JONES of Texas. If he steps off his premises, he will have to. If he goes to a neighboring farm once a year, he must procure this license. On the other hand, the rich sportsman who goes from shooting ground to shooting ground all during the season pays no more; he just pays that dollar.

Mr. FIELDS. That is not fair to the one-gallus man?

Mr. JONES of Texas. Oh, no. That is not fair to the one-gallus man, but the other fellow always gets his rights.

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

Mr. JONES of Texas. Yes.

Mr. McDUFFIE. Under the terms of this bill the man would have to get a license to hunt even on his own land if he did not happen to live on that land?

Mr. JONES of Texas. Yes. He must live on it as a permanent residence. He can not have two tracts of land of 50 acres each and hunt on both of them. He will be compelled to get a license to hunt on his own lake if it happens to be on an adjoining tract.

This goes as far as any measure that has ever been prepared to take away the rights of citizens and will cause annoyances to a degree beyond expression. [Applause.]

Oh, where are the bounds of this never closing national tendency? Where ends this dream of national regulation? And is there no life and no intelligence that can call a halt? Is there to be no place where the citizen may go and feel free from national interference, or the States escape from its ever encroaching power? Should not there be a city of refuge for the citizen, as well as the bird, where that citizen may say here in this charmed spot my Government will treat me right. There is such a place. There is such a spot. It lies in our dual form of government, the foundation stones of which were quarried by revolutionary patriots from the hills of governmental truth.

Our happiness will be more secure, our future will be more glorious, and our prosperity less transitory if these institutions are maintained with their original luster.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. ASWELL. Mr. Chairman, I yield five minutes to the gentleman from North Carolina [Mr. WARD].

The CHAIRMAN. The gentleman from North Carolina is recognized for five minutes.

Mr. WARD of North Carolina. Mr. Chairman and gentlemen of the committee, the gentleman from Kansas [Mr. TINCHE] pointed to me and meant to refer to me, although he did so as "the gentleman from Tennessee," when he spoke of the one Member of Congress who went before the committee and when he stated that that Member of Congress had said in substance he was in favor of the wholesale slaughter and killing by the common people of migratory birds. My remarks before the committee were made rapidly and I left the city before their publication and I had no chance to read the proof and they were not well taken down, but neither before the committee nor on the printed page as it now appears did I say any such thing or anything that can reasonably be distorted into any such meaning.

On the contrary, I told him that the laws of my State prohibited hunting two days, if not three, in the week, I did not recall which, and that it prescribed the hours of the day, from the early morning until 4 or 5 o'clock in the afternoon, and that the laws regulating shooting migratory birds in North Carolina were rigid and positive and strong, and that I had stood for seven years beside the sportsmen in the courts of that State as a judicial officer trying to enforce the fair and reasonable protection of the magnificent game supply of its waters. I told him what I tell this committee now, that what the sportsman wants and the way that he proposes to operate this law if he can have it passed is this. I know whereof I speak as to the waters. Here and there in the shallow waters at whose bottom grow the wild celery that the duck and goose feed on there is an island, and that island is occupied by the professional sportsman from the city, who lives in his home on it in ease, sport, and luxury. I have been there and seen his life and know it. He wants the Agricultural Department to avail itself of this bill to lay out a reservation covering an immense area of water that lies out surrounding his island. The proprietary rights which he now enjoys under the law of the State on his island will not be interfered with by this bill. But he is not satisfied with that. He wants the Agricultural Department to protect the far distant waters from which the bird flies to and around his blind. By the shooting in these birds that would probably fly and light down over and around his blind and fall a victim to to-morrow morning's gun will either be killed or frightened away and his morning sport planned for to-morrow will be spoiled by this evening's shooting, though that shooting may be far away. Here is an illustration of how they feel and act in these matters. Down on Currituck Sound in North Carolina there started from the shores of the highlands two years ago late in the afternoon two boys, about 15 and 17 years of age, in a little boat, to go out and find themselves a duck or goose, not intending to invade the proprietary rights or the possession of any clubman, but to go out and shoot where the sound of the gun would drive and frighten away the ducks and the geese. The clubman's guardsman, of whom he keeps several, were surveying the waters with their far-reaching glasses from a tower built for the purpose and saw the boys as they were drifting far away to the distant waters where the clubman did not want any shooting.

They took a fast boat and high-powered rifles and went out in that direction and getting in safe range commenced to bombard the boys until they had killed one of them and left only his companion 15 years old to tell the story. Now, what this sportsman and his fellows want to do is to make his guardsmen Federal marshals. He wants them appointed by the Secretary of Agriculture to stay there as officers, and when a boy goes out meddling with the birds that he hopes to kill next morning they will take him without a warrant and carry him across three counties to a Federal commissioner; and with a crowded Federal court docket the sportsman will drag him to court four or five times and avail himself of the protection of the law by carrying that boy from court to court until his going is worse than his conviction would have been in the first court. I know, Mr. Chairman, that this bill is the last word of the sportsman and that if passed it completes his reign of triumph and of empire. In order to complete his protection and his reign of triumph and of empire he asks this Congress to pass for him a bill under which a boy can be carried by his guardsman across two or three counties to find a Federal commissioner to bind him over to court, and there be tried for the trifling, picayunish charge as provided in this bill of disturbing a fish in these waters. [Applause.] Yes; disturbing a fish, or getting wrongfully, as he may insist, into possession of a single bird egg. If that boy has one single bird egg found in his possession, this bill requires

the Federal judge to sit on the bench and issue a judicial decree determining the title to that particular egg. What an imposing, stupendous, and inspiring spectacle to contemplate! A Federal judge sitting with district attorneys around about him while the public look on in amazement and wonder determining the question of the title to a bird egg, between the boy who found it in the waters of a marsh and the Agricultural Department of the United States. God Almighty save the mask! Is not that a big and glorious and great Government service and function to contemplate? That is what you have in this bill in section 13. If a boy disturbs a fish, put him in jail for six months or fine him \$500. Look at section 13, gentlemen, and see it for yourselves.

If he is found in possession of one bird egg, see if the judge does not have to take that egg and determine whether he must ship it to Washington or give it back to the boy under this bill. Yet there is no contention made here that game birds are being ruthlessly exterminated, rather is it admitted that they are increasing under the protection that North Carolina and the other States are giving their waters. We have in my district, compared to its size, although it is small, the best hunting waters for the canvas-back duck and the goose and swan that there is on the face of the globe. The birds are protected and the people respect that State protection, but they do not want Federal marshals vested with the fearful powers provided in this bill. [Applause.]

In the name of personal rights vouchsafed to the citizenship of the country by an inheritance which they have cherished as the blessing of God and of a good government; in the name of every principle of States' rights and the blessings of local government, I protest against the multiplication of Federal marshals, of Federal courts, of statutory crimes, and increasing penalties and new jails for their enforcement. We have already too much Federal criminal law. The people are already wearied to exhaustion with being circumscribed in the ordinary conduct of common life, nagged and pricked by Federal officers, and dragged to courts for the things their fathers did without restraint, let, or hindrance. Such laws and policies do not make patriots. How impossible it is, then, to annoy the people of the country and increase their love of the Government only one grain of common sense will answer. Among all those laws of this character I denounce this bill as the crowning infamy of them all. [Applause.]

Mr. HAUGEN. I yield four minutes to the gentleman from Illinois [Mr. GRAHAM].

Mr. GRAHAM of Illinois. Mr. Chairman and gentlemen of the committee, I have heard this same argument that has been used against this bill offered in the legislature of my State and at other places when game-protection bills were being considered. The argument that is used here against the freedom of hunting and all that sort of thing is the argument that has been used against every game law that has ever been passed, I suppose, in the United States. It is either a question of passing some such measure as this or in a little while having no hunting at all.

Mr. BLANTON. Will the gentleman yield?

Mr. GRAHAM of Illinois. No; I have not the time to yield in four minutes. If you want to preserve the migratory birds you must have some sort of game refuges. My country, out in Illinois along the Mississippi River, was once the best duck-hunting ground in the United States; it is the main highway of the flight of ducks from north to south. Now they go through like an express train. There is nothing there for them to stop to feed on. All the land has been drained out along that country until there runs just the Mississippi River, running straight through the country from the north to the Gulf, and a duck that starts from the north goes on through to the south and never stops any place along the route.

Unless there are bird refuges established at the north end and the south end where the ducks can propagate and rest and build up their race and resting places along the way, there is no future for migratory birds. In my judgment some such methods as this must be adopted. It has been argued here that the man who wants to go out and kill a duck on his neighbor's farm will have to pay a dollar in order to do it. Does he not have to do so now? There are few States in the United States that do not require such a license. I am taking my own State as an example of the fact that if I go outside of my own farm and onto some neighbor's farm to kill a duck I must buy a State license. I am interested in preserving the game of this country for the future. I am interested in hunting. If a man is interested in keeping up the supply of game, if he is interested in hunting, what particular hardship is it to him to pay an additional dollar to the United States if he knows that by that means he is helping to keep up the game and to preserve it?

There is one thing more to which I want to call attention, and that is the migratory insectivorous birds that have not been touched upon in this debate. There is nothing in the world more valuable to the farmer or to the interests of agriculture than the migratory insectivorous birds that go back and forth through the country, flying 2,000 and 2,500 miles from one side of the country to the other. The refuges for those birds are rapidly being cut down and destroyed. In my country where farming is becoming intensive, where there used to be hedge rows and patches of brush on every farmer's land, they are disappearing to-day until these birds in their annual migration across the country have no refuges in which to stop.

Mr. EVANS. Will the gentleman yield?

Mr. GRAHAM of Illinois. I am very sorry, but I have declined to yield to anybody because of my limited time.

The CHAIRMAN. The gentleman declines to yield.

Mr. GRAHAM of Illinois. It is very essential that we have something of this kind, and I can see no reason on earth for the opposition that has been made to this bill, or for the claim that it takes away from the States some rights which they now have.

The same arguments were made by me on the floor when the original migratory bird bill passed. I joined the gentleman from Wyoming [Mr. MONDELL] in opposing that bill, thinking at that time that the State had the ownership and entire control of any game within its borders. But I afterwards heard the opinion of the Supreme Court, delivered by Justice Holmes, in which he elucidated the doctrine that the United States had a right as a national policy to preserve the migratory birds that went through the country, on agricultural grounds, if upon no other. I am following that conclusion. If it is correct, and I have no doubt it is, it follows, as a matter of corollary, that we have a right to establish these refuges where they may rest or they will rapidly disappear. If you do not do something of this kind the man or boy who wants to hunt migratory birds will soon have no place to hunt. I would like to have you tell me where a man may hunt to-day without the permission or a license from some one.

Mr. ASWELL. Mr. Chairman, I yield four minutes to the gentleman from Virginia, Mr. DEAL.

Mr. DEAL. Mr. Chairman, some of my colleagues realize the reluctance I have in appearing before the House to discuss any question. But the effect of this legislation, in my opinion, is so far-reaching that I feel it my duty to raise my voice in protest to its being enacted into law. In my district we have a feeding ground which is perhaps one of the best, if not the most valuable, in all the world. The marshes adjacent to these waters have been taken up by men of means, so that there is absolutely no hunting ground that can be had for the people of that district. This body of water is 8 miles wide and about 40 miles in length. The owners of the land, the marshes adjacent thereto, have been seeking for years at the hands of the General Assembly of Virginia to prohibit other persons, the native citizens of Virginia, from hunting even in the waters of that bay, contending that it is not navigable water, and therefore their rights in the marshes extend to the middle of the bay. Wild celery, rice, and spiral grass grow in abundance, and a high class of migratory birds repair to that body of water by the hundreds of thousands and, perhaps, millions to feed. At certain seasons under our State laws our citizens may go out on this body of water and hunt. Now it is the purpose of special interests to prevent the natives from hunting in those waters. I want to give you the names of some of the individuals and clubs who own these hunting grounds:

The American Tobacco Co. You can not buy a share of stock in that club for love or money. Former Senator Penrose and his brother, Doctor Penrose, are interested in a club. Mr. Van Ransselaar and John C. O'Connor; William E. Gary is an owner of a private club, and also Mr. George D. Vanbright. The Ragged Island Club is owned by local people, controlled by persons principally in my own city. Sandy Cove was a club of which President Cleveland was a member as long as he lived. These clubs and these lands have been in the possession of these men for years and years. Mr. George Gould owns one of the clubs, and also Mr. Stillman, of New York, Tom Dickson, and others of that type of men.

These men are those who are seeking to override State laws because they have been unable in the State of Virginia to secure legislation that would prevent our citizens from hunting on this body of water. They have even sought to prevent the retrieving of crippled birds with motor boats. They are now seeking, under this bill, to place control of these and other waters under the regulation of the Department of Agriculture, feeling that they may then succeed in doing that which they have failed to do all these years through the State legislature.



Under the provisions of this bill I could not, on land owned or leased, hunt until I had secured a Federal license. I could not, in company with my neighbor, enter upon and hunt wherein I would go upon his lands or he upon my lands until we had secured a Federal license. This, it seems to me, is the grossest kind of an invasion of the rights of American citizens. I do not object to those who own lands for hunting purposes on the marshes of Back Bay enjoying the exclusive use of those lands, but I do object to a law that is evidently being enacted in the interest and at the instance of these people that will require me to secure a Federal license to hunt on my own lands.

But after all this is not my real objection to the bill. I contend that it is an invasion of the rights of the States and the people by the Federal Government. I know that some of my lawyer colleagues will say that if I were a lawyer and knew the law I would know that this measure has been made constitutional by a decision of the Supreme Court declaring this law within the rights of the Federal Government on the ground that migratory birds would come under the head of interstate commerce and therefore under the control of Congress. It may be contended further than the Constitution gives the President of the United States the right, by and with the advice and consent of the Senate, to make treaties with foreign countries. That having made a treaty the Federal Government would be in honor bound required to enact legislation for the enforcement of the treaty rights. If we will refer to the treaty, however, we will find that article 8 provides "the high contracting powers agree themselves to take, or propose to their respective appropriate lawmaking bodies, the necessary measures for insuring the execution of the present convention. What are the appropriate lawmaking bodies, if not the legislatures of the States of the Union, to whom these powers lawfully belong? I do not understand that there has been any amendment to the Constitution granting such powers to the Federal Government. Not being a lawyer, when I read the Constitution, which is written in extremely simple and plain language, I find nowhere in that solemn contract between the States, representing the people as parties of the first part and the Federal Government as party of the second part, has there been delegated to the Federal Government the right to control the question of hunting and the acquiring of food by citizens within the State. Then I find that the States are not denied the right to control these privileges, and, therefore, under the tenth amendment these rights are reserved to the people themselves.

If Congress insists upon overriding the plain mandates of the Constitution and assuming powers which have not been delegated to it, we will soon find that those liberties, of which we have boasted for all these years, will be a thing of the past, and the peaceful revolution must inevitably lead to a bloody revolution. For not in the history of the Anglo-Saxon race do we find that the masses of the people have ever submitted to the arbitrary control of rights which should be enjoyed by the people free of interference from a tyrannical and autocratic government. The police powers of a State, excepting where otherwise provided by modern amendments to the Constitution, are still under the law exclusively within the control of the States. But what does this bill propose? In the hearings before the Committee on Agriculture testimony was given to the effect that there are 1,000,000 persons in this country who would pay a license tax of \$1 to hunt. This would mean a revenue of \$1,000,000 per year, 45 per cent, or \$450,000, of which is to be used for the purchase of game refuges. I do not know as to the value of lands in the Middle and Western States, but I do know that the lands and marshes that are frequented by the high-class migratory birds, which feed upon vegetable matter exclusively, can not be purchased in Virginia, North Carolina, South Carolina, and Georgia except at a very high price, even though they can be found at all. I would say that these lands are worth \$200 per acre.

Therefore, within our belt, assuming that the \$450,000 could be spent in any one section of the country, and that section should be in the States named, the \$450,000 would purchase 2,250 acres of lands. Ten per cent of the remainder would probably be used for administrative purposes, leaving 45 per cent, or \$450,000, for the employment of wardens to patrol these lands and prevent poachers thereon during the hunting season. Assuming that \$500 would be required for each warden for patrolling such refuges, say for three months during the year, the \$450,000 would employ 900 men as special police, agents, detectives, or spies to dog and bedevil the footsteps of American citizens, and this annual increase would soon result in an army of untold proportions. It has been said that 25 years ago there were less than 200 detectives and spies in the employ of the Federal Government. To-day there are perhaps 30,000, and if we continue to enact laws that trespass upon the rights of the

people, laws to which the people are opposed and unwilling to obey, we will be swamped with an enormous army to destroy the peace, happiness, and the comfort of the American people.

We find also a provision in this bill that no person shall take, hunt, pursue, shoot, capture, trap, snare, kill, disturb, or attempt to take, hunt, pursue, shoot, capture, trap, snare, kill, or disturb any fish, wild animal, or wild bird, or collect, destroy, or disturb any nest or egg of any such bird on any land, water, or land and water of the United States which has been or may hereafter be set apart as a public shooting ground or bird or game refuge under this act.

Assuming for the sake of argument that the Federal Government has the right under the decision of the Supreme Court to control the hunting with respect to migratory birds, we fail to understand how any gentleman having subscribed to an oath that he will support, maintain, and uphold the Constitution of the United States can knowingly undertake control as to fish that swim in the waters, or animals and birds that live exclusively within the State, and this is what the bill in question proposes to do upon such refuges. Of what value can these things be unless they are to be enjoyed by the people as a whole? But it would be better far that every migratory bird and all the beasts that roam the forest should be destroyed absolutely and this source of food eliminated from public use than that the liberty of the American people should be subjected to the autocratic control of a bureaucratic Government.

[Mr. DEAL had leave to extend his remarks in the RECORD].

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAHAM of Illinois and Mr. JONES of Texas had leave to extend their remarks in the RECORD.

Mr. HAUGEN. Mr. Chairman, I yield three minutes to the gentleman from Missouri [Mr. HAWES].

Mr. HAWES. Mr. Chairman, I do not understand this bill to be what some of its opponents charge it means. I am a State-rights Democrat. I have stood for that principle in government and for the principle of local control wherever possible. The United States and Canada entered into a treaty agreement for the protection of migratory birds. This bill does not extend the jurisdiction of the United States over these birds where the law does not cover them now. In shooting migratory birds there is no extension of Federal authority under this bill. I can not understand the opposition, for in my opinion the bill simply does this. A man who shoots a migratory bird must derive some pleasure or some satisfaction out of the sport and he is to be charged \$1 for that privilege, and that dollar is to be used in setting aside certain spaces of land, certain asylums, if you please, for the safety of these birds that pass from north to south.

Mr. ELLIS. Will the gentleman yield?

Mr. HAWES. I can not yield. Gentlemen have referred to the game preserves used by rich men as depriving the poor man of his old-time privilege of shooting.

Nobody suffers more from this than I do, but this law has no effect upon these preserves. One gentleman talked about these preserves and the protection of the game and of a man being brought before a Federal judge to be examined upon the question of shooting a bird. My understanding is that that refers only to the land set off and designated as an inclosure for the preservation of migratory birds.

I am getting to be an older man; I have had my fun in shooting. I think this—

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

Mr. ASWELL. Mr. Chairman, I yield three minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, I have tried to make it plain that my opposition to this legislation is because it is an extraordinary extension of Federal police power without any sound reason or excuse for such extension. It is the greatest extension of Federal police power proposed since the beginning of our Government, save that under the Volstead Act. That extension was made after the people had declared in favor of such legislation by the adoption of an amendment to the Constitution which clearly authorized it in the hope of bringing about a great moral reform. This proposed extension of police power is excused under a divided decision of the Supreme Court under the claim or in the hope of increasing the number of the peedees, the coots, the flickers, the cranes, and gulls throughout the land. That is, let us assume, a worthy purpose, but it is not necessary to reduce the States of the Union to the condition of provinces or compel citizens to go before Federal courts to answer accusations of a trifling nature in order to preserve the bird life in America, and if it were necessary, the right of the citizen in his community, the right of the States

under the Constitution, the liberties of the people, free from the surveillance and espionage of Federal agents, in connection with acts and practices no more harmful than the possible destruction of a bird nest or the killing of the most unimportant feathered creature, is infinitely more important than even the increase of the number of migratory birds. [Applause.]

Under this bill everyone who proposed or intended to use or discharge a shotgun must secure a Federal gun license, for who would dare venture afield hunting for any bird when reminded that, according to the treaty, the following are specifically named as migratory birds, to wit:

The high contracting powers declare that the migratory birds included in the terms of this convention shall be as follows:

1. Migratory game birds:
  - (a) Anatidae or waterfowl, including brant, wild ducks, geese, and swans.
  - (b) Gruidae or cranes, including little brown, sandhill, and whooping cranes.
  - (c) Rallidae or rails, including coots, gallinules, and sora and other rails.
  - (d) Limicolae or shorebirds, including avocets, curlew, dowitchers, godwits, knots, oyster catchers, phalaropes, plovers, sandpipers, snipe, stilts, surf birds, turnstones, willet, woodcock, and yellowlegs.
  - (e) Columbidae or pigeons, including doves and wild pigeons.
2. Migratory insectivorous birds: Bobolinks, catbirds, chickadees, cuckoos, flickers, flycatchers, grosbeaks, humming birds, kinglets, martins, meadow larks, nighthawks or bull bats, nuthatches, orioles, robins, shrikes, swallows, swifts, tanagers, titmice, thrushes, vireos, warblers, waxwings, whippoorwills, woodpeckers, and wrens, and all other perching birds which feed entirely or chiefly on insects.
3. Other migratory nongame birds: Auks, auklets, bitterns, fulmars, gannets, grebes, guillemots, gulls, herons, jaegers, loons, murrets, petrels, puffins, shearwaters, and terns.

Under this bill not only must a Federal license be taken out but, with or without a license, any citizen becomes liable to prosecution by Federal courts for any hunting or taking of not only these birds but fish as well, contrary to any rule or regulations of the Secretary of Agriculture. Not content to centralize authority over fishing and hunting, the framers of this legislation carry to the limit the principle of "government by departmental regulations," and we are expected to accept all this after one hour of debate.

Mr. HAUGEN. Mr. Chairman, I yield the remainder of my time to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY of Pennsylvania. Mr. Chairman, one would gather from the remarks of the gentleman from Wyoming [Mr. MONDELL] that this is some new idea that has sprung full-blown from the brain of some worshiper of centralized government. Instead of that it is the natural result of action already taken in the States. This is no new idea to cause such horror as is here expressed; it comes from the States that have best fulfilled their obligations as States. I hold it fundamental that the State has the right to deal with questions wholly State in character, and the Nation has the same authority with reference to national questions.

The State of Pennsylvania is the originator of this idea of game sanctuaries and public shooting grounds. In 1906 that State established the first one in this country, and it was due to exactly the situation pointed out by the gentleman from Virginia [Mr. DEAL]. Rich men were buying certain tracts of land and reserving them for their exclusive hunting. The result of it was that a man without entrée could not have the opportunity of hunting game. Then the State undertook to establish preserves. We have in Pennsylvania 32 of these sanctuaries, established at a cost of some millions of dollars. In 1921 we spent in Pennsylvania \$665,351.91 for dealing with the game of the State as a plan for Pennsylvania welfare. We have there a system which has gone very far in beneficial results. In 1906 the deer were almost extinct, and at that time there were men who protested against any restrictions upon hunting the few which were left.

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

Mr. KELLY of Pennsylvania. I can not yield.

That was the situation in 1906, but in 1922 there were 6,000 bucks shot by hunters in Pennsylvania, having a value for venison alone of \$480,000—6 per cent on a capital of \$8,000,000, which is the value of deer in Pennsylvania to-day. That has been brought about by the establishment of refuges and protection of game.

Mr. MONDELL. The State of Pennsylvania has done so very well in animal and bird preservation, why not leave the matter with the State?

Mr. KELLY of Pennsylvania. That is exactly what I am saying. Pennsylvania has done everything a State can do, and now she wants the Federal Government to do what can only be done by national authority. She wants assistance from the National Government in dealing with migratory birds, which regularly cross State lines, and which can not be handled as are deer and bears and other game in Pennsylvania.

Mr. JOHNSON of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. KELLY of Pennsylvania. I hope the gentleman will not interrupt.

The CHAIRMAN. The gentleman declines to yield.

Mr. KELLY of Pennsylvania. I want to finish my statement and say that Pennsylvania has shown what can be done by the use of game refuges and sanctuaries. In one place 50 miles from Pittsburgh, where there was little game known some 20 years ago, last year 5,000 hunters, including many workers from the mills and mines of the Pittsburgh district, used the public shooting grounds and killed some 60 buck deer besides a great many other game animals. More than 450,000 persons take out hunting licenses each year in the Keystone State. The State has done its part, and it comes to the Government and says, "Do your part." It is not a question of extending national authority; it is a question of the Nation dealing with the question that is beyond State power.

There is one other point in this bill to which I would direct attention. Of course, the postmaster is the proper official to handle these licenses, as he is the agent of the United States, but there is no provision in the bill for any compensation for the additional work involved.

There should be an amendment to provide that at least 10 per cent of the moneys collected by the postmaster shall go to the postmaster for compensation.

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

Mr. KELLY of Pennsylvania. I refuse to yield. The fourth-class postmasters will be doing a great deal of this work. They are now getting such meager compensation as to almost make it impossible to hold the postmasters of that class. There should be a provision giving the postmaster 10 per cent at least of the amount paid in for licenses, and a further provision that that much be taken out of the money covered into the General Treasury. With that addition this bill will aid in the conservation of wild life, in the conservation of wealth, which, with proper care, means a continuous possession, and it will not be any undue interference with the rights of the States. [Applause.]

The CHAIRMAN. All time is exhausted, and the Clerk will read the bill for amendment under the five-minute rule.

Mr. CONNALLY of Texas. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. CONNALLY of Texas. I will change it to a parliamentary inquiry. Will the bill as originally drafted be read and all the substitution considered as one amendment?

The CHAIRMAN. The committee has before it the bill H. R. 5823, and will consider it by sections. The Clerk will read.

The Clerk read as follows:

*Be it enacted, etc., That this act shall be known by the short title of the "Federal public shooting ground and bird refuge act."*

Mr. SISSON. Mr. Chairman, I move to strike out the last word.

Mr. WINGO. Mr. Chairman—

Mr. JONES of Texas. Mr. Chairman—

The CHAIRMAN. The gentleman from Texas, a member of the committee, is recognized.

Mr. JONES of Texas. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. JONES of Texas: Page 1, line 4, strike out the words "public shooting ground and."

Mr. JONES of Texas. Mr. Chairman, practically every man who has spoken in behalf of this bill has confined himself almost exclusively to the proposition of providing a bird sanctuary where birds will be protected. I have offered an amendment to make it purely a bird-sanctuary bill. I have offered to strike out "public shooting ground and" in this section, and have prepared amendments throughout the bill which will strike out the words "public shooting grounds" and leave it purely a bird-refuge bill. I am thoroughly in sympathy with the proposition to protect the birds, but if you establish public shooting grounds beside these bird sanctuaries, where the professional huntsmen may swarm and shoot them after they have been brought into the sanctuary, you will get nowhere. I would not object to the paying of a dollar—although I would not like to have it go in the form of a license by the Federal Government—I would not object to paying a dollar to form bird refuges, but I do object to paying a dollar and having every schoolboy in my district pay a dollar to secure a public shooting ground in some faraway section that is only accessible to few of the local people and a great horde of professional hunts-

men. I do not believe that policy should be adopted. If you people are sincere in wanting a bird refuge place, make it a bird refuge bill. You can make it so by striking out the words as provided in the amendment.

It would be a shame to make the ragged urchin, who in barefooted fashion trudges the hills, pay \$1 for public shooting grounds he could never hope to see.

Mr. TINCHER. Mr. Chairman, I rise in opposition to the amendment. This amendment shows the true colors of the opposition to this bill. Abolish the public shooting-ground feature of the bill and you leave it so that only those who are financially able to own game preserves will have the privilege of hunting migratory birds because sooner or later, unless there is a sanctuary and public shooting ground, there will be no hunting for the ordinary fellow.

Mr. SISSON. There will be none with the shooting grounds.

Mr. TINCHER. Some one says there will be none with the shooting grounds. Do you believe the statement made by the gentleman from Pennsylvania [Mr. KELLY] who just spoke in reference to this? Have you had occasion to examine the hearings where men testified who were versed in this matter and who have studied it for years? Have public shooting grounds done any good in the State of Pennsylvania to afford the common, every-day fellow the privilege of hunting? I left the room a moment ago when a Member of Congress who testified before the committee rather denied a portion of my statement this morning. Gentleman, I have no way of knowing what any game warden stands for or any Member of Congress stands for on this subject except what they say and who appeared before our committee. Turn to page 49 of the hearings and he said that his constituents under the game laws might go out and shoot a duck and stand before the grocery store where they had plenty of things, sugar and groceries and supplies, but that he could not under these obnoxious laws trade his ducks for other products, and I take it from that that he wanted commercialism in this industry. Then the next day a game commissioner from the State of Virginia, a gentleman who had every appearance of being a high-class man, appeared before us—you will find this on page 56, a man by the name of M. D. Hart—said that he represented the "one-gallus" man, and that is where the term originated in our hearing, and he was asking for this legislation so that a man might have a way to hunt.

I do not know, Mr. Chairman, whether that game warden was better informed than the Congressman from North Carolina was. I do know he gave us figures in the hearings showing how much it cost a man to shoot a duck down there. I say to you if you adopt this amendment to cut out public shooting grounds, it would be the entering wedge of the opposition to this bill, which, by the way, is the most remarkable opposition that I have yet encountered in this House—the, I will not say unholy, alliance between the gentleman from Tennessee and my good friend from Wyoming—the leadership. I wonder what is behind it? What does it mean? I know they both love the Constitution. I do not question that; but I know, Mr. Chairman, that in nearly every high-class, high-priced hotel in this country to-day you can buy wild duck for food, and those selling ducks are guilty of violating the law.

Mr. BLANTON. And you can find lame ducks.

Mr. TINCHER. I know in Wyoming they have one of the greatest national game preserves in the world, and people who live there have many privileges; and I have heard of a great lake in this country, and I have been told surrounding the lake there are many cottages occupied by fishermen and hunters of wild duck.

I do not know who sells those ducks that you can buy at the hotels in Washington, but I do know the one-gallus fellow is not doing it. They are killed from the big preserves, and the Federal Government has the right—I am willing to meet that issue—the Federal Government has an absolute right and it is the duty of Congress to legislate on the subject of migratory birds regardless of any unholy alliance that may be entered into here. [Applause.]

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. MONDELL rose.

The CHAIRMAN. The gentleman from Wyoming is recognized.

Mr. MONDELL. Mr. Chairman, I rise in opposition to the amendment and to enlighten my good friend from Kansas [Mr. TINCHER] as to the source of my opposition.

I have not forgotten and I shall never forget the time when, as a small boy, I traded 24 muskrat skins for a single-barreled muzzle-loading shotgun and made out of an old horn a powder flask and out of an old piece of rawhide a shot pouch.

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

Mr. MONDELL. No; I can not yield. And went forth to hunt migratory birds. I did not get many. They would have had to be very tame and gentle to have enabled me to get many of them with that sort of artillery, but I got some. Occasionally I brought home a duck, and, thank the Lord, I was not called upon to go to the post office 10 miles away and take out a Federal license and submit myself, as you now propose, not to the laws on the statute books, but to the regulations of the Secretary of Agriculture, changed from day to day and from week to week, under which, had I happened to kill one bird ever so small and ever so insignificant contrary to the regulations or happened to have stepped upon the nest of one bird unintentionally, I could have been called before a Federal judge hundreds of miles away to answer for my awful crime. I remember those days, and I think of the boys of to-day similarly situated.

I have had no protest reach me from any soul on earth against this bill, with the possible exception of one letter dimly recalled; I have had many appeals, by letter and by personal visits, to vote for it. Ah, that is the trouble these days. We are legislating, or we are urged to legislate, at the behest of active minorities who know what they want and know how to get it. [Applause.]

Out home yonder are the common folks, inarticulate in a case like this, because they believe in us and believe that we will remember them. Uninformed as to what is happening here, they look to us to have in mind their interests and their viewpoint. [Applause.] I do not say that the game wardens who have appealed to us in behalf of this measure have, all of them, been actuated by the hope of splendid Federal positions.

I know that some of them have been promised such positions or have been led to believe they would secure them. [Applause.] I do not say that no one except millionaire hunters with their expensive plants and their great preserves are for this legislation. I know that they are for it; all of them. I impugn no man's motives. I think gentlemen may well refrain from impugning the motives of those of us who, without any urging or pressure against this bill from home or elsewhere and in the face of urgent requests to support it oppose this legislation, because we still remember that this is a Republic of States, a National Government of limited powers, and that not yet, thank God, are the States provinces or their people subjects. [Applause.] The easy and seemingly popular thing is to support this bill, the organizations favorable to it have for the time being quieted opposition. Even the cat and buffalo fishermen have, I am told, been assured their business will be protected by a special amendment. And so, for the time being, it seems to be popular with all except those who remember that even so worthy a cause as that of the establishment of public hunting preserves does not justify the radical departure from fundamental American policies which this bill contemplates.

Mr. GRAHAM of Illinois rose.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. GRAHAM of Illinois. Mr. Chairman, as I listened to the gentleman from Wyoming [Mr. MONDELL], in his impassioned appeal, I thought back 30 or 40 years ago, of the time when I was a boy in Illinois. There, on a little farm that my father owned and where I was raised, in the meadows I could hear in the summer time the golden plovers whistling. There, in the morning, I could hear the drum of the prairie chicken. There, on the creek and streams, were ducks and wild fowl everywhere. And I took my old muzzle-loading gun, which would shoot harder backward than it would forward, and went out hunting, with the other boys. All over the countryside, here and there, we went, and came home with game, which was in profusion in those days. Nobody said, "You can not come here," or "You can not go there"; and we learned to shoot and to carry our guns and to aim straight; all over the country the boys were doing that and learning how to shoot straight, and learning things that did service to this country in time of war, when we were pitted against our enemies.

The years have passed on, and now your boy and my boy are growing up, and what do they find? The prairies have no game, as they had in those days. To-day the duck flies high and flies past and away beyond them. To-day, as the boy goes on the next farm, he sees a sign, "No hunting here." He goes down to the creek, and there is a man who stops his approach to that, and there is no place where the boy can shoot and follow the wild game, as was the case when I was a boy. And when he goes down the Mississippi or along the Potomac, he finds rich men's clubs, where he can not go, every

foot preempted, and unless he has money to spend he gets nowhere. What is the boy of to-day going to do?

I tell you, my friends, the long and short of it is I would like to do something that will bring about a situation where the boys of the future will have the same privileges and the same chance to hunt wild game which I as a boy had. [Applause.]

Mr. WINGO. Mr. Speaker, one of the most notable things about the discussions in this House is the number of ingenious arguments that can be advanced to justify any increase in the number of Federal establishments. I notice that the most ingenious argument indulged in is that of the gentleman from Illinois [Mr. GRAHAM].

I followed him as best I could in his poetical flight, but the gist of his argument on that point seemed to be that he wanted the boys of this generation enjoy some of the wild life that he enjoyed in his day. [Laughter.] Well, I thought this was a game preserve bill, a migratory bird law. Of course, unless you follow the strict rules of grammatical construction, the bill might be interpreted as a bill providing for the open shooting of the general public. Some gentleman suggests that the title ought to be changed, because it really now contemplates that the public will get shot and provides Federal licenses for shooting the public. [Laughter.]

Mr. Chairman, seriously I want to call attention to this. Instead of insinuating that there is something awful, as the gentleman from Kansas did, back of the fact that the two party leaders on this floor agreed in their opposition to this bill, it ought to cause the gentleman to express his gratification that the leaders of the two parties upon this floor, and especially the leader of the majority party, have the courage to resist what we know is the propaganda that is putting this bill over, and not the judgment of the House. Oh, let us try to stem the tide of propaganda and if possible try to stop the onward march of the absolute doing away with the States and the piling of everything onto the Federal Government. Why, gentlemen, there are some people in this country—charming, delightful people, who make nice social companions in the parlor—who, if they had their way about it, would compel you to take out a Federal license to kiss your own wife, and they would do it under the public-welfare clause. I can appreciate that there might be some situations where that would be in the interest of the public health. [Laughter.]

Gentlemen talk about the one-gallus fellow, like the gentleman from Kansas. I do not mean he is a one-gallus fellow; I mean he talks about the one-gallus fellow. Why, gentlemen, if you think that you can put this bill over by making a plea to have the Federal Government set up public shooting grounds for the poor boys of the country, you are certainly reduced to dire straits. Do you suppose that these game preserves and game sanctuaries are going to be of any practical benefit to the general public? And if they were, do you think that is the function of the Federal Government to engage in that kind of business? If it is, possibly it would be better for the preservation of the wild youth of the country if the Federal Government should require a Federal license for a public dance hall, so as to see that it is run properly. Once you start upon this road of loading everything upon the Federal Government, you can find plenty of arguments to justify you in doing anything that an insistent propaganda demands you do.

Is it the public welfare that brings this pressure here? Oh, if we follow the lines of least resistance, if we listen to the importunities of the fair ones and the gallant ones and the good sportsmen, of course we will pass the bill. I know one very dear friend of mine—I should hate to see this bill pass, because I think it would ruin him. He is a pretty good citizen now, making pretty good money, but I feel absolutely certain that he will get a Federal appointment under this law. Public office! Controlling your neighbors' affairs, controlling everything from Washington, Federal agents! Why, gentlemen, pretty soon you are going to have Federal agents regulating everything, and you had better catch the spirit that the gentleman from Wyoming [Mr. MONDELL] and the gentleman from Tennessee [Mr. GARRETT] have caught. The people of this country, that great inarticulate mass to which the gentleman from Wyoming refers, are getting exasperated with the horde of officeholders. The Federal agents that are running up and down this land interfering with every activity of the honest, everyday citizen are building up distrust, exasperation, and resentment against the Federal Government where there ought to exist a feeling of patriotic obedience and respect. [Applause.]

Mr. TREADWAY. Mr. Chairman, I move to strike out the enacting clause of this bill.

The CHAIRMAN. Does the gentleman ask recognition?

Mr. TREADWAY. I asked recognition and I was recognized.

Mr. HAUGEN. I make the point of order that that motion is not in order.

The CHAIRMAN. Does the gentleman make a point of order against the motion?

Mr. TREADWAY. It is clearly in order at any time.

Mr. HAUGEN. There is an amendment pending. I suggest that the other amendment be disposed of first.

Mr. TREADWAY. The rule provides that the motion to strike out the enacting clause takes precedence over any amendment.

Mr. QUIN. Mr. Chairman, I should like to speak.

The CHAIRMAN. Does the gentleman from Massachusetts ask to speak on his amendment?

Mr. TREADWAY. I do.

The CHAIRMAN. The gentleman from Massachusetts is recognized.

Mr. TREADWAY. Mr. Chairman, I will not take up the question of whether or not my motion is in order. It is absolutely and plainly in order under clause 7 of Rule XXIII, section 853, of the manual. There is no question about the motion being in order.

The debate has run on here for some two hours or more, evidently with very marked opposition to this bill, and righteously so. [Applause.] I think it is a very poor bill, and I wish my colleagues on the Republican side were as cordial in their indorsement of that statement as my Democratic friends are; but this is not a political matter, gentlemen. It is purely a question whether or not we are going to get down to brass tacks on the question of controlling everything in sight from a Federal Government center. I am opposed to that principle. [Applause.] I am going to vote against this bill whether my motion to strike out the enacting clause carries or not.

My friend from Kansas [Mr. TINCHER] and other gentlemen have referred to the one-gallus man that they want to protect. I have a section of my district where the boys do not wear any galluses and I do not know as they even wear belts, but they do like once in a while to get out and hunt.

Mr. MERRITT. Do they wear pants?

Mr. TREADWAY. Yes; or overalls; they have that much protection, surely, and perhaps blue shirts. But they do want once in a while to have a chance to go out and go through our woods and hillsides without a Federal agent pursuing them. It is bad enough to have a State agent on their necks, but we will stand for that. Why the boy in the hills of western Massachusetts should have the trembling fear that there is an agent from Washington with a big badge on coming up to arrest him and hale him down to Boston before the Federal court because, forsooth, he wants to spend an afternoon holiday in the woods I fail to see. Further than that, I see a clause in here that is mighty clever—that is, on the part of the advocates of this bill. This first section here that is about to be read, if my motion does not prevail, provides that the boy is not required to have that license if he hunts on his dad's own lot. That is mighty kind. Why did not you cover him in that?

Why do you let him have that chance? Why give him a show in his dad's back dooryard? This idea that gentlemen have brought up here of propaganda is most interesting and correct. We are overrun with organizations that want to help raise the morale and the standing of our States and our communities. They are all right, but they miss the human instinct that they ought to have for the boy back home. So I say the whole thing, to my mind, is absurd. I supposed when we recommended the postmasters to be appointed in our respective districts—and heaven knows that is a mean enough job, and I sympathize with the Democratic gentlemen who had that burden for eight years and which we are now going through—in place of those that you had appointed we supposed they were going to lick postage stamps and cancel them, but not to go after boys who had failed to get a license from the postmasters to hunt. I do not want to appoint a postmaster to license a country boy, and if the boy has not got the license to go out after him and arrest him. That is no part of the job of a postmaster or the Department of Agriculture. We are able to regulate those things at home within the boundaries of our State and counties. If we have no better work to do than to pass bills of this type between now and the 4th of March, let us recess until noon of March 4. [Applause.]

Mr. HERRICK. Mr. Chairman, I rise to oppose the motion of the gentleman from Massachusetts.

Mr. HILL. Mr. Chairman, I ask recognition.

The CHAIRMAN. Is the gentleman from Maryland opposed to the bill?

Mr. HILL. No; I am in favor of the bill.

Mr. SANDERS of Indiana. I am opposed to the motion of the gentleman from Massachusetts.

The CHAIRMAN. The Chair will recognize the gentleman from Indiana.

Mr. SANDERS of Indiana. Mr. Chairman, the question with which the committee is confronted now is not a question of whether we want this law as it is written, but the question before the committee is whether we are going to consider this proposition at all. Only one section has been read. The gentleman from Massachusetts proposes to strike out the enacting clause which kills the bill without giving an opportunity to amend or perfect it and pass such a law as a majority of the House would favor. I think we ought to vote down the motion to strike out the enacting clause of the bill. Then we should proceed in an orderly consideration of the measure. Regardless of whether gentlemen agree as to whether the measure should be passed, it is clear to everyone that there is a great sentiment in this country for this great conservation measure. Whether it is properly drawn, whether it should be amended, are questions which the Committee of the Whole may consider as various amendments are offered. It may be that a gentleman would not favor the bill in its present form, but if certain provisions were stricken out he might favor it. The gentleman from Massachusetts spoke of some provision which he said should not be in the bill. It may be that he is right about that, and if this motion can be voted down the gentleman from Massachusetts can be given an opportunity to amend the bill and make it read as he thinks it ought to read, if the majority is in favor of it. I think there is a great sentiment in the country in favor of it. The gentleman from Wyoming says he has received many letters in favor of it and none against it. I think many Members may say the same thing, but that does not necessarily establish the fact that there is an improper propaganda in favor of the measure. It points to the fact that the American people are trying to let the Representatives in Congress know their views, and the Constitution of the United States gives that right to the American people as one of their sacred rights which comes to the citizens of a popular government. And the fact that there are no unfavorable letters coming in shows there is no real opposition to it in the country. So I say that we should promptly vote down the motion of the gentleman from Massachusetts to strike out the enacting clause.

Mr. MONTAGUE. Mr. Chairman, if this were a bill for the protection of game, I should vote for it cheerfully. If it were to set aside sanctuaries or refuges for these birds, I would vote for it; but these are mere incidents of the bill. This bill carries a provision to establish what it calls "public shooting grounds." That is done upon the argument—no, upon the asseveration—that poor people may have the benefit of hunting upon such grounds. Wherever such public grounds are resorted to by migratory birds, such as ducks, geese, and swans, the locations are very isolated and immune. The populations around them are very sparse, otherwise the birds would not frequent such haunts. The number of people contiguous to such grounds, to repeat, are insignificant. Therefore, you can not escape the fact that the only people who will hunt on such grounds are people that come from a distance, and the only people who can come from a distance are the people who are able to pay the high transportation charges to these grounds. Therefore your bill eliminates the poor people of America from any contact with these grounds and only the few well-to-do or rich can enjoy them. I will vote for no such special privileges. Neither will I vote for a Federal license to hunt, nor for the provisions punishing the violations of this law in the Federal courts.

If it is desired to preserve game, to provide for them a sanctuary or a refuge, cut out the public shooting grounds and cut out the officeholders that it is proposed to multiply in this country. [Applause.] Strip the bill of these two objectionable features, and I do not know but that I will be able to vote for it, but I can not vote for a bill that undertakes to stretch so far the powers of the Government to the suppression and extinction of the police powers of the States far and beyond any authority given by the "migratory bird treaty" and the former statute enacted to give it effect.

Mr. PURNELL rose.

The CHAIRMAN. The gentleman from Indiana is recognized.

Mr. BANKHEAD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BANKHEAD. The motion to strike out the enacting clause is rather unusual, and I recognize it is subject to debate, but has not debate been exhausted upon that motion?

The CHAIRMAN. The motion to strike out the enacting clause has the same status as a motion to amend. Debate upon

it is under the five-minute rule. Debate is limited to five minutes on a side, if the point is insisted upon.

Mr. BANKHEAD. I think we ought to have a vote.

Mr. ASWELL. I insist upon it.

Mr. HERRICK. Mr. Chairman, I would like to be heard in support of the motion for a few minutes.

Mr. SANDERS of Indiana. Mr. Chairman, a parliamentary inquiry. That rule does not militate against the motion of my colleague [Mr. PURNELL] to strike out the last word of the amendment. That is an amendment to the amendment, Mr. Chairman.

The CHAIRMAN. There are pending a motion to strike out the enacting clause and also a motion to amend. The gentleman from Indiana [Mr. PURNELL] would be in order to move to amend and would be entitled to recognition upon that motion to amend; otherwise debate has been exhausted upon the motion to strike out the enacting clause.

Mr. STAFFORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. A motion to strike out the enacting clause is a preferential motion, and when it is made must be acted upon. It comes prior to any action on a motion to amend, and any motion to amend is a pro forma motion entirely and is not in order. Discussion of the motion to strike out the enacting clause has been exhausted.

The CHAIRMAN. The gentleman from Wisconsin has correctly stated the situation. The motion to strike out the enacting clause is a preferential motion. Ten minutes of debate has been had, and debate upon the amendment is exhausted.

Mr. LONGWORTH. Mr. Chairman, is it not in order to move to strike out the last word of the motion?

The CHAIRMAN. No such motion is possible under the motion of the gentleman from Massachusetts.

Mr. SANDERS of Indiana. Mr. Chairman, a further parliamentary inquiry. Of course, the statement of the Chair is entirely accurate. [Cries of "Regular order!"]

The CHAIRMAN. The regular order is called for. The question is on the motion of the gentleman from Massachusetts to strike out the enacting clause.

Mr. SANDERS of Indiana. Mr. Chairman, the regular order does not interfere with a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. SANDERS of Indiana. The Chair has stated that the motion to strike out the enacting clause has preference. That is true. There are two proposed amendments pending. The vote on the amendment does not affect the question of debate at all. It is just like any other perfecting amendment.

Mr. STAFFORD. Mr. Chairman, the gentleman is entirely in error. If the House votes down the motion to strike out the enacting clause, then the motion to strike out the last two words is in order, but until that motion is voted down there is nothing before the committee except to vote on the preferential motion. I demand the regular order.

The CHAIRMAN. The Chair has so stated. The question is on the motion of the gentleman from Massachusetts to strike out the enacting clause.

The question was taken; and on a division (demanded by Mr. TREADWAY) there were—ayes 68, noes 56.

Mr. HAUGEN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. TREADWAY and Mr. HAUGEN to act as tellers.

The committee again divided; and the tellers reported—ayes 94, noes 60.

So the motion was agreed to.

Mr. TREADWAY. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the recommendation that the enacting clause be stricken out.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRAMTON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 5823 and had directed him to report the same back to the House with the recommendation that the enacting clause be stricken out.

The SPEAKER. The question is on concurring in the recommendation of the committee that the enacting clause be stricken out.

Mr. STAFFORD. Mr. Speaker, on that I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on concurring in the recommendation of the committee.

The question was taken; and on a division (demanded by Mr. ANTHONY) there were—ayes 97, noes 49.

Mr. ANTHONY. Mr. Speaker, I make the point of order that there is no quorum present, and object to the vote upon that ground.

The SPEAKER. The gentleman from Kansas makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will bring in absent members, and the Clerk will call the roll.

The question was taken; and there were—yeas 154, nays 135, answered "present" 1, not voting 136, as follows:

YEAS—154.

Table listing names of members voting 'Yeas' (154 total). Includes names like Abernethy, Ackerman, Andrew, Mass., Aswell, Bankhead, Bell, Benham, Bixler, Black, Bland, Va., Blanton, Boies, Bowling, Box, Brand, Briggs, Bulwinkle, Burton, Byrnes, S. C., Byrnes, Tenn., Cannon, Cantrell, Christopherson, Clark, Fla., Clouse, Collier, Collins, Colton, Connally, Tex., Coughlin, Crago, Crisp, Curry, Davis, Tenn., Deal, Dickinson, Dominick, Doughton, Drewry, Driver, Dupré, Ellis, Evans, Favrot, Fields, Fisher, Frothingham, Fuller, Fulmer, Gahn, Garrett, Tenn., Garrett, Tex., Gensman, Gifford, Goldsborough, Green, Iowa, Greene, Vt., Hammer, Hardy, Tex., Hawley, Herrick, Hill, Hoch, Hooker, Huddleston, Hudspeth, Hull, Humphreys, Nebr., Humphreys, Miss., Jeffers, Ala., Johnson, Ky., Johnson, Miss., Jones, Tex., Kelley, Mich., Kincheloe, Kline, Pa., Kopp, Kunz, Langley, Lanham, Lankford, Larsen, Ga., Lazaro, Lee, Ga., Lehibach, Logan, London, Lowrey, Lyon, McDuffie, McKenzie, McSwain, MacGregor, Mansfield, Martin, Michener, Mondell, Montague, Moore, Va., O'Connor, Oldfield, Olpp, Palge, Pou, Quin, Radcliffe, Rainey, Ill., Rankin, Rayburn, Riordan, Robison, Rouse, Rucker, Sabath, Sanders, Tex., Sandlin, Scott, Tenn., Sears, Shaw, Sinnott, Sisson, Siemp, Smith, Idaho, Smithwick, Sproul, Stafford, Steagall, Stedman, Steenerson, Stevenson, Summers, Tex., Swank, Tillman, Tinkham, Towner, Treadway, Tucker, Turner, Tyson, Uprshaw, Vinson, Volstead, Ward, N. C., White, Me., Williams, Tex., Williamson, Wilson, Wingo, Winslow, Wise, Woods, Va., Wright, Wurzbach, Yates.

NAYS—135.

Table listing names of members voting 'Nays' (135 total). Includes names like Andrews, Nebr., Anthony, Appleby, Arentz, Atkeson, Barbour, Beck, Bird, Bland, Ind., Bond, Britten, Browne, Wis., Burtness, Butler, Cable, Campbell, Kans., Campbell, Pa., Chalmers, Chindblom, Clague, Clarke, N. Y., Cole, Iowa, Cooper, Ohio, Cooper, Wis., Copley, Cramton, Dallinger, Dempsey, Denison, Dowell, Dunbar, Dunn, Elliott, Fairchild, Faust, Fish, Fitzgerald, Fordney, Foster, Frear, Free, Freeman, French, Funk, Glynn, Graham, Ill., Greist, Hadley, Hardy, Colo., Haugen, Hawes, Hays, Henry, Hickey, Hicks, Hukriede, Ireland, James, Johnson, S. Dak., Johnson, Wash., Kearns, Kelly, Pa., Ketcham, Kissel, Kiline, N. Y., Knutson, Lampert, Larson, Minn., Lea, Calif., Lee, N. Y., Lineberger, Little, Longworth, McCormick, McLaughlin, Mich., McLaughlin, Nebr., McPherson, MacLafferty, Madden, Magee, Maloney, Mapes, Merritt, Miller, Moore, Ill., Moore, Ohio, Moores, Ind., Morgan, Mott, Nelson, Me., Nelson, J. M., Newton, Minn., Newton, Mo., Norton, Ogden, Parker, N. J., Parker, N. Y., Patterson, Mo., Patterson, N. J., Perlman, Petersen, Porter, Purnell, Reed, W. Va., Rhodes, Ricketts, Roach, Robertson, Rosenbloom, Sanders, Ind., Sanders, N. Y., Shreve, Siegel, Sinclair, Snell, Snyder, Speaks, Summers, Wash., Swing, Taylor, Colo., Taylor, Tenn., Temple, Thompson, Tinchner, Vaile, Vestal, Voigt, Ward, N. Y., Wason, Weaver, White, Kans., Williams, Ill., Woodruff, Wyant, Young.

ANSWERED "PRESENT"—2.

Cockran Raker.

NOT VOTING—136.

Table listing names of members who did not vote (136 total). Includes names like Almon, Anderson, Anson, Bacharach, Barkley, Beedy, Begg, Blakeney, Bowers, Brennan, Brooks, Ill., Brooks, Pa., Brown, Tenn., Buchanan, Burdick, Burke, Carew, Carter, Chandler, N. Y., Chandler, Okla., Clanson, Codd, Cole, Ohio, Connolly, Pa., Crowther, Cullen, Dale, Darrow, Davis, Minn., Drane, Dyer, Echols, Edmonds, Fairfield, Penn, Fess, Focht, Gallivan, Garner, Gerner, Gilbert, Goodykoontz, Gorman, Gould, Graham, Pa., Greene, Mass., Griffin, Hayden, Hersey, Himes, Hogan, Huck, Husted, Hutchinson, Jacoway, Jeffers, Nebr., Jones, Pa., Kahn, Keller, Kendall, Gorman, Kindred, King, Kirkpatrick, Kitchin, Kleczka, Knight, Kraus, Kreider, Lawrence, Layton.

Table listing names of members who did not vote (136 total). Includes names like Leatherwood, Linticum, Luce, Lühring, McArthur, McClintic, McFadden, McLaughlin, Pa., Mead, Michaelson, Mills, Morin, Mudd, Murphy, Nelson, A. P., Nolan, O'Brien, Oliver, Overstreet, Park, Ga., Parks, Ark., Paul, Perkins, Pringley, Rainey, Ala., Ramseyer, Ransley, Reber, Reece, Reed, N. Y., Riddick, Rodenberg, Rogers, Rose, Rossdale, Ryan, Schall, Scott, Mich., Shelton, Smith, Mich., Stephens, Stiness, Stoll, Strong, Kans., Strong, Pa., Sullivan, Sweet, Tague, Taylor, Ark., Taylor, N. J., Ten Eyck, Thomas, Thorpe, Tilson, Timberlake, Underhill, Volk, Walters, Watson, Webster, Wheeler, Wood, Ind., Woodyard, Zihlman.

So the motion to strike out the enacting clause was adopted. The Clerk announced the following pairs:

- On the vote: Mr. Taylor of Arkansas (for) with Mr. Cole of Ohio (against). Mr. Rainey of Alabama (for) with Mr. Cullen (against). Mr. McClintic (for) with Mr. Stephens (against). Mr. Park of Georgia (for) with Mr. Greene of Massachusetts (against). Mr. Paul (for) with Mr. Morin (against). Until further notice: Mr. Graham with Mr. Almon. Mr. Crowther with Mr. Mead. Mr. Mudd with Mr. Kindred. Mr. Begg with Mr. Carew. Mr. Kendall with Mr. Garner. Mr. Rogers with Mr. Linticum. Mr. Strong of Pennsylvania with Mr. Parks of Arkansas. Mr. Kless with Mr. Griffin. Mr. Luce with Mr. Kitchin. Mr. Connally of Pennsylvania with Mr. Thomas.

The result of the vote was announced as above recorded. The SPEAKER. A quorum is present; the Doorkeeper will open the doors.

On motion of Mr. STAFFORD, a motion to reconsider the vote by which the enacting clause was stricken out was laid on the table.

Mr. HILL. Mr. Speaker, I ask unanimous consent to extend my remarks on this bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. HILL. Mr. Speaker, many of my friends in Maryland, sincere sportsmen, have written to me in favor of this bill, the title to which is "An act to provide for establishing shooting grounds for the public, for establishing game refuges and breeding grounds, for protecting migratory birds, and requiring a Federal license to hunt them."

I should like to vote for this bill because of their interest in it, but with very great regret after listening to the argument on constitutional grounds of the gentleman from Wyoming [Mr. MONDELL] and following carefully the debate I have come to the conclusion that a canvas-back duck by the mere act of flying across the Maryland line can not by so doing engage in interstate commerce of a kind which, under the Constitution, gives the United States the right to further invade the police power of the State by the enactment of any such legislation as that contained in this bill.

I am entirely in favor of all those provisions of the bill relating to game refuges, public shooting grounds, and so forth, but I am absolutely against the provisions of the House bill which we are considering and which differs somewhat from the Senate bill, that no person shall at any time hunt or attempt to hunt any migratory bird without first obtaining a Federal license through the Post Office Department from one of the postmasters of the United States.

Consistently in this House I have fought for the proper balance of police powers to the States and the Nation. I have consistently fought against the creation of any more Federal crimes with the necessary attendant hordes of Federal agents and inspectors for enforcement.

Section 12 of the bill we are considering provides that any employee of the Department of Agriculture authorized by the Secretary of Agriculture to enforce the provisions of this act shall have power without warrant to arrest any person committing a violation of this act or any regulations made pursuant to this act in his presence or view, and to take such person immediately for examination or trial before an officer or court of competent jurisdiction.

This confers the power of arrest without a warrant, and I am against such power except in the gravest cases of serious misdemeanors or felonies.

The act then further provides that any employee of the Department of Agriculture authorized by the Secretary of Agriculture shall have authority with a search warrant to search

any place. I can not vote for any law which will permit the residence of the humblest citizen to be searched because a small boy has shot a blackbird that came from a neighboring State. I shall not vote for any legislation which permits the application of penalties of as much as \$500 fine or six months' imprisonment because, perhaps within the law of his own State, some citizen has shot a wild duck on the waters near his farm.

I am for proper protection of migratory birds; I am for fair sportsmanship. The gentleman from Kansas [Mr. ANTHONY] has said that last year in Minnesota alone \$2,000,000 worth of wild fowl were killed. I am impressed by all the arguments, but I consider this a further invasion of the constitutional police powers of the State. For that reason I voted against the rule permitting consideration of this bill, and shall vote against the bill.

Mr. MONDELL, Mr. ELLIS, Mr. VOIGT, Mr. PARKER of New Jersey, and Mr. TREADWAY were granted leave to extend their remarks on this bill.

The extension of remarks referred to is here printed in full as follows:

Mr. PARKER of New Jersey. Mr. Speaker, I endeavored to obtain recognition to oppose the motion that the House concur in striking out the enacting clause of this bill. We are all agreed that the United States and the States should prevent the extermination of wild geese, wild swan, brant, wild ducks, and other migratory birds.

The wild pigeon has been exterminated and the rest will follow unless they be given refuges, breeding grounds, and protection in their migration, with strict regulations as to shooting.

We are all agreed in favoring the purpose of this bill, the objections made to that bill could easily be removed by amendment.

If it is asking too much to require a Federal license everywhere at the cost of \$1 to anyone who shoots these migratory birds, this provision may be readily amended so that such a license shall not be required except for hunting within the United States shooting grounds, where everybody would agree that a license should be had. If it be feared that large sums may be spent in acquiring public shooting grounds for the delectation of those only who can afford to go there, let us limit or even cut out such purchases, and only buy game refuges. It will be sufficient if we declare the navigable waters of the United States to be avenues of migration and public shooting grounds and subject to United States regulation.

These waters belong to the several States, but are subject to the control of the United States for the purposes of commerce with foreign nations and among the States. (Constitution, Art. I, sec. 8, par. 3.) If the bird migrations which are as regular as the seasons, are, like the airplane or radio, commerce between the several States and with foreign countries, the United States has full power to regulate such commerce and its ways over these waters. There is much to be said in favor of the view that the migration of ducks, swan, and geese from Canada to the United States and from one State to another is within United States control as a valuable part of interstate and foreign commerce; and if so, the public navigable waters are the main avenues of such commerce and are already entirely within the regulatory power of the United States for that purpose.

If, on the other hand, any further title has to be acquired, these navigable waters do not have to be condemned as private property, but may be used under license to the United States by the legislatures of the various States which ought to be made without cost on proper terms. The States can and will cooperate in their own interest.

This control would be a nearly complete control of the migration so far as ducks, geese, swan, and other water fowl are concerned. On the eastern and western coasts they fly from bay to bay, along the Atlantic and Pacific inlets. In the middle United States they go down the Mississippi, the Alabama, and other great rivers with their branches. Just here the ducks stop to feed in the streams and inlets of the Chesapeake, where they are shot by gun clubs who place decoys in and shoot them over the water, and if the United States can protect them in their migrations, so far as these waters are concerned, there will be no further trouble.

Public shooting will be allowed on proper days, weeks, or months. Licenses and regulations would, of course, be necessary, but the shooting would be largely by the public under proper regulation instead of being the monopoly of shooting clubs on the shore.

There ought to be a large revenue from these licenses, and if part of that revenue is applied to the purchase of refuges in the South for nesting and breeding, where no shooting is ever

to be allowed, the purpose of the bill would thus be accomplished, and we shall protect this commerce of the air against interference, and the birds of America against destruction.

The gentleman from Kansas, in charge of this bill, has told us that \$2,000,000 worth of water fowl were shot in Minnesota alone in one year.

During the past two months great flocks of wild ducks have found a refuge on the Potomac near to Potomac Park, and I have seen them every day as I went around the park. Most of them have now gone South, but I saw 18 this morning in the inner river, next to the wharves, making their home there in spite of steamers, sailing vessels, and the travel on the shore and bridges. A wild duck is the shyest of birds, and yet these shy creatures have found out that they were not shot from this side of the river and come here for refuge.

It seems as if there were in this fact a mute appeal to Congress to make all the navigable waters of the United States as free and safe to these innocent creatures as are the waters next to this great city.

I close as I began. I am sorry that the enacting clause was struck out of this bill. It should have been amended.

A license should perhaps be required only on United States shooting grounds. The navigable waters of the United States to high-water mark can and should by one sentence be made part of such avenues of migration and grounds. Refuges should also be acquired, all to be under one United States control.

Our present migratory bird legislation of 1913 and 1918 has done much. It regulates or prevents the shipment and marketing of the slaughtered birds. It should go further by a law that will give them protected avenues of flight on our navigable waters as well as absolutely safe grounds for nesting and refuge.

#### ORDER OF BUSINESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 a. m. to-morrow.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, as I understand it the Committee on Agriculture has the call to-morrow?

Mr. MONDELL. Yes.

Mr. GARRETT of Tennessee. What committee will the call pass to next?

Mr. MONDELL. The Committee on Foreign Affairs.

Mr. GARRETT of Tennessee. Do I understand that it is hoped that the Committee on Agriculture will conclude its business in time to take up some of the business from the Committee on Foreign Affairs?

Mr. MONDELL. We hope to be able to do that.

The SPEAKER. Is there objection?

Mr. SEARS. Mr. Speaker, reserving the right to object, I would like to know of the majority leader if he can give us some information as to when we may expect unanimous-consent day and when we may expect a Private Calendar day?

Mr. MONDELL. Unanimous consent will be on Monday next and private bills as soon as we can arrange for that.

Mr. SEARS. I would like to say that many of us have private bills for constituents involving only a few hundred dollars, but they are very important.

Mr. MONDELL. We are very anxious to have them considered.

The SPEAKER. Is there objection?

Mr. BLANTON. Reserving the right to object, we have one or two committee matters set for to-morrow and if we had not wasted this whole day we would not need to meet at 11 o'clock, and I object.

Mr. CHALMERS. I ask unanimous consent to extend my remarks on the bill.

The SPEAKER. Is there objection? The Chair hears none.

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

The SPEAKER. The gentleman from Texas withdraws his objection to the request of the gentleman from Wyoming that the House meet at 11 a. m. to-morrow. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

#### ADDITIONAL BUILDINGS FOR NATIONAL LEPRO HOME.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged report from the Committee on Rules.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House Resolution 527 (Rept. No. 1597).

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the considera-

tion of (S. 3721) an act providing for the erection of additional suitable and necessary buildings for the National Leper Home; that there shall be not to exceed one hour of general debate on said bill, one-half to be controlled by those in favor thereof and one-half to be controlled by those opposed thereto; that at the conclusion of the general debate the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment the committee shall rise and report the bill back to the House with the amendments, if any; the previous question shall be considered as ordered on the bill and all amendments thereto to final passage, without intervening motion except one motion to recommit.

Mr. CAMPBELL of Kansas. Mr. Speaker, the rule just read makes it in order for the House to consider in the Committee of the Whole House on the state of the Union a Senate bill providing additional facilities for those afflicted with leprosy in the United States. There are all told about 1,100 leprosy patients in our country. There are about 200 applications now for hospitalization as lepers who can not be provided for. Those in charge of the departments of the Government which have charge of these patients say that the situation is most serious. We already have the land and some buildings that are built to accommodate a few patients. The purpose of this legislation is to furnish facilities for taking care of those afflicted with that most dreadful disease. The bill has been reported unanimously from the committee, I believe, which had it in charge, and I am sure has the unanimous report of the Committee on Rules. If the gentleman from North Carolina desires some time, I will yield him five minutes.

Mr. POU. Mr. Speaker, the rule is a unanimous report from the Committee on Rules. The bill is a unanimous report from the committee having it in charge.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask for the adoption of the resolution.

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

Mr. ELLIOTT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (S. 3721) providing for the erection of additional suitable and necessary buildings for the National Leper Home.

Mr. LANHAM. Mr. Speaker, pending that, although the rule provides that the time shall be equally divided between those in favor and those opposed to the bill, I wonder if the gentleman would agree to a unanimous consent request that the time be divided equally between himself and myself, both members of the committee, to be yielded to those who desire to speak?

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

There was no objection.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Indiana [Mr. ELLIOTT], that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill S. 3721.

The motion was agreed to.

The SPEAKER. The gentleman from Indiana [Mr. SANDERS] will please take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill S. 3721, with Mr. SANDERS of Indiana in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill S. 3721, which the Clerk will report.

The Clerk read as follows:

A bill (S. 3721) providing for the erection of additional suitable and necessary buildings for the National Leper Home.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be erected additional suitable buildings for the National Leper Home, at Carville, La., at a limit of cost not to exceed the sum of \$650,000, which sum is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated.

The CHAIRMAN. The gentleman from Indiana [Mr. ELLIOTT] is recognized.

Mr. ELLIOTT. Mr. Chairman and gentlemen of the committee, this is one of the really important measures that are now pending before this House. The question of what to do with and how to control the patients afflicted with leprosy is one that has bothered the people of the world for centuries. The only adequate remedy that has been found for this trouble is to segregate these poor unfortunate people in a place where they will not be a further menace to society. There are in the world to-day about 2,000,000 of these unfortunate lepers, most of them scattered through that portion of the world known as the Tropics. But we unfortunately have within the boundaries of continental United States at this time from 1,000 to 1,200 of these patients.

Several years ago the State of Louisiana had some lepers that it had to take care of, and it built in that State a State leprosarium. In 1916 a great agitation came up in the United

States for a national leprosarium to take care of lepers scattered about through the several States, and in 1917 the Congress appropriated \$250,000 to establish this national leprosarium. The Public Health Service took \$75,000 of this money and bought the Louisiana Leper Home at Carville. They took the rest of this money and increased the size of this institution until it had a bed capacity of 200. It has been operated by the United States Public Health Service since that time; and now the institution is full to overflowing, and there are in the neighborhood of 100 to 120 applicants seeking admission to this place, and they have no quarters in which to take care of them.

The Secretary of the Treasury has written a letter to the chairman of the Committee on Appropriations of the Senate, dated June 13, 1922, which is appended to the report made by the Committee on Public Buildings and Grounds when it reported this bill, and this letter gives the facts concerning the situation which is confronting the people. I will read it.

TREASURY DEPARTMENT,  
Washington, June 13, 1922.

The CHAIRMAN COMMITTEE ON APPROPRIATIONS,  
United States Senate.

SIR: In compliance with your indorsement on a copy of bill (S. 3665) to provide additional funds to continue in effect the act providing for the care and treatment of persons afflicted with leprosy and to prevent the spread of leprosy in the United States, I have the honor to furnish you with information as follows relative to this measure, and to state that, in my opinion, the enlargement and continuance of the work is essential to the welfare of the country, and that the sum of \$650,000 named in the bill is required to accomplish the purpose:

1. Reference is made to the act approved February 3, 1917, which, in effect, established a national policy of the segregation and continued care of all persons suffering from leprosy within the United States at the expense of the National Government, including their transportation from the place of origin to the national leprosarium. It provided funds for the purchase of a suitable site for a national leprosarium and for the erection of buildings thereon and appropriated a sum of \$250,000 for this purpose.

2. Under this legislation the Public Health Service acquired a site and buildings formerly used by the State of Louisiana as a leprosarium and, with the money available, made improvements and extended facilities. The place was open for the reception of patients in March, 1921. Its total bed capacity is 200. At the present time it has no infirmary and is inadequate with regard to certain facilities, such as quarters, adequate dining-room space and recreation space, storage space, etc.

3. This institution is full to capacity and remains so all the time. There is not a sufficient number of beds to meet the demands. At the present time there are on file about 100 applications, and these are increasing.

4. Unless provision is supplied for the segregation, with proper care and treatment, of all lepers in the United States, the purpose of the original legislation will be defeated. This legislation was prepared for the purpose of eradicating leprosy from the United States, an entirely feasible procedure if all persons suffering from this disease are segregated. This requires, of course, a leprosarium of sufficient size to meet all demands and to receive all applicants.

5. At the present time the Public Health Service is placed in a rather embarrassing situation, since under the law it is operating a national leprosarium, but by reason of limited facilities is unable to receive into this institution the applicants from the various States of the Union.

If facilities existed and the various State health officers were satisfied that the National Government would care for all lepers found within the borders of their respective States, it is almost certain that they would make effort to find such cases and induce them to enter this institution. Such procedure would be in entire conformity with the intent of the legislation.

6. The number of lepers in the United States is unknown. Estimates have been made which vary from 500 to 1,200. From the experience of the Public Health Service since the opening of this leprosarium, there are reasons to believe that the larger number is probably more accurate than the smaller, and indications all point to the need for the construction at the present time of a total of 500 beds at the national leprosarium. This would mean an addition of 300 beds with all of the necessary attendant facilities.

7. It has been found from experience that the care of lepers does not require extensive hospital facilities, but effort is always made to house such patients in a comfortable manner with as congenial surroundings as possible. The practice is to erect buildings of a cottage type which will house small groups rather than large buildings for the large aggregation of persons.

Of course, it is also necessary to have at command first-class professional facilities for the treatment of the disease, and also for the care of those who may become acutely sick from intercurrent maladies. This, of course, requires an up-to-date infirmary. Care also has to be taken to supply recreational facilities and to furnish these persons with many things not contemplated in usual hospital care and treatment. They are required to spend their lives in the institutions and all of their various wants must be taken care of.

8. The \$650,000 contemplated in this bill is to be used exclusively for the purposes of construction. It is proposed to add 300 beds to the institution, to erect an infirmary building of from 50 to 100 beds, to increase quarters, kitchen, dining-room facilities, recreation, and other facilities in accord with the expansion of the plant, to make a similar increase in its power plant and mechanical equipment, and to provide all things necessary to make this a modern plant for the care of persons suffering from leprosy.

The original act carried an appropriation of \$250,000. This money was expended in the purchase of a site at a cost of \$75,000 and the extension of the plant from 80 to 200 bed capacity. The money did not suffice to supply an infirmary, adequate quarters, and other necessary facilities. The \$650,000 asked for to supply a total of 500 beds would therefore represent a comparatively modest cost per bed. The present situation is urgent and the additions to this plant are very much needed.

Respectfully,

A. W. MELLON, Secretary.



This bill has been before the Committee on Public Buildings and Grounds twice. I introduced the first bill at the request of the Public Health Service. We had a hearing, and the bill was reported for passage by a unanimous vote of the committee. The same bill was introduced in the Senate, and passed the Senate and came back to the House before we could get action on the House bill. The Committee on Public Buildings and Grounds then acted, by a unanimous vote, in favor of the passage of the Senate bill and have brought it out on the floor for passage.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. ELLIOTT. Yes.

Mr. SUMNERS of Texas. The gentleman stated that most of these unfortunate people throughout the world were in tropical territory. Does climate have anything to do with the treatment of the disease? My question is directed to the point of whether or not this is the proper location down there, so far south.

Mr. ELLIOTT. I will say this: That the only treatment I know of that has been used to any great extent or has been of any benefit is an oil that comes from a tree, and is known as chaulmoogra oil. That has been of some benefit to the patients in the Hawaiian Islands, but it does not seem to beneficially affect the patients in this country. The doctors say that it is due to a difference in the climate; that the people living in a hot country have blood of a different consistency from those living in this country.

But there is this reason why this institution is a proper one to be located in a warm country: It gives a chance to all of these patients to be out of doors as much as possible. I think that the United States ought to give a vote of thanks to the State that has this institution within its borders rather than to charge it up as an institution that is of any particular benefit to that particular locality.

This is an institution that is put there for the benefit of the whole country. These people are scattered all over the country, some in solitary confinement in places provided by local authorities at a great expense to the people of that community.

Now, we had a case right here in Washington since I have been a Member of Congress. A man by the name of John Early was quartered across the river in the outskirts of the District, and they had one or two men looking after him, and attending to his wants, and guarding him to keep the general public from coming in contact with him, and to keep him from escaping; and it cost in the neighborhood of \$3,000 a year to the District of Columbia and to the Government to take care of that one man. He knew about this institution in Louisiana, and one night he took French leave from this place, and they never heard of him until they found him in the Carville, La., institution, where he went on his own initiative, to be with people who were not afraid of him. He is there yet, and he went there because he could find companionship. The fact is that there is not anybody in this country who wants to associate for one minute with a leper, and if you let the information get out in a community that a leper is loose in that part of the community it would start more of a commotion than if you were to start a smallpox scare.

Mr. DENISON. Will the gentleman yield?

The CHAIRMAN. The gentleman has consumed his additional five minutes.

Mr. ELLIOTT. I will yield to myself one minute more in order to allow the gentleman from Illinois to ask me his question.

Mr. DENISON. I want to ask the gentleman from Indiana if there is any other institution in this country except the one in Louisiana?

Mr. ELLIOTT. There is one in Hawaii and there is one at Panama, but this is the only one in continental United States.

Mr. DENISON. I am asking particularly about continental United States. Did it come to the knowledge or information of the gentleman from Indiana as to where these other patients are? Are they kept in institutions or kept isolated in houses like the one the gentleman has described?

Mr. ELLIOTT. Some of them are running around over the country. A short time ago they found one running an elevator in New York City. I do not know what they did with him.

Mr. DENISON. Did the committee get any information as to how these scattered individual cases contracted the disease?

Mr. ELLIOTT. Some of them got it in this way: Our people are very prone to travel all over the world, and in traveling in countries where leprosy is prevalent some of them contracted the disease and brought it back with them. After a person once contracts it the only thing to do is to segregate him and

put him where he will not communicate the disease to some other person.

Mr. DENISON. This disease is communicated by contact, is it not?

Mr. ELLIOTT. Yes; it is in a measure an infectious disease.

Mr. DENISON. So far as the gentleman knows, up to this time is there any hope of curing these people?

Mr. ELLIOTT. None that I know of. The whole idea seems to be that if you can get them all segregated into one spot and keep them there until they die the disease will die with them.

Mr. MADDEN. They have cured some.

Mr. ELLIOTT. They have cured some in Hawaii, or think they have, but none in this country.

Mr. HUDSPETH. They have cured some in Hawaii.

Mr. ELLIOTT. I stated that.

Mr. HUDSPETH. And relative to their running around loose, the newspapers stated that they found two cases in the District of Columbia, and put them in this leprosarium.

The CHAIRMAN. The gentleman from Indiana has consumed 15 minutes.

Mr. LANHAM. Mr. Chairman and gentlemen of the committee, it is not my purpose to consume very much time in the discussion of this measure. I assume that there will be no opposition to it. It is a philanthropic proposition, and one which the committee, of course, has not approached from a partisan standpoint.

Back in 1899 the Congress appointed a commission to make an investigation concerning leprosy in this country. It was discovered at that time that approximately 1,200 cases had developed in the United States. Based upon the report of that commission, the Congress at a later date—in February, 1917—authorized the establishment of a home for the treatment and, if possible, the cure of those afflicted with this dread disease. It was subsequently established in Louisiana, at the site of the leprosarium which had been built by that State, at Carville. From the standpoint of expense, it was an economical transaction for the Government. The property was purchased at a very reasonable valuation.

There are now in that institution 200 lepers. There are no accommodations for more than 200. It is estimated that there are possibly to-day 1,500 people in this country who are suffering from leprosy. The amount authorized to be appropriated by this measure will afford accommodations for 300 additional lepers. It will also provide for an infirmary, for suitable houses for lodging, for treatment of patients, and for their recreation.

Of course, this is a measure which appeals both to the head and to the heart. In our natural charitable disposition we sympathize with the people who are suffering from this dread malady. Not only does it appeal to us from that angle, but as a prophylactic measure it is highly important that we have sufficient and suitable accommodations to house all the known lepers in this land.

This is the same old leprosy of Bible days. The doctors tell us that it does not differ in kind and probably does not differ in degree from that disease which in olden times used to lead those afflicted with it to hold up their hands and cry "Unclean!" However, much progress has been made in the treatment of the disease, and it has been found that by methods similar to those employed in the treatment of tuberculosis, by proper diet, proper sanitation, proper environment that makes for a cheerful mood much may be accomplished for these people. And they have the disposition to go to this institution. There are now approximately 200 requests for admission there, with which under the present conditions those in charge are absolutely unable to comply. And some of these patients are cured. That is, they are cured in the same sense in which a person afflicted with tuberculosis is cured. The progress of the disease is so arrested that it is safe for the patients to be returned to their normal conditions of life and to mix and mingle with their friends and those who are dear to them.

So there can not be any disposition upon our part to have any antagonism to a measure of this kind. The only important inquiry is whether or not the \$650,000 authorized by this measure to be appropriated is sufficient for the purposes in hand. The authorities of the Public Health Service give us the assurance that, to the best of their information and in accordance with their best judgment, this sum is adequate for the present purposes.

This is not an institution that any of us would desire to have in our districts.

Mr. TAYLOR of Colorado. Will the gentleman yield for a question?

Mr. LANHAM. I will.

Mr. TAYLOR of Colorado. Do the officials of the surrounding parishes in that community all agree to this, so that there will be no objection to the expending of this money?

Mr. LANHAM. As stated by me before, this was the original site of the State institution in Louisiana. Of course, those people there are not anxious to have the leprosarium, but they are anxious that, inasmuch as it is there, it shall be adequate for the demands. There are, for instance, a number of lepers in the State of Louisiana, accredited to that State, who have gone there from other States in the hope that they could get into this institution. They have gone from various sections of the country.

This is an isolated settlement. It is about 4 miles from a hamlet and about 75 miles from New Orleans, and the people of Louisiana wish to have this institution enlarged in this manner. There has been no opposition to the bill. Of course, they would prefer to have no leprosy in the United States and that the necessity did not exist for this institution there, but they are thoroughly agreeable to its enlargement and the extension of its work as here contemplated. And perhaps it will work its most beneficial results for the State of Louisiana itself, because of the great influx of lepers into Louisiana from the various sections of the country in the hope of admission to this leprosarium.

Now I yield to the gentleman from Texas.

Mr. HUDSPETH. I want to state to my colleague that I think it is very commendable that these good people of Louisiana will admit the institution. My colleague will recall that the Texas Legislature made an appropriation of several million dollars for a site, and they could not find a place or a site where they would permit them to locate it.

Mr. LANHAM. That is true, and I agree with my colleague from Indiana [Mr. ELLIOTT], who says that the State of Louisiana is entitled to a vote of thanks that the institution is allowed to be located there.

Mr. BLANTON. Will the gentleman yield?

Mr. LANHAM. I will.

Mr. BLANTON. I was interested in the statement of the gentleman that there are now 1,500 afflicted people within the United States, and that we are providing for only about 350. Are the balance isolated?

Mr. LANHAM. The passage of this measure will provide for about 500. That is, the present accommodations are for 200 and this will add 300 more.

Mr. BLANTON. Then there are 1,000 additional that are not accommodated.

Mr. LANHAM. That is an estimate by the Public Health Service.

Mr. BLANTON. Are they isolated?

Mr. LANHAM. As I say, it is largely a matter of estimate. The period of incubation in this disease is from 3 to 30 years, and it is very difficult to tell sometimes in the early stages whether one who is suspected of having leprosy is afflicted with it or not.

Mr. BLANTON. If the only way to weed it out and to stop it is to isolate the cases and let it die out, I would be in favor of providing accommodations for every one of them.

Mr. LANHAM. I will say that I made inquiry of the Surgeon General when the very interesting hearings were had on this bill, and he thought the appropriation provided for in it would be sufficient for this purpose at present.

There is one interesting thing that developed at the hearings in regard to this disease, and that is that especially in the Philippines, where it is very prevalent, relatively, when it breaks out in a family, strange to say, the male members have it to the exclusion of the female members, and vice versa. There seems to be a kind of itch that develops on the body. The reason the spread of the disease is usually confined to a particular sex of the family seems to grow out of the fact that they frequently wear one another's clothes. The boys wear their brother's clothes handed down to them, and then contract the disease from wearing the apparel of those afflicted. The same results occur from girls wearing the garments of their afflicted sisters.

Unfortunately some of those stricken with it in the United States have been treated most mercilessly in some sections of the country. In one case, where a man was confined at the county poor farm, a purse was made up as a bribe to get him to leave that community.

Mr. DENISON. Will the gentleman yield?

Mr. LANHAM. I will.

Mr. DENISON. I had occasion to visit the leprosy home in the city of Habana, and I hope that no such conditions will ever exist here as I saw in 1912. The patients were all con-

finned in a building and bars over every window—bars like an ordinary jail. The sight I saw in the city of Habana was frightful. My object in stating that is to ask the gentleman if he can give the House any information as to what this plant in Louisiana consists of and what this money is intended to do? This will amount to about \$2,200 a bed.

Mr. LANHAM. I want to say that these conditions in Habana, of which the gentleman speaks, will not be duplicated in this country. This is a tract of 400 acres of good land. Instead of having large buildings, it has been found better in the treatment of leprosy to have small cottages for the patients. They are scattered around down there over these grounds. In some instances the patients are even able to get out and cultivate the land a little. They like to live there; they do not run away, but, as a matter of fact, they run to the place to be admitted. The relatives of some prominent people have been treated in that institution.

Now, the hearings show how they propose to use this money, and it is as follows:

Twenty-two 1-story cottages, each containing 11 rooms, toilets, etc., hollow tile and stucco finish.....	\$220,000
Hospital with 50 beds, surgical provision, X-ray laboratory, general and research laboratory, dental laboratory, eye, ear, and nose clinic, electric hydrotherapeutic clinic and a pharmacy; 2-story fireproof building.....	125,000
Morgue, 1-story building, fireproof construction.....	2,000
Laundry, 1-story building, tile walls and stucco finish (exclusive of laundry equipment).....	15,000
Auditorium and recreation hall, 1-story building, tile walls.....	30,000
Library, post office, and canteen combined, 1 story, tile construction.....	20,000
Kitchen and mess hall, 1 story, tile construction.....	75,000
Storehouse for nonperishable supplies, 1 story, tile walls, stucco finish.....	3,000
Storehouse for perishable supplies, 2 stories, tile construction, stucco walls, including refrigeration.....	20,000
Garage, 1 story, tile walls, stucco finish.....	10,000
Quarters for resident hospital physicians, 1 story, tile with stucco finish.....	10,000
Three houses for colored help, 1 story, tile walls, stucco finish.....	5,000
Dairy and barn, 2 stories, to accommodate 29 head of cattle and 4 horses, tile walls, stucco finish.....	18,000
Incinerator, additional mechanical equipment, boilers, etc.....	92,000
<b>Total</b> .....	<b>645,000</b>
Miscellaneous costs.....	5,000
<b>Grand total</b> .....	<b>650,000</b>

These are the purposes and amounts aggregating, as set out in the bill, the sum of \$650,000.

I reserve the remainder of my time.

Mr. ELLIOTT. Mr. Chairman, I yield five minutes to the gentleman from Nebraska [Mr. ANDREWS].

Mr. ANDREWS of Nebraska. Mr. Chairman, the executive and medical authorities of the Government having these matters in charge have certified to us the necessity in the case. They have advised us that the amount carried in the bill will meet immediate exigencies. This authorization will prepare the way for the appropriation to follow, and I believe that the best service we can render is to pass this bill as speedily as possible. Therefore, I yield back the remainder of my time.

Mr. ELLIOTT. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. CHINDBLOM].

Mr. CHINDBLOM. Mr. Chairman, it is not necessary to discuss further the merits of this legislation. I think the urgent need of the passage of the bill is apparent to all the members of the committee who are here. It may be interesting, however, for the purposes of the Record, to indicate the manner in which patients may be admitted, and are admitted, into this National Leper Home at Carville, La. The law provides that there shall be received into this home, first, patients who may present themselves at the home and desire admission, who have this disease; second, persons who have been apprehended under the United States quarantine acts, and therefore are subject to disposition by the Federal authorities; third, patients who may be consigned to the home by the health authorities of any State, Territory, or the District of Columbia. In the last case the health authorities of any State or Territory or of the District of Columbia may make application to the Surgeon General, and he provides means for the transportation of the patient from the place where the patient may happen to be located to the home at Carville, La., if it is necessary to provide such transportation and if it is in the interest of the preservation of the public health to cause this transportation to be provided. The cost of the transportation is paid out of the Federal appropriation for the maintenance of the home.

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

Mr. ELLIOTT. Yes.

Mr. DENISON. Did the gentleman get any information that he can give to the House as to the nationality of these patients? Are there any of them foreigners, or are they all Americans?

Mr. CHINDBLOM. I can only give a general impression. I do not think there is any preponderance of foreigners among them. Some of them are people who have traveled; in fact, I think most of them are people who have traveled in the Philippines and elsewhere in the world, where they have unfortunately contracted this disease, and in some cases the number has been increased by the contagion which those afflicted with the disease have communicated to others after their return to the United States.

I yield back the remainder of my time.

Mr. LANHAM. Mr. Chairman, I yield three minutes to the gentleman from Louisiana [Mr. LAZARO].

Mr. LAZARO. Mr. Chairman, there are two reasons why this appropriation should be made as soon as possible. The first is because if we have the facilities for these people who are afflicted with leprosy, so that they can apply and receive early treatment, they have some chance of recovery. The second reason is that if you have quarters for these people, they go there themselves of their own free will, and that of course means protection to the public. I hope that this House will pass this appropriation and give these people relief as soon as possible.

Mr. LANHAM. Mr. Chairman, I yield two minutes to the gentleman from North Carolina, [Mr. ABERNETHY].

Mr. ABERNETHY. Mr. Chairman and gentlemen of the House, never before in the history of our country have we been confronted with a more serious problem than that which relates to our cotton industry. It is not a sectional problem; it is a nation and world-wide problem, and one which needs the prompt and vigorous action of Congress. Every Member of this body, wherever he lives or from what section he comes, is as vitally interested, if he stops to think, as we who represent what is known as the Cotton Belt.

Cotton is the most valuable fiber in the world and its production is necessary if the greater part of the human race is to be clothed.

The South supplies 80 per cent of the cotton needed, and in normal times it constitutes 60 per cent of our export trade. Europe, Asia, and Africa are almost without cotton at this time, and but for the fact that our foreign trade is almost at a standstill there would be a cotton famine.

A conservative estimate is that \$2,000,000,000 are invested in the cotton manufacturing business, and it is dependent upon the South's ability to produce three-fourths of the raw material used in this industry.

This country furnishes 80 per cent of the cotton; Egypt, about 13 per cent; East India, 5 per cent; and all other countries in which cotton can be produced, 2 per cent. "All other countries" includes Russia, China, Japan, Peru, Greece, Turkey, Persia, and Mexico. The entire world outside of the United States, exclusive of Egypt and India, does not produce in a year as much cotton as does the State of Texas alone.

India, with its immense population, will always consume more cotton than it can grow. The uncertainty as to rainfall in that country is the great drawback to increased cotton production. The staple is of a much lower grade than ours, and the average yield is only 70 pounds to our 190 pounds. Egypt is a rainless country. No crops can be grown except by irrigation from the only source of water supply, the Nile. Her increase of cotton production does not meet her increased demands. Since 1873 Egypt's increase in cotton yield has only been 430,000 bales, compared with an increase of 7,000,000 bales in our Cotton Belt during the same period.

There is at large in the cotton-producing States of the Union what has been appropriately styled "the billion dollar bandit" or "the billion dollar bug." His correct name is *Anthonomus grandis*, commonly called the boll weevil.

This bandit operates for about a period of three months per year and in a comparatively small area of the United States, but since 1909 he has cleaned up and destroyed more than \$3,000,000,000 worth of cotton.

He started his devastating march in 1892 in this country, coming across the Mexican border into Texas, and to-day he ravages the entire cotton area of the United States.

So far as we can ascertain he was born near Vera Cruz in 1843, and soon became so active and destructive in that country that the raising of cotton was abandoned and has never to any extent been resumed.

He then made his way to Cuba, and in 1871 his ravages were so great that the Cuban farmer gave up planting cotton and turned to other things.

He seems to be content to reproduce, and this he does effectively. A male and female boll weevil are capable of repro-

ducing four or more generations each summer, the length of existence being about 60 days, and the possible progeny of a single pair of weevils from the beginning to the end of a season may amount, according to the estimates of the Department of Agriculture, to no less than 12,755,100 descendants. And when a single weevil boring into a cotton boll can destroy it, the ravages of the pest can be understood.

This "bandit" is a species of beetle with a prominent snout half the length of its body. It has elbowed antennae at its sides and a small mouth at its tip. It is about one-fourth of an inch long. It hibernates in the wintertime in near-by woods or by concealing itself in the cotton fields. In the spring and throughout the fruiting season of cotton the eggs are deposited by the female weevils in cavities formed by eating into the fruit of the plant. An egg hatches under normal conditions in about three days, and the grub immediately begins to feed. In from 7 to 12 days the larva or grub passes into its pupa stage, corresponding to the cocoon of butterflies and moths. This stage lasts from three to five days. Then the adult issues and in about five days begins the production of another generation. Climatic conditions cause considerable variation in the duration of the stages, but, on an average, it requires from two to three weeks for the weevil to develop from the egg to the adult. Males and females are produced in about equal numbers. The males feed upon the squares and bolls without moving until the food begins to deteriorate. The females refrain most of the season from depositing in squares visited by other females, but late in the fall, when all the fruit has become infested, several eggs may be placed in a single square or boll. As many as 15 larvae have been found in a single boll. The squares are greatly preferred as food and as places for depositing eggs. As long as a large supply of squares is present, the bolls are not damaged to any serious extent. The bolls, therefore, have a fair chance to develop as long as squares are being formed.

The cotton-boll weevil, so far as known, breeds in no plants other than cotton and the wild cotton of Arizona. At the present time, at least, the insect is restricted to the cotton plant as a means of development.

It is proper to say in this connection that the United States Department of Agriculture has been doing a great work in boll-weevil control. That great expert, Dr. L. O. Howard, Chief of the Bureau of Entomology, and his valuable assistants in his department and the experts in the Bureau of Plant Industry and from the extension service have worked out a plan whereby cotton can be grown under boll-weevil conditions, and this is the plan:

#### SUMMARY OF SUGGESTIONS FOR THE PRODUCTION OF COTTON UNDER BOLL-WEEVIL CONDITIONS.

(This statement was prepared by a special committee and approved by the cotton council of the Department of Agriculture, and represents a summary of the department's attitude at present.)

Under boll-weevil conditions the prime necessity is to mature the largest possible crop of cotton in the shortest possible time. It is, in a sense, a race between the farmer and the boll weevil. To accomplish this end the department makes the following recommendations:

I. Select for cotton planting well-drained, fertile soils, if possible; only land capable of producing, with the use of a reasonable amount of fertilizer, at least one-half a bale per acre should be planted to cotton.

II. Prepare a good seed bed and fertilize liberally. Whatever fertilizer is used should usually be distributed in the soil before planting.

III. Plant good seed of an improved, early maturing variety recommended for the locality by the State experiment station and the United States Department of Agriculture. Plant as soon as danger from frost and cold is past and the ground is sufficiently warm to insure rapid germination and vigorous growth. The planting of seed of a single variety, as nearly simultaneously as possible, by entire communities and counties is strongly urged.

IV. The importance of securing and maintaining a full stand can not be overemphasized. The best width of rows and spacing of cotton in the row may vary with soil and climatic conditions. Rows should be only wide enough to allow proper cultivation and cotton in the drill should uniformly be spaced closer than under non-bollweevil conditions. Cotton in 3-foot rows, spaced two stalks to the hill, a hoe width apart, has given high yields in spacing tests in the Mississippi Delta. This close spacing may prove undesirable under some conditions, but spacing 8 to 12 inches in the drill, with two stalks to the hill, will probably give best results throughout the entire region of severe weevil infestation. To be sure of securing a full stand the liberal use of planting seed is advised.

V. Chop to the desired stand as soon as safe from cold or other adverse conditions. Give early and frequent cultivation and continue same until fairly late in the season; or at least two or three weeks beyond the usual "laying-by" time. Great care should be taken, particularly in the later part of the season, to cultivate shallow and not too close to the row. Careless or deep cultivation at this period may mean disaster. Careful, late, shallow cultivation is very strongly recommended.

VI. If weevils are numerous at the time cotton is just beginning to square destroy all possible adult weevils, either by hand picking or poisoning, as may be most practicable. It is probable that only at this stage the molasses and calcium arsenate mixture can be used effectively. When squaring begins, especially if not equipped to poison by dusting, pick and destroy all punctured squares from the ground and the stalk once every week or 10 days for a period of about 30 days. Then, if weevils are still numerous or as much as 10 to 15 per cent of squares are infested and other conditions warrant, apply the calcium arsenate dry dust poison. In making applications of the dust poison

always carefully follow directions of the United States Department of Agriculture and the college of agriculture of your own State.

VII. Pick cotton in the fall as rapidly as possible, and immediately kill all cotton stalks, preferably by cutting and plowing under. The object is to destroy the food supply and breeding places of the weevil before the hibernation period. To be effective, this must be done as long as possible before the first killing frost. A very light infestation, or even practical immunity from weevil damage until late in the following season, could be insured if all cotton growers in entire communities or counties would, when conditions permit, cooperate to destroy all cotton stalks at least two or three weeks before frost.

VIII. Since the weevil will hibernate successfully not only in woodland but in any trash or rubbish, it is very good practice to burn over or clean up any such situations around the cotton fields during the winter, especially the fence rows, terraces, ditch banks, and ravines.

And it is well in this connection to give the following suggestions of Mr. W. B. Mercer, of the Department of Agriculture:

#### PREPARATION OF SEED BED.

In most cases early, moderately deep breaking of the land is best for cotton. Where vegetable matter is to be turned under and where there is little danger of serious washing, early breaking is desirable. If the breaking is done more than three or four weeks before planting time, the land should be rebedded. This, however, need not be as deep as before. The second breaking should, as a rule, be done much more rapidly. Sometimes a thorough disking or stirring of the soil with a cultivator will be sufficient. It matters not when the breaking is done, the surface soil should be thoroughly pulverized with disk and smoothing harrows before seeding. The young cotton plant needs a well-prepared soil to start in, as the roots are delicate and near the surface. Unless the land was broken before rains, a roller or drag should be used to firm the seed bed. This holds moisture, which is necessary to good germination.

#### DATE OF PLANTING.

The dates for planting cotton range from March 25 to May 25, depending upon latitude, season, and soil conditions. The good condition of the soil and the temperature are more important than a fixed date for planting. Cotton should be planted just as soon as the soil is warm enough for quick germination and rapid growth of the young plants. Both extra early and extra late planting are to be avoided. If planted too early, the crop may be killed by late frosts or stunted in growth and the expense of cultivation is increased, while, on the other hand, if planting is delayed the crop will be in danger of drought, early frost, and various insect pests. The sowing of the seed is usually done with a planter. There are several very satisfactory planters on the market. Choose the one that conserves seed and drops it regularly at a uniform depth.

#### DEPTH OF PLANTING.

The depth for planting cottonseed is important. Ordinarily it should not be planted more than 1 inch deep, provided that depth reaches moisture. When the temperature and moisture are right, plants will come up very quickly. In dry soils or when planting late in the season it may be necessary to cover seed more than 1 inch. As a rule, more poor stands are caused from planting too deep than too shallow. When seed is planted in a continuous drill, 3 pecks of good seed per acre are sufficient. Half this amount will give a good stand when planted at the proper depth on a well-prepared seed bed. It is usually safest to use a rather generous amount of seed, so that early cultivation can be done with less danger of injuring the stand.

#### SPACING.

There are many opinions regarding the proper spacing of cotton. There is a pretty general uniformity in agreement on the width of the rows. The standard rows are from 3½ to 4½ feet. This depends somewhat on the nature of the soil, but under any conditions the width of the rows should be arranged to suit the cultivators that will be available. The diversity of opinion is on the spacing of plants in the rows. The practice of good farmers and results from the early experiments under normal conditions and before the boll weevil seem to favor rather wide spacing in the row. Recent experiments under boll-weevil conditions, and even under normal conditions, indicate that closer spacing gives a greater yield. Where the chief object is early maturity and the combating of serious insect pests, thicker spacing of the plants in the row will give more satisfactory results. There is perhaps need for some further experiments to arrive at the approximate distance, worked out on a scale suitable to the soil and climate in which the plants are to be grown.

#### FERTILIZER.

Commercial fertilizers were not used for cotton until about 1860. Where judiciously used they have always given good results. Millions of dollars' worth are now used annually in the cotton regions. The present deplorable financial condition in the cotton States is largely due to the extravagant use of commercial fertilizer, bought at very high prices on credit. Every good farmer or agricultural adviser knows the benefit to be derived from a reasonable application of fertilizer on practically all cotton lands. The great mistake has been that the cotton farmer has come to depend almost entirely on fertilizers for producing good yields rather than on crop rotation in which soil-building crops are used. The exercise of more intelligence in the buying and use of fertilizers and the adoption of a rotation system throughout the cotton territory would result in the saving of millions of dollars and at the same time secure better yields at less expense on fewer acres.

#### CULTIVATION.

Frequent and early cultivation is essential to promote rapid growth, to retain moisture, and to destroy weeds. When possible, the weeder or section harrow should be run over the fields before the plants come up. As soon as the plants are up to a good stand, run the section harrow again at an angle of 45 degrees diagonally across the rows. On very loose or sandy soils the weeder will be better than the harrow. Cultivation should be continued throughout the growing season each week or 10 days, until the plants have taken on a full crop of bolls and squares. After the first few weeks, cultivation should be shallow, as the cotton plant has a great mass of roots near the surface, and these should not be broken to any great extent. On most soils the cultivation should be kept up much later than is ordinarily done.

How can Congress help this matter? By granting liberal appropriations to the Department of Agriculture. This should

be done without stint, for the situation is so critical that no other agency than the Government can hope to successfully cope with it.

There is now pending before the House, Union Calendar No. 557, Senate Joint Resolution 265:

*Resolved, etc.*, That the President is authorized and directed to procure, or aid in procuring, such stocks of nitrate of soda and calcium arsenate as he may determine to be necessary and find available for increasing agricultural production during the calendar year 1923 and 1924, and to dispose of the same at the total cost to the Government, payable in advance. For carrying out the purposes of this joint resolution there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, available immediately and until expended, the sum of \$10,000,000, or so much thereof as may be necessary, and the President is authorized to make such regulations and to use such means and agencies of the Government as in his discretion he may deem best. The proceeds arising from the disposition of the nitrate of soda and calcium arsenate shall go into the Treasury as miscellaneous receipts: *Provided*, That the sum herein appropriated and the proceeds arising from the disposition of the nitrate of soda and calcium arsenate may be used, at the discretion of the President, during the calendar year 1923 and 1924 as a revolving fund for the purposes herein named.

This resolution passed the Senate unanimously and has the unanimous recommendation of the Committee on Agriculture.

It is warmly indorsed by the Secretary of Agriculture and should pass the House without opposition.

The nitrate of soda is principally secured in Chile. Nitrates needed during the war were secured in the way provided for in this resolution. Nitrate of soda is absolutely essential to the cotton farmer to enable him to push the growth of the cotton to combat the boll weevil.

Nitrate of soda is not only essential to the cotton farmer but to farmers generally in various parts of the country.

In this resolution it is proposed for the President to buy the nitrate of soda and sell it to the farmer at cost. The Government did this during the war and has never lost a dollar. It is not in reality an appropriation, as the Government collects the money in advance from the farmer, most of whom are small tenant farmers, and by this method are enabled to get this most necessary fertilizer, otherwise they could not get it.

The calcium arsenate is the only poison which has been found to destroy the boll weevil.

Arsenic is a metallic element. It is found in many localities but in commercial form it is produced almost entirely as a by-product of the smelting industry—a by-product heretofore largely due to legislation. Wherever smelters have been erected laws have been passed compelling them to control the fumes of arsenic let loose from their smokestacks. The dust in the smokestack and in the flues of a smelter is refined by revolatilizing and grinding for the arsenic market. Obviously, the activity of the smelters is regulated by the price of copper and lead, and the supply of crude arsenic is greater or less according to the activity of the metals market.

The chief sources of supply are at Midvale, Utah, where the American Smelting & Refining Co. has a maximum production of 8 tons per day. The American Smelting & Refining Co. plants at Murray, Utah, East Helena, Mont., and Leadville, Colo., have a combined maximum output of 10 tons per day; and the Anaconda Copper Co., at Butte, Mont., has a maximum output of not exceeding 35 tons per day. The total maximum output under the best possible conditions would be 60 tons per day, or a total maximum American production of 18,000 tons per annum, figuring 300 working days per year.

It is perfectly possible to mine arsenic-bearing ores and treat them primarily for the recovery of arsenic as a metal itself. The production of arsenic is susceptible of being materially increased by the outlay of large amounts of additional capital, and such additional capital can not readily be attracted until the permanency of the demand and price of raw arsenic is more certain.

The foreign sources of supply of arsenic are confined practically to Japan and Germany. The greatest amount available from these two countries has been 4,200 tons in any single year, of which 2,200 tons have been procured from Japan and the balance from Germany, who had on hand a large stock. The German supplies originated in what is now Poland, and production there seems suspended. Other sources of supply in limited amounts are Australia, South Africa, Korea, Canada, and Mexico.

Calcium arsenate is 40 per cent arsenic and 60 per cent calcium of lime.

In a soluble form the arsenic would kill the cotton plant when absorbed by it, but after being mixed with calcium and rendered insoluble it is dusted by night over a cotton field. Small undissolved particles of calcium arsenate in a drop of dew are drunk by the boll weevil. It takes from 5 to 7 pounds to dust an acre at one application, and from three to four applications are necessary during the cotton-growing season.

From the foregoing information the House should be convinced of the urgent necessity of this legislation. With a fixed appropriation which the Government can spend for calcium arsenate, a market is fixed for the poison, and it is not dependent upon the price of copper and lead, as is now the case. With the Government coming to the aid of the farmer in this emergency it will enable him to control the boll-weevil pest and raise a sufficient amount of cotton to supply the needs of the world. Without governmental aid in this emergency I can see no hope for the continued production of sufficient cotton for our needs.

Mr. LANHAM. Mr. Chairman, I yield five minutes to the gentleman from Louisiana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman and gentlemen, I would not under ordinary circumstances take up any of your time, because I think you are prepared to vote in favor of this bill unanimously. It carries its own merit upon its face, and if it did not I believe the debate here this afternoon has clearly demonstrated that it is a very meritorious measure.

I have taken the floor for the purpose of gathering information from any Member of this House upon a matter that has worried me for some time. A man named Willard Centlivre in all probability did more to stimulate the thought of the people of this country upon the subject of leprosy than any other unfortunate individual who was ever afflicted with that dreadful disease during all the course of its history. Some years before his case a man named Early was incarcerated down here on the banks of the Potomac in this District. It was stated that it cost approximately \$3,000 a year to take care of Early. Then came Centlivre. Centlivre was born and reared in the lower section of the city of New Orleans. I used to know him well. He used to attend political meetings and was somewhat of a character in the Latin quarter of that city. He came to Washington and created a sensation which rang its way clear across the continent. He said he came here as the vanguard of an army of lepers, who would assemble in Washington, march down the Avenue to the White House, and there petition for a redress of grievances. The story was put into every newspaper from ocean to ocean. I never suspected that Centlivre was gifted with any ability to obtain his ends dramatically, but he certainly did know how to play his part magnificently. On the day he arrived in Washington he walked into this old house over here, the Public Health Service, which is attended with some historical significance, for it was once occupied by Gen. Ben Butler, a man who won (?) his way into the affections of the people of New Orleans some years ago, as history records, and calmly said, "I am a leper." In the twinkling of an eye that building was entirely cleared of every occupant. Doors that opened by pulling them inward were opened outward by the rush to sunlight and the open air. Windows were not barriers; they were exits for those who rapidly got out. He was monarch of all he surveyed, and for the first time in his life he was an Alexander Selkirk. He looked over the landscape, and was apparently satisfied with his act and what he had accomplished. But after a few moments the office force regained its composure and came back, summoned the police, and Centlivre was escorted not into the jail but away down here on the banks of the Potomac, where Early had found, I hope, commodious quarters.

The Washington Times and the other newspapers at once in some manner interviewed him and his interview was a rather startling one. He declared he had joined the Army at the call of his country, had passed the physical examination, and met every test the service required. In other words, he became a soldier of the World War. Some time after an eruption began to appear upon his body. He was treated rather heroically. He was placed, according to his statement, under sand and kept there for hours. Other drastic treatment was administered but without good effect. Finally, when recovery did not seem to be apparent to his mind, he left the camp. But he was brought back, charged with desertion, court-martialed and then he made this statement that in all probability marks him out as a man, pure white, with a heart of gold, and a soul that fits him for Olympian heights. He said: "I did desert; I did leave. I told you I was afflicted with leprosy. You would not believe it. I did what decency required of me. If I never performed in my life any other act of decency, I have on this occasion, and I ought to be commended for it. I refused to communicate from my person this awful disease to others. You would not let me go, and I left, not for my own sake but for the others whom the service of our country forces to associate with me. Now carry out the sentence if you will, but I have told you the truth." He was convicted but sentence was suspended. I asked for an investigation of that case and the report of the Secretary of War shows that practically all of those statements were true and correct.

His officers, who were flayed in that report, appealed, and that appeal, to the best of my information, is still pending. At any rate I never heard anything of the case afterwards. I was not so much concerned at the outcome of the case and of the court-martial in so far as it affected his military reputation, for that will be soon forgot, "for he is a pauper whom nobody owns," but I wanted to secure for his family some relief if I could. He had a mother down there in New Orleans who was bereft of his support, and he is incarcerated in Carville now, and will in all probability end his days there. I was informed by the Veterans' Bureau, in a letter which they transmitted to me, and which expressed regret at their inability to be helpful, that inasmuch as he had been convicted of desertion, though sentence was suspended, nothing could be done. The court-martial dared not, they could not, with this supreme act of self-sacrifice and decency, as he put and expressed it, sentence that man and put the sentence into execution. This man's leprosy was of service origin. That is what the record establishes. I do not know—I am not a doctor—I do not know anything other than what the record shows.

All I know about leprosy is that it is as old as the human race and that it marched forth with the race from Asia into every place that wandering men and women have gone. The committee appointed by the Secretary of War to investigate the case found that the leprosy was of service origin, but that the sentence, though suspended, the verdict, the judgment of the court-martial, precluded him from getting relief. I introduced a bill and it was sent first to one committee which declined jurisdiction, and in all probability it was absolutely correct, and then to another committee, and it declined jurisdiction. I am up against it or fate is against Centlivre. And as a consequence this poor devil, who is still in Carville, far from the madding crowd's ignoble strife, has the bitter reflection to-day that though it was found his unfortunate disease—his affliction—was due to service origin, in the service of his country, and though poverty stricken, his wretched mother can not get the relief to which she is justly entitled. If there is a man in the House who knows how I can get relief for this poor devil and his still more unfortunate mother, I would like to have that information?

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILL. I ask that the gentleman have one more minute.

The CHAIRMAN. The time is in control of the gentleman from Indiana and the gentleman from Texas.

Mr. HILL. May I ask whether the gentleman has considered introducing a bill to correct the military record of this man?

Mr. O'CONNOR. I understand from the letter I received from The Adjutant General that there is no power in this country, not even the President, that can remove the charge of desertion.

Mr. HILL. Congress removes the charge of desertion day after day by bills introduced.

Mr. O'CONNOR. As I understand it that will remove the stigma, but it does not make it retroactive and go back. It simply changes the record without altering the fact. That is what has been held repeatedly by the Pension Bureau.

Mr. HILL. If the gentleman will put in a bill to correct the military record and remove the charge of desertion—

The CHAIRMAN. The time of the gentleman has again expired.

Mr. BLACK. It certainly would be within the power of the Congress to remove charges of desertion.

Mr. HILL. He was not discharged for desertion, he was only suspended, and the gentleman can put a bill in.

Mr. O'CONNOR. I will be glad to take it up with the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LANHAM. Mr. Chairman, I yield two minutes to the gentleman from California [Mr. RAKER].

The CHAIRMAN. The gentleman from California is recognized for two minutes.

Mr. RAKER. Mr. Chairman, it is one of my pleasures to have the opportunity at this time to vote for this legislation. A number of years ago there were several lepers in Washington, with no place to put them and nobody to take care of them. We had a similar condition in California.

The location of this institution down in Louisiana seems to be ideal. My good friend from Louisiana [Mr. LAZARO], for whom I have the highest respect, approves this heartily, location and all, and in fact the entire surroundings are such that the bill undoubtedly will receive the unanimous vote of the Members of the House, and these unfortunate people will be taken care of. And above and beyond that, we relieve the awful condition that would confront the general public if they are not provided for.

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

Mr. RAKER. Yes.

Mr. STAFFORD. The hearings on this bill disclose the fact that there are a number of cases of leprosy mostly among orientals out on the Pacific coast, particularly in California. Did the gentleman's legislature make any provision for taking care of them before this Louisiana institution was established?

Mr. RAKER. Yes; but it is hard to get a location on the mainland, and the people of California have been tremendously interested in the matter, and are willing to go the limit in providing for these people, to take care of them in the first instance; and, second, to remove them from having any contact with others.

The CHAIRMAN. The time of the gentleman from California has expired. All time has expired. The Clerk will read the bill for amendment.

The bill was again read.

Mr. ELLIOTT. Mr. Chairman, I move that the committee do now rise and report the bill back to the House without amendment, with the recommendation that the bill do pass.

The CHAIRMAN. The gentleman from Indiana moves that the committee do now rise and report the bill back to the House, with the recommendation that it do pass. The question is on agreeing to the motion.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SANDERS of Indiana, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (S. 3721) providing for the erection of additional suitable and necessary buildings for the National Leper Home, had directed him to report the same back to the House with the recommendation that the bill do pass.

The SPEAKER. The question is on the third reading of the bill.

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

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

The SPEAKER. Without objection, the similar House bill will be laid on the table.

There was no objection.

#### SENATE BILLS REFERRED.

Under clause 2 of 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. 661. An act for the relief of Arthur Frost; to the Committee on Claims.

S. 1031. An act for the relief of Eugene K. Stoudemire; to the Committee on Claims.

S. 1103. An act for the relief of Frank Vumbaca; to the Committee on Claims.

S. 1280. An act for the relief of Eli N. Sonnenstrahl; to the Committee on War Claims.

S. 3071. An act to extend the benefits of the employers' liability act of September 7, 1916, to Edward N. McCarty; to the Committee on Claims.

S. 4085. An act for the relief of Samuel H. Butler; to the Committee on Claims.

S. 4248. An act to fix the compensation of employees in post offices for overtime services performed in excess of eight hours daily; to the Committee on Post Offices and Post Roads.

S. 4379. An act to amend section 1709 of the Revised Statutes of the United States as amended; to the Committee on Foreign Affairs.

S. 4313. An act for the payment of claims for damages to and loss of private property incident to the training, practice, operation, or maintenance of the Army; to the Committee on War Claims.

S. 4366. An act for the relief of W. Ernest Jarvis; to the Committee on Claims.

#### ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RICKETTS, 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. 855. An act for the relief of Fred G. Leith, United States Navy;

H. R. 6204. An act to grant the military target range of Lincoln County, Okla., to the city of Chandler, Okla., and reserving the right to use for military and aviation purposes;

H. R. 12007. An act providing for the conveyance of certain land to the city of Boise, Idaho, and from the city of Boise, Idaho, to the United States;

H. R. 12887. An act granting a pension to Jacob F. Rosenberger;

H. R. 11389. An act for the relief of Robert Guy Robinson; and

H. R. 13696. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1924, and for other purposes.

#### LEAVE TO A COMMITTEE TO SIT DURING THE SESSION.

Mr. FAIRCHILD. Mr. Speaker, I ask unanimous consent that on Wednesday, February 14, the Committee on Foreign Affairs be permitted to sit during the session of the House.

The SPEAKER. The gentleman from New York asks unanimous consent that on Wednesday, February 14, the Committee on Foreign Affairs be permitted to sit during the session of the House. Is there objection?

There was no objection.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. OLIVER (at the request of Mr. JEFFERS), for to-day, on account of illness in his family;

To Mr. WEBSTER (at the request of Mr. HADLEY), for the day, on account of illness; and

To Mr. ALMON, for the balance of the day, on account of illness in his family.

#### EXERCISES IN MEMORY OF THE LATE REPRESENTATIVE OSBORNE.

Mr. CURRY. Mr. Speaker, I ask unanimous consent that on Sunday, the 25th of this month, time be set aside for memorial addresses on the life, character, and public services of the late Hon. HENRY Z. OSBORNE, a Member of Congress from the tenth district of California.

The SPEAKER. The gentleman from California asks unanimous consent that on Sunday, February 25, time be set aside for memorial addresses on the life, character, and public services of Hon. HENRY Z. OSBORNE, from the tenth district of California. Is there objection?

There was no objection.

#### EXTENSION OF REMARKS.

Mr. TAYLOR of Colorado. Mr. Chairman, several months ago I obtained permission of the House to extend in the Record an eulogy upon former Senator Henry M. Teller, and it was never extended in the Record. I now renew that same request.

The CHAIRMAN. The gentleman from Colorado [Mr. TAYLOR] asks unanimous consent to extend his remarks in the Record in the manner indicated.

There was no objection.

Mr. TAYLOR of Colorado. Mr. Chairman, for 50 years former Senator Teller was an incentive and an inspiration to the youth of our State, and what little success in public life many of us have obtained has been largely due to humbly trying to emulate his exemplary life, rare capabilities, marvelous energy, supreme loyalty, and conscientious devotion to the public welfare. His was a life of untiring service to our country and to Colorado. There never was a more loyal son of the West. He was indeed universally revered as Colorado's "Grand Old Man."

He was the best Secretary of the Interior this Nation has ever had. He was an honor to that great office and to our country. He breathed the very spirit of the mountains and plains. His heart always beat for the early pioneers. He was one of them. He personally knew their hardships and struggles. He instinctively sympathized with the human side of subduing the wilderness and reclaiming the frontier.

No man ever could be better qualified or prepared to suitably occupy that high office, and in addition he was ideally temperamentally suited to the position. Nothing outside of the performance of his official duties ever attracted his attention for one moment, and no one ever questioned the honesty or justice of any of his official actions.

After a half century constantly and loyally devoted to his country and to upbuilding the West, when he passed to the great beyond he had the priceless heritage of all the ages—a good name. Surrounded by a million temptations—

He left a name without a stain,  
And a reputation without a blemish.

It was my very great privilege to have helped in an humble way to elect him four times to the United States Senate. Twice as a modest worker in the party ranks and twice as a member of the Colorado State Senate, and for a third of a century I had almost a filial affection for him, and I hope to live to see his statue placed in the Hall of Fame in the Capitol Building of our country.

I regret exceedingly that ill health and press of official business has imperatively prevented me from personally preparing as best I could a suitable tribute to the admirable life, wonderful work, and superb character of Senator Teller. But some time ago I asked the Hon. Thomas F. Dawson, the historian and curator of the State Historical and Natural History Society of Colorado, and who was for 30 years the private secretary of Senator Teller, to prepare for me a record of all those years of his close association—a memorial that would be, like the Senator himself, plain, natural, honest, and unassuming.

Fortunately for Colorado and for our country, Mr. Dawson has cheerfully, patriotically, and most admirably complied with my request and has prepared a wonderfully comprehensive, fitting, and eloquent eulogy of the most distinguished citizen and efficient statesman that the Centennial State has ever produced, and in pursuance of the permission which is now given me again to revise and extend my remarks in the RECORD in memory of Senator Teller I am proud to insert Mr. Dawson's splendid tribute, as follows:

SENATOR TELLER.

[By Thomas Fulton Dawson.]

A quarter of a century ago the name of Henry M. Teller was familiar to every newspaper reader in the country and to students of economics and international affairs throughout the civilized world. He was then a Member of the United States Senate, in which body he served the State of Colorado continuously from 1877 to 1909 with the exception of three years, spent as a member of the Cabinet. From the time of his entrance upon his senatorial duties until he voluntarily relinquished the office he was much in the limelight of public discussion, but the subject which engaged more of his attention than any other was that of national and international finance. He studied all phases of this most important branch of economics, but he gave especial attention to bimetallism—the free coinage of silver.

So strong was his advocacy of this cause as a national policy that its abandonment of it led him to desert the party he had served for almost half a century and came near making him the presidential candidate of the silver supporters. And the evident sincerity and convincing character of his plea for universal acceptance of the double standard attracted the attention of the best thinkers the world over.

But it was not alone his connection with bimetallism which attracted attention to Mr. Teller. He endeared himself to the people of his own State of Colorado by his untiring devotion to and championship of their interests in the many problems which came up for adjustment between the new State and the National Government. Nation-wide attention was drawn to him by his participation in all phases of legislation. A deep student along many lines throughout his life, he always was prepared to take part in the consideration of almost any subject that came before the Senate, while his knowledge of western affairs made him an ideal Secretary of the Interior, in which capacity he served during the administration of President Chester A. Arthur.

While he made no claims to oratory as generally understood, Mr. Teller was a forceful speaker, and his logic, sincerity, and knowledge of facts gave his arguments appealing and convincing weight. He never uttered a word in debate or elsewhere that he did not believe to be the truth, and he never espoused any cause which he did not consider to be in the interest of the general welfare. It was these qualities which inspired general admiration for the man and led people to look upon him as a leader. There are many who believe that if Mr. Bryan had not been named as the Democratic candidate for President in 1896 Mr. Teller would have been. Moreover, I was once told by a man high in the counsels of the Republican Party that Roscoe Conkling had said to him previous to the Republican convention in 1880 that if General Grant could not be nominated for the Presidency by that convention he believed Teller to be the most available man and the man best fitted for the nomination. We know, however, that by the time Grant was beaten in that convention the body had gotten entirely away from Conkling and his cohorts and that all he could do was to name a man for Vice President, which he did in the person of General Arthur. It is significant that when, through a fateful series of circumstances, Arthur became President, Teller was one of the first advisers he called in, and that he invited the Colorado man into his Cabinet as one of his first official acts.

However, we speak not of Mr. Teller as a possible presidential candidate. Even to this day he is known by all who were acquainted with him as "Senator Teller," and I believe that if he could speak and if he could have his own choice in the matter he would prefer thus to be known. He was an ideal Senator; he looked and acted the part, and he believed in the Senate.

His record in the Senate, in the Interior Department, and in private life is such as to entitle him to a place in the country's hall of fame. It is especially fitting that a few of the pages of the CONGRESSIONAL RECORD should be devoted to the preservation of the story of his life, and I feel greatly honored in being designated to prepare it. The great pity is that it can not be longer than space here will permit. It is not any easy story to write, however, especially in condensed form. To properly cover the subject one should consult the files of the RECORD and the Senate Journal for the almost third of a century which Mr. Teller served the Nation. In the space here allotted only the outlines can be traced. Here is the framework of the man's life:

Henry Moore Teller was born in Allegany County, N. Y., May 23, 1830. He received an academic education, worked on the farm during the summer, and taught school in the winter. His academic course completed, he took up the study of the law and was admitted to the bar in January, 1858, at Binghamton, N. Y.

Shortly after his admission he removed to Morrison, Whiteside County, Ill., where he practiced his profession until 1861. Then he went to Colorado, and, locating in Central City, the center of the gold-mining section, he soon became a leading influence at the bar and among the people.

Mr. Teller was one of the projectors of the Colorado Central Railroad, now a part of the Colorado & Southern system. He drafted its charter, and in 1865, in connection with W. A. H. Loveland, of Golden City, presented it to the Territorial legislature then sitting at that place, and secured its adoption. For five years he was president of that road.

During the Indian disturbances of 1863-64 he was appointed major general of the Territorial militia by Gov. John Evans, and served two years in that capacity.

At the beginning of his political career Mr. Teller was a Democrat, which was the faith of his father, but when in 1854 the Republican Party came into existence he united with it and became an ardent supporter of its principles. He held no elective office until 1876, although one of the most active political campaigners in the field. Upon the admission of Colorado as a State he was elected to the United States Senate by the first general assembly that convened in Denver November 1, 1876.

During all the preceding years Henry M., in association with his brother Willard, who joined him in Colorado in 1864, was constantly engaged in the practice of law, rising to the leadership in his profession. The brothers occupied a small white painted frame building of two rooms on Eureka Street, Central City, and in that building some legal transactions of great magnitude were arranged, as were also many political conferences.

In 1882 President Arthur appointed Mr. Teller Secretary of the Interior to succeed Samuel J. Kirkwood, but his term ended with the passing of President Arthur, March 3, 1885. The following day Mr. Teller again took his seat as a Senator from Colorado, having been elected to succeed N. P. Hill. He was reelected in 1891 without opposition in his party for the term expiring in March, 1897.

He served as chairman on the Committees on Pensions, Patents, Mines and Mining, and Privileges and Elections, and as a member of the Committee on Claims, Railroads, the Judiciary, Appropriations, Public Lands, and many other committees.

From 1896 forward Senator Teller opposed the Republican Party because of its repudiation of silver, and for the most part acted with the Democratic Party.

In 1886 Alfred University conferred upon him the degree of LL. D.

Senator Teller was a prominent member of the Masonic Order, attaining the thirty-third degree, Scottish Rite, and he was honored by the grand lodge of Colorado in an unusual degree.

January 24, 1903, Senator Teller was reelected to the United States Senate by the State legislature for the full term of six years, expiring March 3, 1909. This, by his own voluntary desire, completed his long term of years in the Senate, for he determined to retire finally from public service, in which the better part of his life had been passed.

To insure the benefit of his talents beyond the expiration of his senatorship, Senator Teller was appointed a member of the United States Monetary Commission, created to investigate the financial conditions of the country and to devise a plan for instituting a system whereby the frequently recurring monetary disturbances in our present system might be avoided. In the discharge of the duties involved Senator Teller visited all parts of the country, conferring with bankers and other influential men on the subject in hand. He also spent much time in study-

ing the foreign monetary systems. The labors of this commission resulted in the formulation of a banking system which is generally recognized as the foundation of the reserve bank system which was adopted later.

At Cuba, N. Y., June 7, 1862, Mr. Teller married Harriet M., daughter of Packard Bruce, a farmer, of Allegany County. Three children were born to them—Emma A., John Harrison, and Henry Bruce—all in Central City. Mr. Teller died at the home of his daughter, Mrs. Emma Teller Tyler, in Denver, February 23, 1914. Mrs. Teller and the daughter and sons survive.

This is a mere skeleton of a record which is full of interesting details, and it would not be fair to leave it there. I shall undertake to supply some of the important omissions, and I am permitted by the State Historical and Natural History Society of Colorado to copy from its files the following statement by Hon. James H. Teller, a brother, regarding the Senator's early life:

EARLY DAYS.

"Henry M. Teller was born on a farm in the town of Granger, Allegany County, N. Y. This farm was part of a considerable tract purchased by his grandfather in 1814. The Tellers were of Holland Dutch ancestry, descending from William Teller, who came to New York—New Netherlands—in 1639. His mother was a Moore and was descended from Deacon Samuel Chapin, one of the first settlers of Springfield, Mass. He united in his blood the original Knickerbocker and the pure New England strain.

"After getting such an education as was possible in the country schools he attended Rushford Academy, at Rushford, N. Y., and later was graduated from Alfred University. Before entering upon his law studies he made a trip to Cincinnati to visit an uncle on his mother's side, going down the Allegheny River to Pittsburgh on a lumber raft. He earned a part of his expenses in school at times by hauling lumber from local mills to points where it could be shipped on the Erie Canal. After finishing college he became principal of the schools at Angelica, N. Y., the county seat of Allegany County, and while there teaching he studied law in the office of Martin Grover, an eminent lawyer who was afterwards one of the judges of the New York Court of Appeals.

"At Angelica he made the acquaintance of a man named Penney, who on a trip to Illinois learned that one H. A. Johnson, then practicing law at Morrison, county seat of Whiteside County, Ill., desired a partner. Penney advised Henry M. of the fact, and he thereupon went to Binghamton, N. Y., where the supreme court was meeting, and where examinations for admission to the bar were held for the district in which Angelica was situated. Having been admitted to the bar, he proceeded at once to Morrison, formed a partnership with Mr. Johnson, and entered upon the practice of law. That was in 1858.

"In 1860 he took an active part in the selection of delegates to the Illinois Republican State Convention; was in the county convention and supported delegates pledged to Richard Yates, a candidate for nomination for Governor on the Republican ticket. There was a bitter contest over the delegates, and Henry M. got the floor at one time, and held it during the greater part of the night, thereby gaining the delegates for Yates. That delegation assured Yates's nomination, and he was one of the most prominent war governors, the man who gave Grant his first commission.

"Henry M. was a spectator at the Chicago convention which nominated Mr. Lincoln in 1860.

"In that year his partner joined the throng moving to what was then known as the Pikes Peak region, and settled at Central City, then known, I believe, as Mountain City.

"In April, 1861, Henry M. came to Colorado to visit his partner, arriving in Denver on the day which Fort Sumpter was fired upon. Having proceeded to Central City, he was induced to remain there, his brother Willard coming on from New York and taking over the Morrison business.

"It is related that while teaching a country school in New York before he had finished his college course an obstreperous young man defied him and undertook to break up the school. The final result was that the young man ran out of the school-house with the teacher after him, the race continuing for something like half a mile, when the young man was overtaken in a swamp where he found the mud too deep for rapid transit. He was thoroughly subdued by the incident and discipline was restored in the school.

"While Henry M. and Willard were students at Rushford Academy they boarded themselves to a considerable extent, going home from time to time for fresh supplies.

"Reverting again to his stay in Morrison, where I lived as a boy, though after he left, I should say that he early achieved a prominent place at the bar and there, as elsewhere, showed

remarkable ability to secure the confidence of the people. The older farmers of Whiteside County during his subsequent political career regarded his course with great interest, as one whom they had well known in his early years.

"My knowledge of his boyhood is only known from hearsay, but from all that I learned from my parents he was in his youth always studious, generous, and ambitious. He had the advantage of parents who highly appreciated education, and they encouraged and helped him in all possible ways. He was in his early years, as he was later on, a model son."

The files of the Historical Society also contain an interview with Mrs. Teller, widow of the Senator, in which she gives additional particulars concerning him, both before and after their marriage. After telling of meeting him at Angelica while he was teaching and she attending a young ladies' seminary there, of her return to her home in Cuba, N. Y., and his subsequent location there, where they became engaged, she proceeds:

"He had not long been in Cuba when he was called away by a summons to go to Illinois to practice law. This came about through a friend who was acquainted with Mr. Hiram A. Johnson, who had gone from New York to Morrison, Ill., and established a flourishing law practice.

"Mr. Johnson wrote to this friend asking him to recommend some young man as a law partner. As I have said, Mr. Teller had a fine reputation as a student of law and of general affairs even from the beginning, and when the letter came from Johnson the friend lost no time in recommending Mr. Teller. As soon as the mails could go out and return the invitation came and it was accepted on the condition that Mr. Teller should have time before going West to become a member of the New York bar. He felt that admission in the older and stricter State of New York would be a higher recommendation than such admission in Illinois. I recall the time very well, for by then we had become engaged to be married. Thorough student that he was, he encountered no difficulty in taking the examination and he soon was on his journey to the West.

"Soon after Mr. Teller's arrival in Morrison Mr. Johnson became interested in the reports of gold discoveries in the Rocky Mountains which then flooded the country, and notwithstanding the law firm of Johnson & Teller was engaged in a prosperous practice, the senior member of it resolved upon a personal inspection. He went direct to Central City and was so impressed that he began writing to Mr. Teller and urging him to join him there. So insistent was he that 'H. M.' decided to make a visit here to determine the question for himself. He came in April, 1861, and remained.

"Mr. Johnson's judgment concerning the outlook in Colorado proved to be good. The firm soon became popular and it was not long until they were getting the cream of the law business in the new town. Mr. Teller made a specialty of mining law, and soon was such a master of its intricacies that he had few rivals in that line at the Colorado bar. His reputation spread and before a great while his practice extended throughout the territory. The firm was prosperous and the two men became not only partners but close friends. After a while Willard Teller came out and was invited to become a member of the firm, which he did."

Mr. and Mrs. Teller were married in 1862 and she relates that she made nine trips over the 2,000 miles between Central City and Cuba during the eight years intervening before the first railroad reached Colorado.

"When first married," continued Mrs. Teller, "we went to Central to live, occupying a part of the same house in which the Johnsons lived, but it was divided into two apartments. It was a frame building and I recall that it was necessary to stake it down to prevent its blowing away. The wind would come up suddenly at almost any unexpected time and would swirl down the gulch with such ferocity that there was always danger of buildings being swept away until the owners learned how to make them secure. Before we were married the upper story of the house in which Mr. Teller lived was lifted up and carried off and all his effects scattered in all directions, some of them landing in the Clear Creek. We still have a watch of his which was picked up in the street and returned to him after the storm subsided."

Mr. Teller has left a brief statement of his own concerning his coming to Colorado. In an interview printed in the Denver Post of May 26, 1911, he said:

"Mr. Johnson had invested in mines in Colorado. He wanted me to come West with him. I refused, thinking Colorado was too barbaric and rough to live in. Rich gold mines had been discovered in the fifties, and many people were going West. In 1860 South Carolina seceded and the war seemed inevitable. In the winter of 1861 Mr. Johnson asked me if I wouldn't come to Colorado. I said I would come for a month,



but was sorry after I had committed myself. I dreaded the hardship. By train I got to St. Joe, the western terminal. For seven days and nights we sat in a stage coach, and reached Central City on April 27, 1861. Denver was the stopping place for the main stage line, and when I rode into this town it had about a thousand population. I would hate to describe it. You know the State didn't prohibit gambling, and liquor didn't seem to be a thing to fear. Very few families were here."

Let there should be a misunderstanding because of the obscure wording of the above reference to the Civil War, it should be stated that while on his way out Mr. Teller dispatched a message to Washington tendering his services in raising troops in the Rocky Mountain region to aid in the suppression of the rebellion, but the proffer was declined on account of the cost of transportation.

In his contribution concerning his brother's early life Judge Teller, for many years and now a justice of the Supreme Court of Colorado, has mentioned a visit to Cincinnati. That visit did not end in the Ohio town, however, but extended to Kentucky. It should be stated here that the instinct for life in the West was developed at an early age in Henry M., and he made his first venture in that direction at the time of which Judge Teller speaks. He went to Kentucky to teach school, and located near Lexington at that time; but this was in pre-war days, and slavery was an established institution there. This condition and the attitude of the people on the subject did not appeal to him, and he soon returned.

I have heard him tell of this experience, and I especially remember his story of his trip. He had no money to pay his fare on such an extended journey, but finding a man on the banks of the Allegheny River, which flowed near his home, who was collecting a big raft of lumber to be floated down, he made an arrangement with him to assist in the work in exchange for meals and transportation to Cincinnati. This was characteristic of the man. He did not shirk work, and he always found a way of doing what he wished to do. It also is true that he never compromised himself by remaining amidst undesirable surroundings, as was illustrated in his refusing to reside in a slaveholding community. He returned to his uncle's home and thence made his way back to the paternal roof in New York.

The next move, as we have seen, was to Illinois, and thence to Colorado, where he arrived not long after he was 30 years old.

#### POLITICAL CAREER.

With the exception of his inconspicuous service as general of the Colorado Militia during the Civil War, Mr. Teller held no public office until the admission of the State into the Union in 1876, when he was chosen one of the State's first two United States Senators.

The interim between his advent in Colorado and his election to the Senate was devoted in the main to the practice of law; but, always public spirited, he was conspicuous in every movement in the interest of the general welfare of the people of the Territory. He was a participant in most public meetings, and his counsel soon came to be accepted as the word of wisdom. From the beginning he was a leader in the Republican Party and never was there a campaign in those days in which his services were not in general demand on the stump and in the counsel chamber.

When Denver obtained railroad connection with the outside world, he bent his energies to procure the same advantages for the mountain towns, all of them prosperous through their mines, and thus became greatly interested in the Colorado Central road running from Denver up Clear Creek and extending by means of different branches to Georgetown and Central City.

He opposed the admission of the Territory into the Union as a State for a time on the ground that the population was not sufficient to justify the experiment; but when conditions improved in 1876 he was among the supporters of the movement.

In a word, when Colorado came into the Union, Teller was regarded as the leading lawyer of the State, if not its leading citizen. Everybody regarded him as best fitted for the office of Senator. He was not, however, the foremost candidate. Believing that the office should seek the man, then, as afterwards, he refused to press his own claims.

This election was the most important event in Mr. Teller's life and necessarily deserves especial attention in any review of his career.

Admitted into the Union in the centennial year, Colorado has been represented in the Senate of the United States by 13 different men. Of these, two only have been elected for more than one full term, the two thus favored being Henry M. Teller and Edward O. Wolcott. Teller was elected for five full terms and one fractional term, and he served four full

terms and two fractional terms, occupying his senatorial seat for 27 years all told. Wolcott was elected for and served two full terms of six years each. Thus it would appear that, so far, almost half of our senatorial representation has been by these two men.

It is no small distinction for Colorado to have come in as the Centennial State, and, as if in appreciation of the honor, the State soon assumed a position such as had not been known in Territorial days. Previous to admission our general officials were supplied from the outside, along with States' eggs and cove oysters. They were called "carpetbaggers," and were so unpopular that "carpetbagism" was the principal issue in politics. With statehood came improved industrial conditions and also officials bearing the home brand.

In Territorial days Jerome B. Chaffee long held leadership in the Republican Party. He fought the "carpetbaggers," was a Delegate in Congress, and labored in season and out for statehood. He was known as "Boss" Chaffee, but he was an easy and therefore a popular boss. So preeminent was his position in his party that when the first State election resulted in favor of the Republicans one of the two senatorships was conceded to him by unanimous consent.

There was no such unanimity regarding the second senatorship, at least on the surface. Mr. Teller's superior fitness for the office was generally recognized, but apparently there was one serious obstacle in his way. By common consent it had come to be the established view that the senatorships should be apportioned geographically, one going to a northern and the other to a southern man. Moreover, Teller was not an aggressive candidate. The result was that with the election of Chaffee, a northern Colorado man, determined in advance, a swarm of candidates for the second senatorship came up from the southern counties. Teller was not nominated until the second day of the Republican caucus. He was chosen then because none of the southern candidates could command a majority of the caucus—in other words, because he was preferred even by southern members.

The joint election occurred on the 14th day of November, 1876, and both Teller and Chaffee proceeded to Washington so as to be there at the opening of the session on the following first Monday in December. Their first duty was to participate in the usual lottery for the allotment of terms of office. In this drawing Teller drew a term of three months and Chaffee a term of two years. The shorter term was preferable because it insured reelection by the same legislature which had previously elected. Accordingly, Teller received his second election a very short time after his first. The second choice was for a full term of six years.

James B. Belford, known nationally as the "red-headed rooster of the Rockies," was elected by popular vote as the occupant of the only seat allotted the State in the National House of Representatives. Chaffee held a prominent place in National Republican politics, and Belford was one of the most popular speakers of his time. The delegation commanded general respect from the beginning.

When Mr. Teller first took his seat in the Senate General Grant was still President and the Civil War was only a little more than 10 years behind us. Problems connected with reconstruction and financial rehabilitation engaged the attention of legislators to the exclusion of almost all other subjects. Many of these questions were of a legal nature, rendering the Colorado Senator's experience as a lawyer useful from the beginning. The Hayes-Tilden presidential contest, growing out of the presidential election of 1876, came on almost simultaneously with Teller's entrance upon his duties in the Senate, and to the solution of the intricacies of that complicated and still poorly understood electoral tangle he contributed not a little. The silver question was beginning to attract attention, and he entered upon the study of finance, which throughout his career continued to be the subject of uppermost consideration by him. As a matter of fact, there was no preparatory course in public affairs for Teller, and from the first he took a position alongside such leaders as Conkling, Hoar, Edmunds, and Thurman, justifying even then the remark of a colored admirer that he was "one of the longed-headedest men in the Senate."

It was in the midst of Teller's first full term, 1882, when Gen. Chester A. Arthur became President through the assassination of President Garfield, that the Colorado Senator was called to a seat in the Cabinet as Secretary of the Interior. This office he filled for three years, and because of his legal attainments and his knowledge of western affairs he rendered such service as to cause one still to hear the remark among old-timers in Washington that he was the best Secretary the country ever had. It was while serving as Secretary, in January, 1885, that he was elected to the Senate for the third time.

In this instance Mr. Teller was chosen to succeed Mr. N. P. Hill, who six years before had displaced Mr. Chaffee. The original Hill election had not been free from contention and had resulted in the most serious schism which ever occurred in the ranks of the Republican Party in this State. This dissension took such shape that after Hill reached the Senate he and Teller were directly arrayed against each other, with Wolcott the principal backer of Hill, while Chaffee stood squarely behind Teller. That story is too long to rehearse here, but it is not out of place to say that it was in the contests of 1882 and 1884 that the factional fight reached its climax and that the fur was made to fly in good earnest. As a candidate for reelection Hill stood against the field, but his opponents could agree only on the one point of their opposition to him. No one of them could be brought to support any of the others, while all were more or less friendly to Teller. He had expressed a desire to retire from public life, but when it became evident that Hill could be beaten only by his entering the race, he went in, and was successful.

It is obviously out of the question to follow Senator Teller throughout his long term of years in Congress. He was ever one of the most constant attendants upon the sittings of that body, as he was one of the most active participants in its deliberations. He was punctilious in the performance of his committee duties, and Senator William B. Allison, so long chairman of the Committee on Appropriations, once told me, even after Teller had become a Democrat, that the Colorado Senator was one of his most valuable assistants in the work of that important agency of the Senate.

He was a constant participant in the Senate debates on all subjects, and he delivered many formal addresses as well. Never has the country produced a more careful student of public affairs than was Henry M. Teller, and woe betide the man who questioned his array of facts and precedents in debate. He liked nothing better than to pore half the night over a report of the Secretary of the Treasury, and a new statistical abstract was a choice morsel for him. He prepared for his speeches as a lawyer might prepare for the trial of a great case in court. His colleagues understood his methods and always listened to his views as to those of a man who knew every foot of his ground. He resorted to no special ornamentation of speech. If he ever told a story or quoted a verse in the course of a public address, I do not recall the occasion. He always was too much occupied with the facts of his discourse to give much attention to mere ornateness. His effort was to convince rather than to fascinate. But, plain as was his manner, Mr. Teller still was a pleasing, logical, and forceful speaker, and when aroused he could be touchingly eloquent.

Beginning with his participation in the work of reconstruction, he followed such subjects as the currency, the tariff, foreign relations, and railroad and banking regulation with unremitting assiduity. The affairs of the Treasury Department appeared to be as familiar to him as his own household, and never a treaty with another country came up for consideration that he did not appear to know quite as much about it as its own authors. On all subjects pertaining to Colorado and the West generally, such as the disposition of the public lands, irrigation, and our relations with the Indians, he was perfectly at home and always to the front.

As the time went on the silver question became more and more acute as it became more and more evident that certain interests were determined to destroy the money use of the white metal. Our Senator was a rock-bound bimetalist and thundered against what he believed to be the rankest heresy of the time.

#### CUBAN RESOLUTION.

When the Spanish War with the succeeding Philippine revolution came on no public man gave more attention to it than did the Colorado Senator, and he did not cease to be interested when the fireworks were discontinued in the far-off Pacific islands. That was another day of reconstruction, and he realized that in the pride of conquest we as a Nation were liable to make the mistake of replacing the Spanish yoke with one of our own. He sought to avert this result.

Teller's labor in behalf of the Filipinos was not successful, for we still control the Philippines, although in a benignant way. He, however, accomplished more for Cuba, preventing the assumption of possible American suzerainty over that island, and for this act received more praise in the Senate in after years than I ever heard bestowed on any living Senator in almost 33 years of close attendance on that body.

His intervention in the Cuban matter came on the eve of our war with Spain, and took the shape of a declaration of our intention to refrain from all attempts at control of the insular country after peace should be established. This decla-

ration was one of a series of congressional resolutions recognizing the independence of Cuba and demanding that Spain relinquish its authority in the island, virtually a declaration of war.

As reported by the Committee on Foreign Relations, after making these demands, the resolutions empowered the President to employ the military forces of the United States for their enforcement. They made no reference, however, to the policy to be pursued after we should have driven the Spaniards out. Without some such declaration of intention we would have been free, as the dominating force, to pursue our own sweet will, and, judging from our course in Porto Rico and the Philippines, we would have set up and maintained permanently a United States Government there. That was not Mr. Teller's idea. He did not believe in a war of conquest. Consequently, he moved to amend the committee report by the addition of the following resolution:

"That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island, except for the pacification thereof, and asserts its determination when that is accomplished to leave the government and control of the island to its people."

The amendment was accepted by the Senate and thus became a part of our declaration of principles when we threw down the gage of battle to Spain.

It was a radical departure in diplomacy. It set up a new standard for nations, putting them, like men, on the Golden Rule footing. It served to keep other countries off our back while we were pommeling Spain, and if I mistake not, has had an impelling influence in fixing our policy in the more complicated war out of which we have recently emerged with signal honor to ourselves. It was a declaration of the right of a people to govern their own affairs—a distinct forerunner of the principle of race lines. Generally adopted as a basis of diplomacy, the policy here outlined would end all wars of aggression by removing the principal incentive and render leagues of nations and associations of nations matters of supererogation.

The importance of the adoption of the resolution was realized to an extent at the time, but to a far greater extent soon afterwards, when, after the close of the war, it came to dealing with affairs in the Philippines. It was on an occasion in 1902 when the Philippine question was up in the Senate that some Senator incidentally expressed the opinion that it might have been better for all concerned if the United States had adopted toward the Pacific islands the same policy which had been pursued toward Cuba. Then it was that an unprecedented stream of compliments was poured in upon the author of the resolution. By this time he had become a Democrat, and the occurrence was all the more significant, because the principal speakers were Republicans.

Senator Hoar, by common consent nestor of the Senate, led off by saying that he doubted "whether any man has sat in this Chamber since Charles Sumner died, or whether all who sit here now put together, have done a more important single service to the country than he [Teller] did in securing the passage of the resolution which pledged us to deal with Cuba according to the principles of the Declaration of Independence."

Senator Spooner, known in his day as the Senate's lawyer, expressed the opinion that "the adoption of the resolution had more to do than all other things in preventing a combination against us among the nations which held colonies."

Senator Hale, the most conservative man in the body, that "had it not been for the declaration standing before us as an outright and express pledge and agreement, Cuba would not be to-day a free and independent republic"; Senator Fairbanks, afterwards Vice President, that "the resolution was eminently wise and timely." Senator Cullom, then a Member and afterwards chairman of the Committee on Foreign Relations, expressed his opinion thus:

"I have always thought and believed that the amendment, while it seemed at the time to be somewhat questionable, would do, as it has done, more to keep this country from insisting upon the annexation of the island of Cuba, and also to keep other nations from insisting that we had some selfish purpose in our course in reference to it, than anything else that could have been done except the war itself."

#### STAND FOR SILVER.

But, however important may have been his service in other connections, it must be said that Teller's name was more conspicuously associated with the cause of bimetalism than with any other subject which came before Congress in his time. He believed in the parity of gold and silver on the old ratio of 16 to 1, with free coinage of silver as well as for gold. He

thought such an arrangement in the interest of world welfare, but contended for its maintenance by the United States if impossible to bring the other great nations to this basis. For this principle he fought day after day, session after session, and he labored unceasingly to bring every possible influence to bear upon Congress and upon successive administrations to uphold it. He sought especially to have the great political parties declare for it. The Democratic Party was more favorably inclined than the Republican, but the Republicans gave qualified indorsement until the St. Louis convention in 1896, when that party made a positive declaration in favor of the gold standard. This was the hair which broke the camel's back. It was more than Teller could bear, and it caused him to desert the Republican Party and break politically with his colleague, Senator E. O. Wolcott.

I shall not attempt to speak of these occurrences except in the most general terms.

For years the Republican Party had been drifting toward the single gold standard. Both of our Senators saw the tendency and both did all in their power to hold the party in line for bimetalism. The Democratic Party was far more favorable. With Teller the free coinage of silver was a religion, and he let it be known that his political support would be given to those who most helped the cause that was so near his heart. Wolcott was greatly in earnest in support of the double standard, but with him the subject was not paramount.

Unquestionably the Republican leaders felt the seriousness of the situation, for they knew that a split meant not the loss of Colorado alone to their party but of all the silver-producing States, as well as of many Republican votes elsewhere. The pressure from financial centers was so strong, however, that the leaders were overcome by it, and as the time for the June conventions approached it became more and more evident that for the first time the Republicans in their national meeting would definitely desert the cause of silver, at least without the cooperation of other powers.

Colorado was up in arms over this prospect. Not only was this the principal silver-producing State of the Union, but a large majority of the people of the State had become bimetalists from conviction as a result of studying the question as an economic issue.

In this State the line of cleavage was the attitude of our two Senators. It soon became evident that the large majority were with Teller in his more pronounced stand. The State convention to select delegates to the Republican National Convention to be held in St. Louis confirmed this view with a unanimity that was startling. Teller was named as chairman of the Colorado delegation and was given associates whose instructions were to follow the senior Senator in whatever course he might elect to pursue at St. Louis. Wolcott's plea for a more conservative course received no consideration whatever.

Then came the convention at St. Louis, Teller's pleading with the committee on resolutions, his last effort in the convention itself, and when both prayers proved unavailing, the grand finale, the walkout. I was there and saw the entire performance, and I want to say that it was the most impressive spectacle I ever witnessed. It was equally dramatic and pathetic. About two dozen delegates trailed out behind the Colorado Senator, grown 10 years older overnight, as he walked slowly from the platform, through the long center aisle of the hall, to the front door of the convention, which shut on him forever after more than 40 years of service in the party. There were many moist eyes. To Mr. Teller the ordeal was especially trying. He had helped to organize the party, had supported it in all its campaigns, had sustained it as the champion of human rights throughout Civil War days, had contracted within its ranks the tenderest friendships.

There were few tears among the bolters, but their faces were stern and drawn. Their departure was orderly and dignified.

After this spectacle came the nomination of McKinley by the Republicans on a gold plank with a promise of effort to obtain international cooperation in favor of bimetalism; the formation of the Silver Republican Party, which put Teller up for President; the nomination of Bryan by the Democrats on a silver platform; the withdrawal of Teller from the presidential race in favor of Bryan; the Bryan campaign, and Bryan's defeat.

Such, in brief, is the story of the failure of silver to regain its footing as a money metal. Such also is the story of the political effect of the failure and of Mr. Teller's severance of all ties with the Republican Party in which he had been prominent many, many years. That this parting caused him much pain there can be no doubt, but it can not be said that he ever regretted it. He found himself in accord with the Democrats

on many lines of policy, and he was ever ready to resent anything like taunt on account of his course and to defend his attitude whenever attacked. One instance will suffice in this connection. Senators, generally, respected his position, but there was one occasion, just before the St. Louis convention, when one of his oldest Republican colleagues challenged his good faith. I have not access to the records, but I have a newspaper quotation from his remarks in reply from which I make the following excerpt:

"I have been a Republican as long as the Senator," he said, pointing his finger at the offender, "and I love the Republican Party as devotedly as he. When he became a Republican he abandoned a bankrupt party—already dead—while I left a party triumphant from ocean to ocean and in power in every branch of the Government. It was easy then for a man to cease to be a Whig and become a Republican. That is what the Senator did. It was difficult for a man to leave the victorious Democracy. That is what I did. I am again confronted with that condition, and what I did in 1854 I can do again in 1896. It was painful then; it is and will be painful now, but the path of duty is ever the thorny one."

There is much of interesting personal and political detail to the parting of the ways for the Colorado Senators growing out of the silver situation. Wolcott could not see his way clear to desert his party. He accepted at its face value the Republican promise of effort to promote international action and elected to stand with the old party, even in the face of its unpopularity in Colorado. The one-sided campaign of 1896 followed.

Wolcott was hooted and jeered wherever he appeared at a meeting in his own State. Teller received such a welcome on his return to Denver after St. Louis as seldom has been given to any man. Enthusiastic admirers insisted upon drawing his carriage from the station to his hotel, in the vicinity of which it was estimated there were fully 100,000 people congregated. He surely was the idol of his people.

Mr. Teller was almost unanimously reelected to the Senate in 1897 and was again reelected in 1903. In the latter contest, however, he had Wolcott for an opponent. The younger man had regained much of his popularity and his party was again largely in favor. The result was the closest fight that Teller ever had. It also was his final political struggle. He retired with the close of his term in 1909, having given his State and his country as faithful service for a third of a century as ever was rendered by mortal man to any State or any country.

In thus closing the record of such a remarkable political career, it is pleasant to be able to note that, notwithstanding his change of front, Mr. Teller did not lose an iota of his influence in the Senate, continuing to be personally as highly regarded even among Republicans as he had been when affiliating with them. Excellent corroboration of this statement is found in the fact that for some years after he left the Senate he remained as a member of the Monetary Commission upon the especial request of its chairman, Hon. Nelson W. Aldrich, who was the Republican leader in the Senate.

In his quiet but masterful manner Teller dominated politics in Colorado for a third of a century. During that period he made and unmade several parties and few men were elected to important positions without the stamp of his approval. No man in politics ever had more loyal or devoted followers, a fact which is all the more remarkable in view of the circumstance that all served him without hope of reward. Whenever election time approached in his various campaigns there were volunteers in advance in far greater numbers than were necessary to insure his success. He did not have to solicit votes; the voters came voluntarily to his support. Regardless of the name of the party whose banner he followed there never was a time when the "Teller men" did not outnumber the opposition forces.

This situation was due to the man's personal popularity. He had no machine. For that matter he had no need of one. A vast supporting system would have been most distasteful to him. It would have taken more time than he would have wanted to give to it. The simple truth is that he served the State so efficiently and wholeheartedly that the voters demanded his election whenever he came before them. He knew the people of Colorado as no other man ever has known them and they never failed to respond to any call made upon them in his behalf. He depended upon them and never was disappointed. He never went into a fight that he did not win. Not regarded as a "practical" politician in the usual sense, he still was one of the shrewdest of all political leaders.

AS SECRETARY OF THE INTERIOR.

Concerning Mr. Teller's administration of the affairs of the Interior Department comparatively little will be said. He served through the three-year term of President Arthur, beginning in 1882 and ending in 1885, and it is universally ad-

mitted that his service was preeminently satisfactory, as was to be expected in view of his knowledge of western affairs, his legal attainments, and his general level-headedness. He was a steadfast admirer of General Arthur and he enjoyed his experience in the Cabinet, although he did not seek the office. Mr. Teller has left in a newspaper interview a brief account of his call to that service, as follows:

"On May 6, 1882, I entered President Arthur's Cabinet as Secretary of the Interior. President Garfield was shot in 1881. That was a very pathetic tragedy and one that affected me deeply. He was a most lovable man. I did not want to become Secretary. President Arthur asked me to suggest a man. I suggested my colleague, Senator Chaffee. The President, who always stayed up nearly all night, called me to the White House one night about 10 o'clock. He completely surprised me by asking me to accept the position. I explained that it was a politically unwise move and a most ungrateful task, and that I didn't care to assume the responsibility and burden. In fact, I flatly refused, but after receiving hundreds of telegrams from Colorado urging me to accept I did so."

As Secretary he gave much attention to the education of the Indians and for his service in this connection acquired the friendship of many leaders among the red men throughout the country. From a long and complimentary article in the Washington Tomahawk, an organ of the race, I extract the following:

"Some very important issues, involving questions of interest to the poor as well as to the rich man, have been decided wisely and fairly. People can fully and sincerely appreciate this state of affairs and thank God for western business tact in the Interior Department under the management of the Hon. Henry M. Teller. Decision is what we want in this active age of American progress. A few more business men like him in the Government who give you an honest yes or no, and you go away, feeling certain that the answer you received is a truthful one, are needed. No red tape or buncombe surrounds the office of the present Secretary of the Interior. Its head understands and has regard for other peoples' rights and decides accordingly."

In expressions quoted elsewhere a number of contemporary western Senators praise Mr. Teller's administration of the affairs of the department, while Judge Wilbur F. Stone says that "This administration was marked by uniform ability and the accomplishment of many needed reforms of especial benefit to the far West."

A newspaper clipping of the day preserves a characteristic incident of Mr. Teller's incumbency of the office of Secretary, as follows:

"One of the big southern railroads was clamoring for patent rights to several thousand acres of land which the company claimed it had earned. Attorney General Brewster had O. K'd their claim and it was up to the Secretary of the Interior to give the final word in favor of the railroad. An agent from the company visited the Secretary, and after a long rambling talk he finally suggested that the Secretary needed a rest and if he would take such a rest and leave matters in charge of a subordinate it would be worth, say, \$250,000 to Teller. The visiting agent made an unexpected exit out of the door and several weeks later Secretary Teller handed down a decision, based on a most careful and elaborate investigation of the improvements claimed to have been made by the railroad, against the company."

In the main he preferred the Senate to the Cabinet and his preference was gratified by his return to the Capitol on the day that he left the Interior Department.

#### BUSINESS RELATIONS.

I wish that space permitted me to dwell in detail upon Mr. Teller's professional career, but that is out of the question. It must suffice to say that he was devoted to his calling, that he was successful in it above all of his rivals, and that he held aloft the highest standard of professional ethics. He held first rank as a lawyer from the beginning to the end of his life in Colorado.

Nor is there a possibility of going into his business affairs to any extent. During his life he had two outstanding opportunities to become very wealthy.

In the very early days of Denver the gentleman who laid out Clement's Addition, containing 160 acres on what is now known as Capitol Hill, finding himself in financial distress implored Teller to purchase the entire property, offering it to him for \$800. "I thought well of the proposition," said Mr. Teller in relating the incident, "but I was just getting into my buggy to go from Denver to my home in Central City and asked him to wait until I came down again. When I returned Clements raised his price to \$1,200. I was disgusted and refused to further consider the matter." The land is now worth millions.

When Leadville was beginning to attract attention, Irving Howbert and Benjamin Crowell, both of Colorado Springs and both devoted friends of Senator Teller, obtained an option to purchase the Robert E. Lee mine for \$200,000. They invited Teller to join them as an equal partner, and when he declined on the ground of a lack of funds they offered to put up his share of the money and wait upon him until the mine itself should reimburse them. Again, however, he refused, this time because he did not desire to assume so great a responsibility. There were times afterwards when the net output of the mine for a single week more than equaled the purchase price. It was one of the great bonanzas of the Carbonate Camp, and for a time was regarded as the richest of the lot.

Teller was not, however, a poor man. He made a great deal of money in the practice of his profession and became the owner of much property. He left a considerable estate when he died, and it would have been much larger if he had not been a liberal indorser of other people's notes of hand.

#### CHURCH AND MASONRY.

Mr. Teller was both a Mason and a Methodist.

As a Mason he attained to the thirty-third degree and was a member of the Scottish Rite, southern jurisdiction. In that work, as in all others, he was a leader, and he held high office in the order. For seven years he occupied the position of grand master of the Masonic Order in Colorado, and he also was the first grand commander of the Knights Templar of this State.

When he retired from the Senate in 1909 he was given a farewell reception which was attended by practically all of the prominent Masons of Washington. In addition to printing a long list of names of those in attendance, the Washington Star of March 13 of that year gave a full account of the function, in part, as follows:

"Masonic brothers of Sovereign Grand Inspector Henry M. Teller, who completed nearly 30 years of service as Senator from Colorado March 4, tendered him an exceptional token of respect and esteem last night at the house of the temple, Third and E Streets NW. The supreme council, Ancient and Accepted Scottish Rite Masons, threw open the doors. More than 500 Masons and ladies took the opportunity to express their regret that Senator Teller would no longer be in Washington.

"The veteran Senator, who has represented his State in the upper branch of Congress ever since it was admitted to the Union, with the exception of three years when he served as Secretary of the Interior under President Arthur, was all smiles. It was easy to see that the kind words of his friends and the honor they were paying him touched him deeply and warmed his heart. The Colorado consistory had sent a huge floral offering which was presented to Senator Teller. During the evening thirty-second and thirty-third degree Masons, representing all sections of the country, dropped in to shake hands with him."

On the reception committee were fully a dozen brother Masons from the Senate as well as many other distinguished members of the thirty-third degree.

While Senator Teller did not attach himself to any church permanently until late in life, when he joined the Methodist Church, he had affiliated with that body practically from boyhood and was regarded as a religious man. Fortunately we have from the lips of Dr. B. T. Vincent, who had been the Senator's pastor and intimate friend, an authentic outline of the Senator's church relation. It was given as a part of the doctor's funeral sermon as delivered in Denver on the 26th of February, 1914. In the course of his address Doctor Vincent said:

"Of Senator Teller's religious life I am able to speak intelligently and freely. My first acquaintance with him and his family was in connection with my appointment as pastor of the Methodist Episcopal Church in Central City in 1863. The friendship begun then with Mr. and Mrs. Teller has been a growing charm to my life ever since. I found his heart; and I found it warm without gush, and trustworthy without boast. He was deeply concerned in all the interests of the church, grounded in his profound interest in Christianity. Mrs. Teller's faithful, active, and useful devotion to the church made in his tender domestic affections a strong tie to the work. And as his children came, the lives of all of whom I have lovingly known from their birth, his eagerness to have them intelligently identified with the church of his own childhood was marked.

"As with his legal, commercial, and political life so in his religious life, Mr. Teller performed rather than professed. As an official member of the church he was interested and liberal. The general church, the University of Denver, and all other good institutions felt the force of his effective cooperation.

That he was a religious man, without a public profession of it, is conceded by those who knew him most intimately. He had no surface sentimentality; but when issues came before him demanding decision between the right and the wrong he never hesitated. As he habitually turned his glass upside down at tables where drinking was indulged, so he stood by that great reform and all like issues when the good of men and society was concerned. This is not to be wondered at because he was brought up in a religious home, lived after his marriage with a godly wife, all unto conviction of the truth of the Holy Scriptures and the verities of the Christian religion. By these verities he stood firmly, always defending them when necessary and practically living by them.

"As to the emotional aspects of religion, his temperament restrained him. The death of his son-in-law, Doctor Tyler—a man of rare Christian worth, dearly loved by the Senator as a son—awakened his soul unto a depth of feeling apparently unknown to himself before. That event aroused and brought to the surface all the early religious sentiments that had been latent since his childhood, moving him to a noble public confession of his faith in Christ, and in his sense of responsibility to make a public confession of Christ and unite with the visible church unto glad conformity to its requirements.

"His ardent interest in Free Masonry was not in the mistaken notion that Masonry was a substitute for religion, but in recognition of all that was religious in its traditions and ceremonies as contributive to true religious faith, experience, and practice. When in 1868 he, as grand master, asked me to deliver the annual oration before the grand lodge of Colorado, and in my address I emphasized the obligation of a Mason, whether Moslem, Jew, or Christian, to try to teach the highest standard of character provided for by his religion toward an advancement even beyond it, Mr. Teller pronounced his emphatic approval of the position."

#### TRIBUTES.

Such, in brief, is the record of the man; but I am not content to leave the subject without some effort to present the reasons for his success in life and his hold upon his friends and followers—in other words, to outline some of his traits of character. For almost a quarter of a century I came into practically daily contact with Mr. Teller, and I feel that my testimony should be given in the interest of history.

In entering upon this agreeable task I am moved to speak first of his modesty as one of his chief virtues. He never put self to the front in anything that he did and he always seemed absolutely indifferent to adulation—more so, indeed, than any man I have ever known in public life, and I have known a great many. He did not seek newspaper notoriety and he made no parade of achievements which really should have been known. I have known him to be made the subject of most flattering eulogy while present in the Senate, where the praise was being bestowed, without appearing in the least moved. Once when an advertising man sought to obtain his patronage of a work, simply because he was to be written about, he declined, saying to me after the gentleman had departed, "It is not the things they say you do, but the things you do that count."

But prominent as was this characteristic of modesty, I do not consider it the most noteworthy of his many admirable personal qualities. It, however, set off and supplemented the others most becomingly. If pressed to name the most conspicuous of these characteristics, I think I should say that aside from his mental alertness, it was his love of justice, with all that it involved, including his general desire to benefit mankind, to assist the oppressed and distressed, to encourage those who were struggling against odds—to promote fair play generally. To this end he was tolerant of faults, charitable to the weak and poor, and generous to everyone. He always wanted to help the under dog, and he believed that in doing so he was assisting all. To my mind this trait was the key to his character and could be made to explain every action of his life, public as well as private. Probably it would be proper to say that his sympathy went out to the distressed and indigent if they were worthy, but I have seen him act in many cases in which he had to stretch the doubt mightily.

As a specimen of his love of fair play, it is related that one of his first acts after reaching Denver was the hauling down with his own hands of a Confederate flag which had been hoisted here by some southern sympathizers. On the other hand, when a mob set out to lynch a miner in Central City because he had expressed exultation over the assassination of Abraham Lincoln, Mr. Teller saved the fellow's neck at the risk of his own life. He was the first citizen of the Territory to offer to raise troops for the suppression of the rebellion.

His charity to the penniless was unceasing. Senators do not now receive munificent salaries, but in his time the compen-

sation was considerably less than at present. He had no large private income and he generally was in debt; but, notwithstanding these obstacles to open-handedness, he always was giving money away. In addition to numerous casual "customers," he had a regular string of retainers who drew heavily and constantly upon him—persons who, in most cases, had no claim except that of common humanity. More times than I can tell you of I have had him come to me for the loan of five or ten dollars which I knew he wanted to give to this person or that who had followed him into the Capitol. If I had the money, I always gave it to him as a matter of course, but often with a word of caution against too reckless liberality where there was no chance for return. I do not recall that he ever made any response to such exhortations, indicating that while he appreciated the great wisdom of my advice, he still saw no way but to help the needy. He didn't even say that he wanted the money for the waiting man or woman, and when it was handed to him would turn away and pass it on more or less surreptitiously to avoid embarrassment to the recipient. These dependents were on his heels in Denver as well as in Washington. Many a down-and-out miner or old-timer has been saved from immediate distress by the generosity of "H. M.," as they called him.

But Mr. Teller's charity was not expressed in dollars and cents alone. Before Congress there are always many people with grievances, with claims for money long overdue, with wrongs to be righted on account of the acts of government officials, with injustices on account of demotions or dismissals from service, to be righted. Such as these never failed to seek out the Colorado Senator. To all such his sympathetic nature and kindness of heart were known in the beginning or soon discovered. They never failed of considerate response, nor of help if investigation satisfied him of the merits of the case. Sometimes it was possible to procure speedy relief; much oftener help came slowly, for Uncle Sam is proverbially a slow paymaster. But delays made no difference so far as Mr. Teller's assistance was concerned. Once convinced of the justice of a claim, he would go on helping year after year if necessary to bring relief.

Doubtless there are living some who have heard of the McGarrahan case, for it was famous for several decades. William McGarrahan, a traveled and educated man, had come into possession of a quicksilver mine in California in the early days of that State's history, but a corporation had discovered a flaw in his title and had taken unceremonious possession of his property. The mine was believed to be worth millions, but without it McGarrahan was poor indeed. Like so many others, he found Teller's soft side early in the latter's senatorial career and lost no time in enlisting his assistance. Without any promise or expectations of personal reward, he gave the claim the same careful consideration as he would have given it if employed as legal counsel, and went on doing so for years, perhaps 20, using every resource at his command to get the relief bill passed. But there were powerful influences to be overcome, and only once did the measure succeed in getting through both Houses of Congress, and only then to be vetoed by the President. Soon after this decisive blow, McGarrahan died, a broken-hearted old man, and when he died Mr. Teller was one of the few mourners at his bier.

This is only a specimen of many similar instances. And it was not with time and money alone that he was generous. His consideration of others found many other forms of expression. Any sort of distress or embarrassment appealed to him. I can illustrate by relating some personal experiences, if you will permit me to do so. No more fitting instance is afforded than one connected with my first meeting with him.

I came to Colorado during the summer of 1876 to take a position on the Denver Tribune, then a prominent morning paper. I was young, inexperienced, and timid. Soon after my arrival Gen. William T. Sherman came in unannounced. He was accompanied by a formidable party of notables from Europe to whom he was host and guide. It became my duty to ascertain who they were and what was the purpose of their visit. They were staying at the American House, then one of Denver's two leading hotels, and thither I repaired on my mission. I found the general busy in his room exhibiting a large map to his companions and therefore too much occupied to give me any particulars. Indeed, he was rather curt, and I retreated to a place near the door quite disconcerted and greatly discouraged. I did not know where to turn if I could not get information from the head of the party. As it developed, there were several local men of prominence present, but these were as unknown to me as the visitors. It was from this portion of the group that relief came. A gentleman of quiet manners, who wore neither shoulder straps nor decorations, discovered my plight and divined my

difficulties. He crossed the room to where I stood, introduced himself as Mr. Teller, told me the party were on their way to northwestern Colorado on a hunt for big game, and that General Sherman was explaining the topography of the region to them. He gave me names and such general information as was necessary to prepare a comprehensive account of the distinguished party—just what I wanted and felt I must have.

That is the story. A little thing, you say. By no means! Such an action must be measured by the relief it brings. It must be gauged from the recipient's point of view to be properly appreciated. To me it was most important. It saved me from being "scooped" and humiliated. Nor was it a small thing from any point of view. The significance of it for present purposes is found in the intuition and willingness to aid and comfort on the part of our subject. Moreover, the incident had far-reaching consequences. It made of me a "Teller man," and when, later, the State split into political factions I threw what little influence I possessed to him, so impressing him that 10 years after the meeting at the American House I went to Washington as his private secretary.

If I had formed a high opinion in the beginning, my estimation increased as the years went by, as I am going to show, at the risk of being accused of indelicacy, by quoting from a letter I wrote in 1887 from Washington detailing to a friend in Denver my duties and experiences there. In this letter, which has been preserved all these years, I said:

"I want to tell you about a debate in the Senate yesterday in which I was much interested. The discussion related to a bill to prohibit United States Senators from acting as attorneys for railroads likely to have lawsuits with the Government. There was a great deal of personal feeling manifested and some sharp language used—by long odds the most spirited, if not the most interesting, debate I have heard. Senator Beck had introduced the bill and made a fight for it, and in doing so criticized the Senate so sharply that many Senators resented what he said. Teller made the most fiery speech I ever heard from him, and a good speech, too.

"I tell you I am beginning to feel proud of my Senator. He is certainly one of the most level-headed men and one of the best debaters in the entire body, and is so recognized here in the Senate and out. There has hardly been a time during the last 10 days that he has not taken a leading part in the proceedings, talking on all conceivable subjects and always in a way to command attention. Not only has he good judgment but his information concerning the affairs of the country is wonderfully varied and markedly accurate. All the Senators consult him, and he is very popular with them—the biggest of them.

"More than this, he is the same with Senators that he is with everybody else. He cut Senator Evarts short in a conversation to talk with me about some letters. He is never "stuck up"—always the same. He does not treat me as other Senators do their secretaries. Most of them keep their men waiting upon them and running after them and dictate all their letters to them, even to 'My dear sir' and 'Yours respectfully.' Teller says, 'Here, Tom, take these letters and answer them.' Often he signs the letters without reading, correcting them rarely, and then only because of some error in the statement of facts. He never seems to care whether I work or play. One morning I slept late and did not get to the Capitol until 10. I apologized. He said, 'That's all right; sleep all you can.' I tell you my admiration for the man has increased rather than diminished."

But this estimate was written only after I had known Mr. Teller for 10 years and had been associated with him for only 6 weeks. It has now been more than 46 years since I became acquainted with him; and I want to say that after those 46 years, and after my intimate association in office with him for 23 years, my admiration fails to abate.

In his office, as elsewhere, he was always thoughtful, reasonable, patient, forbearing, good-natured, agreeable, and often even mirthful. All this without flurry or pretense or ostentation, without an effort to make the recipient of the kindness feel that he had been kind. Indeed, he never seemed to take any thought of the consideration shown to others in his office or out. He often seemed most indifferent to the thanks of beneficiaries, so indifferent, indeed, as to create the impression that he was cold. But if he was indulgent to his helpers, he was not on that account indifferent to the kind of work performed. They could do their duties almost in their own time and in their own way, but they must do them. For them to have been careless would have been to neglect another class very near to his heart, and that was his constituents, the people of Colorado. They wrote freely and often, asking many favors of him. To all such letters as required personal attention he gave it, and if he turned a letter over to a subordinate for atten-

tion he expected the subordinate to give the same consideration that he would have given. Every letter must have a response, regardless of the rank or standing of its author, and every effort must be made to serve the writer. The people of the State were very close to his heart. He never faltered in his efforts to serve them, either in the mass or as individuals. That they appreciated his efforts and reciprocated his regard is shown by the fact that they kept him in high position in public life for 33 years, only allowing him to retire when he insisted upon doing so.

In what I have said concerning Mr. Teller's interest in the unfortunate and distressed I have not meant to intimate that he was prejudiced against the well-to-do. By no means. No man ever had a more profound respect for the rights of property and none more sincere friends among people of wealth. He believed every man to be entitled to, and protected in, the enjoyment of what he had honestly earned. But he wanted all to have an equal chance, and he did not consider that the possession of wealth should be allowed to confer especial privileges or insure particular preferment. He appreciated the handicaps of the indigent and the unfortunate, and favored the policy of giving them another chance for an even start.

As going to show his attitude, I should like to relate that on one occasion when the appointment of a surveyor general for Colorado rested with him he refused to give the office to a wealthy friend who desired the place merely for the honor of holding it. He deprecated especially the election of men to the Senate merely because of their possession of wealth. On one occasion when there was a hot senatorial campaign on in Colorado in which Teller was not a candidate, his assistance was sought by an aspirant of large means but of limited education and meager information about national affairs. "Teller, you can elect me to the Senate if you will, and I think I ought to have your help because of what I have done for the State," said the man, bursting in abruptly upon the Senator.

Frankness was another of Teller's virtues. He did not keep his visitor in suspense. "You are mistaken in supposing that I could elect you. I could not do so if I wished, and I would not if I could," he replied. "Not because I do not like you and do not appreciate the use you have made of your money in the interest of the State, but because I know that you are not fitted by education, temperament, or general personal equipment for that office." When, however, the man became the victim of financial reverses, Teller was among the first to extend a helping hand.

As I have said, it is my opinion that Mr. Teller's sympathy with struggling humanity supplies the key to an understanding of his public life. He cared for men in the mass as well as singly. Take him in politics. As we have seen, in his young manhood a Democrat, he became a Republican upon the organization of the Republican Party because the Republicans promised freedom to the slaves, with which object he was in hearty accord. After remaining in the Republican ranks for 40 years he went back into the Democratic Party because it was more friendly to the coinage of silver than the Republican Party and because he believed the use of silver as money to be in the interest of the masses. However, he remained a protectionist in theory after he became a Democrat; he believed protection to be beneficial to the American laborer. Similar reasons could be found for all of his broader public acts. His constant desire was to give the poor fellow a chance. With Abou Ben Adhem he loved his fellow men. Speaking of Mr. Teller, Senator Wolcott once said to me: "H. M. carries the grief of the world on his shoulders." In a way he did, but he was not downcast in doing so. He was ever cheerful, as well as good-natured.

It would be too much to say that I agreed with Mr. Teller invariably, or that I approved everything he did throughout the long period of his public career, but I will say that when I differed from him I generally found in the end that his judgment had been better than mine. I want also to add that in the 33 years of my relationship with him I never saw him do a petty act or heard him express an unworthy thought. He did not use profanity; he did not tell risqué stories. He never took a drink of intoxicating liquor, and he eschewed tobacco in all its forms. And all this without cant or moralizing.

In his time the eighteenth amendment was nonexistent and VOLSTEAD was unknown. He had many staunch friends who were steady drinkers. He tolerated them all and thought highly of some of them. To many of them he gave money to buy the bread which might have been theirs if their habits had been different.

He was a Mason of long standing, and not only did he "progress" Masonry but he lived up to the highest traditions of the order.

He was patriotic to the core, loving his State and his country passionately and serving them faithfully and effectively throughout a well-extended life. He loved nature, appreciated literature and art, knew several languages, and had high respect for all things which men hold sacred. He was passionately fond of trees and flowers, and it was an education in practical botany to be with him in the woods. He knew the child nature and regarded all children as in a way the wards of all grown-ups. The calling of the teacher he regarded as sacred, and he liked especially to reminisce about his own pedagogic days. I could go on enumerating, but it is sufficient to say that his life was exceptionally rounded. He was true in all relations, whether as public servant, husband, father, benefactor, employer, friend.

I appreciate that what I have said may appear to some—to the unknowing—more like eulogy than biography, but I have expressed my honest appreciation of a good man. And I am not alone in what I have said. Mr. Clarence G. Northup, of Denver, who was associated with me for many years in the clerical work for Mr. Teller and his committees, joins me in my estimate of the Senator, and adds that "too much can not be said."

Moreover, there is abundant outside testimony to support what Mr. Northup and I freely admit might be construed as prejudiced personal opinion, as coming from us. From the time he first entered upon his public career the Colorado Senator was the subject of much attention from both public and press, some of it, of course, not entirely complimentary. There was, however, much that was laudatory. Every time he was returned to the Senate he was complimented generally, and when he retired from that body in 1909 and after he passed away in 1914 the papers from one end of the country to the other spoke only in terms of praise, and we shall see a little further along how highly he was regarded by Lord Salisbury, one of the ablest of Great Britain's Prime Ministers.

Many years ago a well-known writer paid the following tribute to Mr. Teller: "He has this mark of genuine greatness above any man whom I know in Colorado or perhaps any that I have personally known anywhere in public life. He is simple, natural, without affectation. He is simple because it is natural for him to be simple, and simplicity indicates the calm mind and clear vision as to the relations of things—their real value. It seems to me that the holy spirit of patriotism has descended upon Teller and enveloped him and entered into his soul and sanctified his purposes. He stands before the country as the tongue of Colorado; but he speaks not for Colorado alone, not alone for the United States, but for the humbler three-fourths of all humanity. Soberly, bravely, and ably he is fighting humanity's holy cause for us and for all."

#### RETIREMENT FROM THE SENATE.

To quote many of the expressions of 1909 when Mr. Teller was succeeded by Charles J. Hughes, jr., through the action and by the choice of Teller, would be to indulge in a great deal of repetition. Two examples must suffice, and I choose from editorials from the New York Sun and the Chicago Post, the former dated January 22, 1909, and the latter January 21 of the same year. The Sun said:

"We wish well to Mr. Hughes, but his coming upon the Washington stage means the departure from the Senate of a familiar and a strong figure. With the exception of his nearly three years of service as Secretary of the Interior in Mr. Arthur's Cabinet, the Hon. Henry Moore Teller has been a Senator since 1876. Apart from his silver heresy, which he shared with the people of his State and which he defended with a knowledge and skill remote from the vague and sentimental yammering of so many silver advocates, he has been and remains substantially a Republican; and his long experience, his familiarity with precedents, his clearness of intellect and practical grasp of the principles and details of legislation, especially as it affects the West, have made him one of the wisest and most valuable of Senators. He sat a generation ago with men like Blaine, Morton, Edmunds, Morrill, Conkling, John Sherman, Allison, Ingalls, Simon Cameron, Bayard. His term runs from toward the end of Grant's administration to the beginning of Taft's. He has seen many mutations of policy and fame, sudden heroes, and obscurities almost as sudden. He is of the class in which the Senate has never been wanting; the men of long heads, of courage, of thoughtfulness, of training in affairs."

The Post article was of greater length, and I extract the following passages:

"During one-third of a century Mr. Teller, to a greater or lesser extent, has been continuously before the eyes of the Nation. For a large part of that time he held high rank in the councils of his party. Few abler men have come out of the West and none longer held the affections of his people.

Yet, when the final summary was made up, the only mention he received was that his name was among those entered.

"Mr. Teller's entry into the Senate was coincident with the entry of his State into the Union. His record is unique in that he served in that body 18 years as a Republican, and then, without missing a day, he served 12 years more as an Independent and a Democrat. A few other men have been elected to the Senate at different times by political parties of opposite beliefs, but a period intervened in which they waited for the people to experience a change. Mr. Teller repudiated his old affiliations and took up with the new without interruptions in his service.

"Since Colorado has been a State, one half of its representation in the United States Senate, except for three years, has been Henry M. Teller. The other half varied, as one term followed another, and the ability and character of that representation likewise varied.

"The home of many men suddenly made rich, Colorado found its honors placed on a cash basis and a Senate seat the chief price on the mart. One millionaire followed another for a short sojourn in the glamour of Washington life, but if any of them ever made an attempt to displace Mr. Teller the contest was not of sufficient importance to be recorded in political annals.

"While the newly rich and oftentimes unfitted were struggling among themselves for the second senatorship, Mr. Teller, a man of moderate means and of great abilities, continued to return honor to the State which had given honor to him. His colleague frequently was far from being considered a credit to his State, and at times figured in scandal, but through it all Mr. Teller kept his own record clean and his character unsullied.

"Thus, when almost 80 years old, respected throughout the land, revered by those who knew him well, Mr. Teller gives back the trust which Colorado placed in his keeping, and he doubtless feels he truly can say, 'I have made the fight; I have kept the faith.'"

A short time previous to Mr. Teller's retirement from the Senate a church newspaper sought expressions from the Senator's colleagues and from certain officers of the Senate with the end in view, it was stated, of emphasizing Mr. Teller's example to young men. The result was that more replies were received than can be printed here.

Vice President Charles W. Fairbanks, Republican, responded as follows:

"The Hon. Henry M. Teller, who retires from the United States Senate on the 4th of March, has played a conspicuous part in the political history of his day and generation. It has been my pleasure to be intimately associated with him for 12 years. I have observed the unflagging zeal and high order of ability with which he has devoted himself to the public service. No one has been more constant in his attendance upon the sessions of the Senate, or more intelligently watchful of the progress of important legislation through the Senate. He has been diligent, earnest, and effective in his service upon the committees where the really important work of legislation is fashioned. Senator Teller's name deserves to stand high among the statesmen of the last third of a century. He has brought to his high duties not only ability but a spirit of complete consecration to duty worthy of future emulation. Men may differ with some of his political views, but there can be no difference of opinion as to his exalted purpose or his great usefulness during the long period through which he has been conspicuous in public life."

Dr. Edward Everett Hale, author of *The Man Without a Country* and other literary productions, and at that time Chaplain of the Senate, said in what probably was the last article written by him:

"I wish I could in any way represent to you and to the young men of Colorado, whom you are addressing, an adequate sense of the respect with which everyone here regards Senator Teller. Every Member of the Senate whom I have heard speak of him expresses regret that he is to leave us. And when I say every Member I mean a great many Senators from all parts of the country. And this is not simply respect for a well-informed man, or a man of large experience. Everyone speaks of him as a man whom he is glad to know, a man with whom everyone is glad to be intimate. 'He is such a thoroughly good man.' 'He is always so true and right, you know.' He never gave up to party what was meant for mankind. It is a great blessing to the country to have such men in the highest stations, as we have had him."

Other Senators expressed themselves as follows:

Eugene Hale, Republican, of Maine: "It would be difficult for me to express my very high estimation of the character and

public service of Senator Teller and my deep regret that he is about to retire from the Senate. He will be greatly missed by all his associates, and I think that there is but one feeling here, and that is of affectionate regard for him. It will be a long time before any other Senator can be found who can take his place as a legislator and statesman. I think I may say that he goes out of the Senate carrying with him the respect and affection of all of us."

HENRY CABOT LODGE, Republican, of Massachusetts: "I have served with Senator Teller for 16 years, and I not only feel for him a strong friendship but I have a sincere admiration for his high qualities as a public man. His retirement from the Senate is not only a public loss but a personal one to me. His long and distinguished service has been an honor to his State and to the country."

Benjamin R. Tillman, Democrat, of South Carolina: "Senator Teller will be missed from the Senate as much, perhaps, as any other man among us. He fills a peculiar niche and is recognized as the embodiment of honesty, high moral purpose, and sincerity. In my 14 years' association with him I have frequently had occasion to admire his manliness and intense Americanism or patriotism. We are not likely to look upon his like soon again, for he belongs to a type that is fast passing away. More's the pity."

LEE S. OVERMAN, Democrat, of North Carolina: "He is not only one of the best-informed men of the country upon all public matters but to-day he is one of the most industrious and hard-working Senators of this great body of men. His life has been clean, and it is to his great credit that while attending to all his public duties he does not neglect his spiritual duties, and it is rarely ever you miss him on Sunday morning in his seat in the Methodist Church, of which he is a devoted member."

Joseph B. Foraker, Republican, of Ohio: "I have been personally acquainted with Senator Teller for many years. I have known him intimately. I have seen him and been associated with him under circumstances that brought out his ability and his qualities as a man, a citizen, and a public official. The net result of all his acquaintance, friendship, and colobar is the highest admiration coupled with a regard as nearly affectionate as one man can have for another. His life and public career should be an inspiration to all his countrymen, especially to young men ambitious to serve the Nation. His retirement involves a great loss to the Senate."

Chauncey M. Depew, Republican, of New York: "His rare natural gifts have been supplemented by the closest study of questions relating to the welfare and development of the country since he entered the Senate in 1876. In these 32 years we have passed through many crises, industrial and financial, creating problems which required the best talent and greatest experience to solve. Senator Teller's contributions to wise legislation and the preventing of unwise during this long period have been of invaluable benefit to the people. He is, in the Senate, an encyclopedia of that information so useful in legislation which is not to be found in the books but is absorbed with long contact with subjects which after intervals come again to the front. While a partisan, his fairness and judicial consideration of all matters has given him great weight in the Senate. He has held the State of Colorado in the front rank for years in this great deliberative body."

Shelby M. Cullom, Republican, Illinois: "I have known Senator Teller for many years, and since the death of Senator Allison have been more intimately acquainted with him than any man in the Senate. I have always regarded him as a strong, sincere man, and one of the best Senators we have."

Julius Caesar Burrows, Republican, Michigan: "From the time the State of Colorado was admitted into the Union, in 1876, the Hon. Henry M. Teller has held a conspicuous place in the State and the country and rendered exceptional service to both. No taint has ever touched his good name, and he retires from the Senate on the 4th of March next with the esteem of every Member of the body."

William P. Frye, Republican, Maine: "He is entitled to the gratitude of his countrymen for a lifetime spent unselfishly in the public service."

Joseph W. Bailey, Democrat, Texas: "It has been my good fortune to occupy a seat next to Senator Teller for the past six years, and in this way I have learned to know him in small matters as well as in large ones. I therefore feel that I know him well, both as a man and as a Senator, and I say without reserve or hesitation that I have never known a better man or a more useful Senator. His life has been a blessing to his country, and will be an inspiration to the young men who are to come after."

KNUTE NELSON, Republican, Minnesota: "When I first came to Washington, in 1883, I found Senator Teller Secretary of the Interior, and had a great deal of business with him and his department, and I found him one of the ablest, best, and most efficient Secretaries of the Interior we have ever had since I became acquainted with the administration of our Government. Here in the Senate, where I have been associated with him for the last 14 years, I have learned to love and respect him even more than I did when he was Secretary. He has been and is one of the most vigilant, faithful, energetic, and efficient Members of the United States Senate. I know of no one who can compare with him in efficiency and usefulness except the late Senator Allison. Senator Teller will leave on the 4th of March next a vacuum in the Senate that will be hard to fill."

Isador Rayner, Democrat, Maryland: "His whole public career has been marked by unflinching integrity and ability of the highest order. His loss to the body of which he has so long been a Member is great, but he enters upon his retirement with the esteem and respect of the country."

George C. Perkins, Republican, California: "I desire to be numbered among those who appreciate the services of Hon. Henry M. Teller as a public man and who regret his retirement from the Senate of the United States. No man who has occupied a seat in that body has stood higher in the estimation of his colleagues as to character, honesty, sincerity, and ability. He came to the Senate when Colorado entered the great sisterhood of States, and since then his life has been devoted to the promotion of the best interests of the Nation. The force of his example in private as well as in public life in his State, which is acknowledged by all the people of Colorado to have been great and to have worked for the good of society, has been felt in the United States Senate, which is proud to acknowledge its indebtedness to him. There will follow him to his home the warmest feeling of friendship from all of his colleagues here, who will be slow, I hope, to forget the lessons taught by his most distinguished, most honorable, and most useful career."

Thomas H. Carter, Republican, Montana: "In a very broad sense Mr. Teller has represented the whole country, but in a special manner his voice has spoken not alone for Colorado but for all the great West. Since Colorado was admitted into the Union as a State in 1876, the country which was then known as the "American Desert" and the "Indian country" has been embraced within the boundaries of many virile and progressive States. Henry M. Teller has helped to rock the cradle of these infant States and has ever been a watchful guardian of their interests. His great ability has always been made thoroughly effective by his tireless industry. I venture to say that no Senator in the history of the country has been more punctual and constant in attending the sessions of the Senate or more vigilant in scrutinizing legislative proceedings."

Isaac Stephenson, Republican, Wisconsin: "The retirement of Senator Teller recalls the fact that he is the last of the great generation of public men who took over the problems of life from the Civil War, the others having either passed away to their final reward or taken their places in private life. No man of his time has exercised a larger or a better influence in public affairs. Few American statesmen have ever had a more complete knowledge of the machinery of our Government and its administration. But above his public service, there will always remain in the Senate the memory and tradition of the purity of his life and motives, and the simple, unostentatious Christian character he has exemplified in the midst of the official life in which he has had so large a share for more than 30 years."

"His official life, now closing in the Senate, and his whole career, should be an inspiration to young men—and well might they emulate it. His State loses an honorable and fearless advocate, and may well proclaim: 'Well done, good and faithful servant.'"

John W. Daniel, Democrat, Virginia: "All parties justly respect him, because he combines in his character all the elements of worth. He will be a fortunate man indeed who may fill his high place with equal credit."

J. H. Gallinger, Republican, New Hampshire: "It gives me pleasure to say that after having served for 18 years in the Senate with Hon. Henry M. Teller, I regard him as one of the foremost statesmen that the country has produced. On all questions of a moral and religious nature he is always absolutely and unquestionably right, while on matters of broad national concern he is free from sectional prejudice of every kind. In truth, he is what may properly be called a Christian statesman. We greatly need men like Senator Teller in public life to-day."

WILLIAM E. BORAH, Republican, Idaho: "He is a splendid type of the public servant and his unselfish devotion to his State



and Nation is a beautiful exemplification of the highest order of patriotism."

Chester I. Long, Republican, Kansas: "One of the most pleasant recollections of my service in the United States Senate will be my acquaintance with Senator Teller. Those who know Senator Teller best admire him most; and I am sure that he will take with him to private life the good wishes of all those who have served with him in the Senate."

H. D. Money, Democrat, Mississippi: "I have had the honor of Senator Teller's acquaintance since he came into the Senate in 1876, and for many years have enjoyed his friendship. When he was Secretary of the Interior he displayed great ability and never-tiring industry, which accomplished an extraordinary amount of work. His great learning and knowledge of the workings of the Government are unsurpassed; his unflagging energy, his cheerful and amiable disposition, and his never-failing courtesy made him a valuable and esteemed Member of the Senate. Wherever he may go he will carry my good wishes and affectionate regards."

F. E. WARREN, Republican, Wyoming: "I have known Senator Teller for a quarter of a century, first by name and reputation and acquaintanceship as one of the leading public men of the West, and later as being personally associated intimately with him for over 15 years as one of his colleagues in the Senate. In these years of association Senator Teller has always been to my mind a type of public servant invaluable to the country. I know I speak for all of Senator Teller's colleagues when I say that in leaving the Senate he carries with him the respect, friendship, and well wishes of every Member."

CHARLES CURTIS, Republican, Kansas: "His career should be an inspiration to all young men."

P. J. McCUMBER, Republican, North Dakota: "His acknowledged legal ability, coupled with studious habits, very soon placed him among the leaders of the Senate. A broad-minded scholar, especially well versed in social and political economy, his addresses were always interesting and convincing. No Senator was more highly esteemed by his associates. In his departure the Senate will lose one of its wisest and safest counselors."

William J. Stone, Democrat, Missouri: "Few men have been as useful or exercised such wide and beneficent influence in the country during the last 30 years as Senator Henry M. Teller."

WILLIAM P. DILLINGHAM, Republican, Vermont: "In character, ability, and that peculiar knowledge of public affairs which comes from long service, with that integrity and earnest purpose which governs large souls, Senator Teller has performed a service for his State and Government and achieved a name for himself equaled only by a limited number of those who have served in this branch of the Congress."

William Warner, Republican, Missouri: "It gives me genuine pleasure to say that Mr. Teller's services to the Government in the Senate, and in President Arthur's Cabinet, covering a period of a generation, has been characterized throughout by a devotion to country and by a thoughtful and practical consideration of governmental policies. He has been regarded as one of the strong, thoughtful, and reliable men in the Senate, and as a man whose character at all times has been above reproach. His course reflects credit not only upon the State from which he came, but upon the general country, which he has served well."

C. W. Fulton, Republican, Oregon: "His long service as a Senator and wide experience otherwise in public life, his moral courage and mental integrity, united with exceptional natural ability and capacity for legislative work, have contributed to make him one of the most valuable Members of our National Legislature."

Norris Brown, Republican, Nebraska: "His great learning, pure character, and charming personality make him a commanding figure among American statesmen."

Frank P. Flint, Republican, California: "The retirement of Senator Teller from the Senate after nearly 30 years of service will be not only a great loss to the State of Colorado but to the entire Nation. Senator Teller's career has been, and no doubt will continue to be, an inspiration to the young men of our country. He has demonstrated that it is possible for a man to succeed in a political career and still have the courage of his convictions."

Augustus O. Bacon, Democrat, Georgia: "There is no more valuable Member of the United States Senate. With a long experience in public affairs, he is eminently distinguished by his untiring industry and unflinching attention and devotion to his senatorial work. Strong in his convictions and unswervingly loyal to what he believes to be right, his courage has never faltered in following the path of duty as he has seen it. He is one

of the most worthy and conspicuous figures of his day and generation."

Simon Guggenheim, Republican, Colorado: "Few men have retired from active public life possessing in higher degree public regard and respect than Henry M. Teller. His tenure of the Interior Department is a tradition for efficiency and in the Senate his work has been of the highest order of constructive statesmanship. But he has besides the confidence of his fellow citizens, due to their implicit reliance in the personal and public integrity that has marked his career and to their well-founded belief in the honesty and sincerity of the motives that have actuated him."

E. J. Burkett, Republican, Nebraska: "For more than 30 years he has been in public life, and since the death of Senator Allison perhaps has a wider acquaintance with public affairs and the details of their administration than any other man. He has been an inspiration to every young man who has had the good fortune to come in contact with him, and in fact to many more who did not have a personal acquaintance but who know his real merits."

N. B. Scott, Republican, West Virginia: "He and Senator Allison of Iowa were the two prominent figures in the history of our country for the past 45 years. I am sure that, regardless of party, every Member of the United States Senate will regret the retirement of this 'noblest of them all,' United States Senator Teller."

W. B. Heyburn, Republican, Idaho: "No man in public life in the United States has done more to uphold the high standard and dignity of the United States Senate than Hon. Henry M. Teller."

Moses E. Clapp, Republican, Minnesota: "Few men have retired from the Senate whose departure has been regretted, genuinely regretted, more than will the departure of Senator Teller, and this speaks volumes for the character of the man. Men who reach the Senate have usually passed the age of sentiment to a great degree and enter the arena where political affiliation plays its part, and for a man to win the affections of such a body is a grander tribute to his character than any words which can be coined. A new man coming to the Senate finds a body of men, in the main, kind and generously disposed, but each one engrossed with his own particular work, and with little time to spare to assist and aid a new Member. Almost instinctively I recognized the kindly disposition of Senator Teller, and this recognition was confirmed by my experience when I came to appeal to him for assistance. No matter how engrossed he was, he always patiently listened and assisted with sound advice or kindly effort, as the case might require. He combines to a rare degree a kindly sympathetic nature with unyielding firmness and absolute courage, and his public life has reflected these qualities."

#### LAST WORDS.

After Mr. Teller's death the Colorado papers and the Colorado people were full of praise, and pulpit and bar vied with the press in expressions of mingled sorrow and compliment. Governor Ammons led these testimonials, saying:

"The life of Mr. Teller perhaps more closely than that of any man the West has ever produced exemplifies and typifies the attributes and character of the man who as a whole made the West possible in its present form. Honesty, strength of conviction, singleness of purpose, courage, imagination, enterprise all were his. And linking them all was honor, which recognized no alternative but to follow the dictates of conscience unflinchingly and with regard always to the rights of the many."

Said the Denver Post in one of many laudatory articles:

"It was away from Colorado that the full measure of Senator Teller could be taken. The newer Senators revered his years and his vast learning; they reveled in his anecdotes of days that were gone; they learned from him how big or how little men were, and realized that his judgments were not based on prejudice but upon years of close intimate contact with the men whose work and character he diagnosed.

"While Senator Teller remains a United States Senator that Government may always be sure of its standing in the eyes of other governments.' This is the tribute paid to Colorado's Senator by Lord Salisbury, then premier of Great Britain. What Lord Salisbury thought and said other rulers agreed with.

"Among Senators and other statesmen Henry M. Teller towered a giant. His intellect was strong and always vigorous; his word was his bond; caring neither for social prominence nor for great wealth, his talents were dedicated to serving his country, to making his family happy, and to cultivating his mind as he cultivated his garden."

Of all the testimonials to his character none were more appreciative or intelligent nor more discriminating than that given by the Hon. Wilbur F. Stone, himself a man of great learning and excellent achievement. Judge Stone said in the Rocky Mountain News of February 24, 1909:

"Henry M. Teller came to Colorado in 1861, the year following my own arrival, and settled at Central City, which was then the most important town in the Pikes Peak country. He began practicing law in the miners' courts of that district.

"It was the last year of the law courts and local self-governments made by the settlers of each independent community, and so Mr. Teller was in at the birth of the Territorial organization, authorized by the act of Congress, and he took a leading part in its establishment, pending the period of transition.

"He soon became recognized as one of the ablest and most active members of the bar in the new Territory, and rendered distinguished service in all matters of legislation, the administration of law, and laying the foundations of government for the future State.

"He never sought or accepted a political office previous to the admission of Colorado as a State, when he was chosen by the general assembly as one of the first Members of the United States Senate from this, the Centennial State, and which exalted national position he held for a longer period than was ever held by any other Member of that body west of the Missouri River, not excepting the famous Thomas H. Benton, who wrote his political autobiography, entitled 'Thirty Years in the United States Senate.'

"I became acquainted with Henry M. Teller soon after his arrival at Central City, and the acquaintance ripened into a close personal friendship, which continued unbroken for a half century to the day of his death.

"We were in many lawsuits, civil and criminal, in the Territorial days, sometimes together and other times on opposite sides, and in all his career at the bar I never knew a lawyer with more fairness, open frankness, courtesy to bench and bar, witness and jury, nor of greater fidelity to his client.

"His air and manner in court, the same as everywhere else, was wholly devoid of affectation, imitation, or mannerism. Always dressed neatly in sober black, he was dignified, yet genial, democratic, and always accessible.

"In legal argument he spoke in a clear, even tone of voice and never indulged in vociferation, gesticulation, or theatrical display. His argument to both court and jury was pointed, concise, deeply earnest, and, hence, forcible and convincing.

"He used good English, but of the plain, simple sort like that of Abraham Lincoln, and never attempted to display studied flights of oratory or rhetoric as an appeal to the audience.

"Another notable characteristic I recall is that in a speech or address, whether in the legal forum or the political rostrum or at the banquet table, I never knew him, for the purpose of illustrating a point, idea, or meaning to use a trite proverb or 'common saying,' nor quote from poet, historian, essayist, novelist, or philosopher.

"His mind was well stored by study and reading and in a legal argument, of course, like any other lawyer, he cited authorities and court decisions, but he expressed his thoughts in his own way and in his own logical and unambiguous language.

"As a statesman, former Senator Teller had few superiors in his day. In the Congress of the United States, with a personal character above reproach or suspicion, and keeping himself aloof from all matters of personal pecuniary advantage or aggrandizement, he devoted the years of his senatorial term to the history of American legislation, our relations with other nations and governments, the changes in political, social, and industrial conditions of our own country, and the legislation needful and beneficial to the whole people of the United States as well as to his own State.

"His discharge of the duties of the office of Secretary of the Interior, while he held that position in the Cabinet of President Arthur, was marked by uniform ability, and many needed reforms of especial benefit to the far West were realized through his efforts.

"I think no Member of the American Congress in its history during the last half century had so complete and intimate a knowledge of the West, from the Mississippi River to the Pacific coast; the geography, resources, physical characteristics, people, their needs and calculable future possibilities of each and every State and Territory in all this vast region, including Alaska, as had former Senator Teller.

"His patriotism was of the highest, broadest, and deepest measurement, and his love of Colorado was as the love of the forest pine for the snow-clad mountains rooted in their everlasting rocks.

"As a man and as a personal friend, Henry M. Teller was one of the most amicable, approachable, and kindhearted of all our pioneers and representative citizens.

"Ever faithful to his friends and to his promises, he was perhaps the most popular man during his long public life of any who ever won the confidence of the people.

"Indeed it may be said he was without an enemy. He had political opponents, but even they were not enemies. He represented in his character and his deeds all that stands for the best in morals, politics, social life, law, human liberty, equality, fraternity, and citizenship.

"Aside from the county of Teller, which has produced more gold than any other one mining camp in the world, the name and fame of Henry M. Teller will be perpetuated by the greatest and most enduring monument that can be erected to the memory of any man—the record of his own public life and deeds in the activities of the State and Nation."

It is fitting that these expressions should close with a brief quotation from Mrs. Teller, the Senator's venerable widow, who still survives. She said in an interview: "Even at home Mr. Teller was studious and seldom was found without a book in hand when about the house. Next to books he liked nature, and nothing pleased him more than to get out in the woods with the children Sunday afternoons and tell them about the trees and the flowers. He seemed to know every tree that grew. He was more sociably inclined than he got credit for being, and when we had company gave much attention to guests, relating experiences and telling anecdotes and talking very freely. As I have stated, he was brought up a Methodist, but he allowed his early church membership to lapse. He did not, however, lose his interest in the organization on that account, for he was for many years a trustee of the church in Central City without being a member of the church itself. He always contributed freely to the Methodist cause and in 1902 again placed his name on the membership roll. I think he would have done so earlier but for the fear that people would attribute the act to political motives."

Senator Teller's body lay in state at the Colorado State Capitol in Denver for several hours previous to interment at Fairmount Cemetery in that city, and his face was viewed by thousands. His memory is still cherished by many thousands in the State which he loved and served so well.

#### ADJOURNMENT.

Mr. ELLIOTT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned, pursuant to the order previously made, until to-morrow, Wednesday, February 14, 1923, at 11 o'clock a. m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

979. A communication from the President of the United States, transmitting a draft of proposed legislation providing that the appropriation of \$4,000 for the fiscal year 1923 for the salary of the chief clerk of the Department of the Interior shall be paid to the person holding that office (H. Doc. No. 565); to the Committee on Appropriations and ordered to be printed.

980. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of Agriculture for the fiscal year ending June 30, 1923, for the collection of loans made under the seed-grain loan provisions of the acts of March 3, 1921, and March 20, 1922, \$25,000 (H. Doc. No. 566); to the Committee on Appropriations and ordered to be printed.

981. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of Commerce for the fiscal year ending June 30, 1923, for settlement of claim for damage occasioned by collision for which a vessel of the Lighthouse Service is responsible, payment of which is authorized under section 4 of the act of June 17, 1910 (36 Stat. 537), in the sum of \$500 (H. Doc. No. 567); to the Committee on Appropriations and ordered to be printed.

982. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the legislative establishment of the United States for the fiscal year ending June 30, 1923, for the Capitol power plant, \$40,093; and for the Capitol Building and repairs, \$17,250 (H. Doc. No. 568); to the Committee on Appropriations and ordered to be printed.

983. A communication from the President of the United States, transmitting supplemental and deficiency estimates of appropriations for the Department of Justice for the fiscal year ending June 30, 1923, and for prior fiscal years, amounting to \$2,056.03 (H. Doc. No. 569); to the Committee on Appropriations and ordered to be printed.

984. A letter from the First Assistant Secretary of the Interior, transmitting a report as to the accumulation of documents and files of papers not needed or useful in the transaction of the current business of the department and which have no permanent or historical interest, as well as additional lists consisting of papers in the field offices of the General Land Office; to the Committee on Disposition of Useless Executive Papers.

985. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of the Interior for the fiscal year ending June 30, 1923, for promoting civilization and self-support among the Indians of the Mescalero Reservation in New Mexico, as authorized by the act approved February 6, 1923 (Public, No. 404), \$250,000 (H. Doc. No. 570); to the Committee on Appropriations and ordered to be printed.

986. A letter from the Secretary of Commerce, transmitting a description of papers on file in the various bureaus of the Department of Commerce which are not needed or useful in the transaction of current business and have no permanent value or historical interest; to the Committee on Disposition of Useless Executive Papers.

987. A communication from the President of the United States, transmitting supplemental and deficiency estimates for the District of Columbia for the fiscal year ending June 30, 1923, and for prior years, amounting to \$568,468.39, together with certain proposed legislation (H. Doc. No. 571); to the Committee on Appropriations and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII.

Mr. HAUGEN: Committee on Agriculture. H. R. 14302. A bill to establish and promote the use of the official cotton standards of the United States in interstate and foreign commerce, to prevent deception therein and provide for the proper application of such standards, and for other purposes; without amendment (Rept. No. 1593). Referred to the Committee of the Whole House on the state of the Union.

Mr. DALLINGER: Committee on Elections No. 1. H. R. 14224. A bill to determine proceedings in contested elections of Members of the House of Representatives; without amendment (Rept. No. 1595). Referred to the Committee of the Whole House on the state of the Union.

Mr. SNYDER: Committee on Indian Affairs. S. 4061. An act authorizing the Secretary of the Interior to enter into an agreement with Toole County Irrigation district, of Shelby, Mont., and the Cut Bank Irrigation district, of Cut Bank, Mont., for the settlement of the extent of the priority to the waters of Two Medicine, Cut Bank, and Badger Creeks, of the Indians of the Blackfeet Indian Reservation; without amendment (Rept. No. 1596). Referred to the Committee of the Whole House on the state of the Union.

Mr. SANDERS of Indiana: Committee on Interstate and Foreign Commerce. H. R. 14309. A bill to amend section 206 of the transportation act, 1920; without amendment (Rept. No. 1598). Referred to the Committee of the Whole House on the state of the Union.

Mr. FISHER: Committee on Military Affairs. H. J. Res. 437. A joint resolution authorizing the Secretary of War to loan 3,000 wooden folding chairs to the general committee of the Confederate reunion for use at the annual reunion of the United Confederate Veterans to be held at New Orleans, La., in April, 1923; without amendment (Rept. No. 1599). Referred to the House Calendar.

Mr. WHITE of Kansas: Committee on the Public Lands. H. R. 14296. A bill to authorize the county of Huron, State of Michigan, to convey a certain described tract of land to the State of Michigan for public park purposes; without amendment (Rept. No. 1600). Referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII.

Mr. COLE of Iowa: Committee on Foreign Affairs. H. R. 7267. A bill granting permission to Mrs. R. S. Abernethy, of Lincoln, N. C., to accept the decoration of the Bust of Bolivar; without amendment (Rept. No. 1594). Referred to the Committee of the Whole House.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HICKEY: A bill (H. R. 14323) providing for the erection of a public building at Warsaw, Ind., and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. TURNER: A bill (H. R. 14324) to amend section 107 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as heretofore amended; to the Committee on the Judiciary.

By Mr. LANGLEY (by request): A bill (H. R. 14325) authorizing the extension of the park system in the District of Columbia; to the Committee on Public Buildings and Grounds.

By Mr. ASWELL: A bill (H. R. 14326) establishing standard grades of naval stores, preventing deception in transactions in naval stores, regulating traffic therein, and for other purposes; to the Committee on Agriculture.

By Mr. BUTLER: A bill (H. R. 14327) to authorize the Secretary of the Navy to make reimbursement to the Naval Academy dairy for losses sustained by fire; to the Committee on Naval Affairs.

By Mr. HICKS: A bill (H. R. 14328) to reimburse certain persons for loss of private funds in the form of Liberty bonds of the fourth issue and Victory notes while they were general court-martial prisoners confined in the naval prison, Portsmouth, N. H.; to the Committee on Naval Affairs.

By Mr. COCKRAN: A bill (H. R. 14329) to prevent the abatement of actions and suits against any Director General of Railroads or agent appointed under section 206 of the transportation act, 1920, and to effect the revivor of any such suits as may have abated; to the Committee on Interstate and Foreign Commerce.

By Mr. FISH: A joint resolution (H. J. Res. 443) authorizing the appointment of a committee to investigate the leases and contracts executed by the United States Veterans' Bureau, and for other purposes; to the Committee on Rules.

By Mr. McPHERSON: A resolution (H. Res. 528) appointing Richard Streeks and William Bray pages in the House of Representatives at the rate of \$900 per annum; to the Committee on Accounts.

By Mr. JOHNSON of Washington: A resolution (H. Res. 529) for the immediate consideration of S. 4092; to the Committee on Rules.

By the SPEAKER (by request): Memorial of the Legislature of the State of North Dakota urging Congress to take such action as will prohibit the further issuance of tax-exempt securities; to the Committee on Ways and Means.

By Mr. YOUNG: Memorial of the Legislature of the State of North Dakota declaring in favor of the passage of the Green joint resolution to amend the Constitution in respect to the issuance of tax-exempt securities; to the Committee on Ways and Means.

By Mr. CHRISTOPHERSON: Memorial of the Legislature of the State of South Dakota, urging Congress to develop the Great Lakes-St. Lawrence deep waterway project; to the Committee on Interstate and Foreign Commerce.

By Mr. HAWLEY: Memorial of the Legislature of the State of Oregon, urging Congress to enact such legislation as will permit the authorities in Oregon to examine all income-tax returns made by those who carry on business within the State of Oregon; to the Committee on Ways and Means.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CANTRILL: A bill (H. R. 14330) granting an increase of pension to Emily M. Battson; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 14331) granting a pension to Naomi Garwood; to the Committee on Invalid Pensions.

By Mr. HICKEY: A bill (H. R. 14332) granting an increase of pension to Madora C. Parker; to the Committee on Pensions.

By Mr. SNELL: A bill (H. R. 14333) granting a pension to Elizabeth Farr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14334) granting a pension to Perry Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14335) granting a pension to Deborah Knight; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7288. By the SPEAKER (by request): Petition of members of Negaunce Lodge, No. 231, Loyal Order of Moose, indorsing

a movement for a conference of nations to be called by the President of the United States to seek restriction of the production of raw material from which narcotics are made; to the Committee on Ways and Means.

7289. By Mr. ANDREW of Massachusetts: Resolution adopted by the board of directors of the Associated Charities of Salem, Mass., indorsing the proposed amendment to the Constitution of the United States offered by Senator McCORMICK giving Congress the right to control or prohibit the labor of all persons under 18 years of age; to the Committee on Interstate and Foreign Commerce.

7290. By Mr. KISSEL: Petition of Juneau Camp of the Alaska Native Brotherhood, favoring the abolishment of fish traps, as provided in the White bill; to the Committee on the Merchant Marine and Fisheries.

7291. By Mr. LINTHICUM: Petition of L. Greif & Bro., Baltimore, favoring passage of Swing-Johnson bill for construction of Boulder Canyon Dam on Colorado River; to the Committee on Rivers and Harbors.

7292. Also, petition of J. Henry Miller (Inc.), Baltimore, favoring Senate bill 4137, providing for the transfer of certain vessels from the Navy to the Coast Guard after necessary authority has been obtained; to the Committee on Naval Affairs.

7293. Also, petition of Mrs. Samuel A. Tubman, of Baltimore, favoring passage of bill to make Yorktown, Va., a national military park; to the Committee on Public Buildings and Grounds.

7294. By Mr. MacGREGOR: Petition of Charles Koch and other citizens of Buffalo, N. Y., favoring legislation extending aid to the people of the German and Austrian Republics; to the Committee on Foreign Affairs.

7295. By Mr. REED of West Virginia: Petition signed by C. M. Carter, C. B. W. Chapman, and 40 other residents of Clarksburg, W. Va., to abolish discriminatory tax on small-arms ammunition and firearms; to the Committee on Ways and Means.

7296. By Mr. WINSLOW: Petition of residents of Worcester, Mass., and surrounding towns against the passage of House bill 4388; to the Committee on the District of Columbia.

## SENATE.

WEDNESDAY, February 14, 1923.

(Legislative day of Tuesday, February 13, 1923.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The VICE PRESIDENT resumed the chair.

### DISPOSITION OF USELESS PAPERS.

The VICE PRESIDENT laid before the Senate a communication from the Postmaster General, transmitting, pursuant to law, a schedule of papers and documents on the files of the Post Office Department which are not needed in the conduct of business and having no permanent value or historic interest, and asking for action looking to their disposition, which was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments. The Vice President appointed Mr. STERLING and Mr. DIAL members of the committee on the part of the Senate, and ordered that the Secretary notify the House of Representatives thereof.

He also laid before the Senate a communication from the Secretary of Commerce, transmitting, pursuant to law, a list of papers and documents on the files of the Department of Commerce which are not needed in the conduct of business and having no permanent value or historic interest, and asking for action looking to their disposition, which was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments. The Vice President appointed Mr. FERNALD and Mr. SHEPPARD members of the committee on the part of the Senate, and ordered that the Secretary notify the House of Representatives thereof.

He also laid before the Senate a communication from the First Assistant Secretary of the Interior, transmitting, pursuant to law, a list of papers and documents on the files of field offices of the General Land Office which are not needed in the conduct of business and having no permanent value or historic interest, and asking for action looking to their disposition, which was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments. The Vice President appointed Mr. NORRIS and Mr. KENDRICK members of the committee on the part of the Senate, and ordered that the Secretary notify the House of Representatives thereof.

### PETITIONS AND MEMORIALS.

Mr. LODGE presented a petition of Musicians' Protective Union, Local No. 214, American Federation of Musicians, of New Bedford, Mass., praying for modification of the so-called Volstead Act so as to permit the use of light wines and beers, which was referred to the Committee on the Judiciary.

Mr. WILLIS presented a resolution of the Woman's Republican Club of Jefferson County, Ohio, favoring the prompt passage of House bill 14254, relative to World War foreign debt settlement, which was ordered to lie on the table.

Mr. ROBINSON presented a resolution of Culinary Alliance No. 142, of Eldorado, Ark., protesting against the passage of the so-called ship subsidy bill, which was ordered to lie on the table.

He also presented the petition of H. Rouw and sundry other citizens of Van Buren, Ark., favoring the passage of the bill (S. 4399) to fix standards for hampers, round stave baskets, and splint baskets for fruits and vegetables, and for other purposes, which was ordered to lie on the table.

He also presented a resolution of the executive committee, National Council of Farmers' Cooperative Marketing Associations, at Louisville, Ky., favoring acceptance by Congress of the terms recommended by the American commission on refunding of the British debt, which was ordered to lie on the table.

Mr. WARREN presented a resolution adopted by the Salvation Army Conference of Social Workers, in the city of Washington, D. C., favoring the enactment of legislation for investigation of the needs of the Nation for public works to be carried on by Federal, State, and municipal agencies in periods of business depression and unemployment, so as to provide against the recurrence of poverty and distress in such unemployment crises, etc., which was referred to the Committee on Education and Labor.

Mr. McLEAN presented a resolution of the North End Club, of New Haven, Conn., praying an amendment to the Constitution regulating child labor, which was referred to the Committee on the Judiciary.

He also presented resolutions of the advisory board, Hartford section, of the Council of Jewish Women, at Hartford, Conn., favoring the passage of Senate bill 3136, the so-called teachers' salary bill for the District of Columbia, and Senate bill 2040, the so-called compulsory education and school census bill, which were ordered to lie on the table.

Mr. McCUMBER submitted the following concurrent resolution of the Legislature of North Dakota, which was referred to the Committee on Agriculture and Forestry:

[Eighteenth Legislative Assembly of North Dakota, begun and held at the capitol, in the city of Bismarck, on Tuesday, January 2, 1923.]

### Concurrent resolution.

Be it resolved by the House of Representatives of the Eighteenth Legislative Assembly of the State of North Dakota (the Senate concurring therein)—

Whereas, since the cessation of the war with Germany and the removal of the minimum wheat-price guaranty of the Federal Government, in effect during a part of the period of the war, the price of wheat to the wheat producer of the Northwest has depreciated to a point far below the cost of production; and

Whereas the general level price on articles which the wheat producer is obliged to buy and consume gives no promise of a proportionate reduction, but, on the contrary, appears to be increasing at this time; and

Whereas these circumstances have caused an unprecedented condition of distress to the wheat producer of the Northwest and to all legitimate enterprises more or less directly dependent upon his prosperity and solvency, which condition of distress is so acute as to threaten a great loss of population in the farming communities of the Northwest, accompanied by consequent insolvency, bankruptcy, and other results so dire and serious as to directly and indirectly affect a large proportion of the population of the Nation; and

Whereas the Federal guaranty of a minimum price of wheat during a part of the war period was, in fact, a serious injustice for the wheat producer of the Northwest, resulting as it did in greatly reducing his price far below the level of the price which supply and demand conditions would have otherwise created, and which, therefore, operated as an actual and artificial reduction and limitation of his price and not as a subsidy; and

Whereas the Government of the United States receives \$50,000,000 as profits from the operation of the United States Grain Corporation during the war, which really belongs to the producer; and

Whereas the Northwest wheat producer alone, among all the producers in the United States, suffered such arbitrary reduction in the price of his product during the war period, from which the entire consuming public directly benefited, he being obliged during the said period to pay the highest market prices for all articles which he used and consumed, there being no governmental limitation on the price of any such article during said period; and

Whereas this present condition resulting from the foregoing is such as to threaten a calamity: Now, therefore, be it

Resolved by the House of Representatives of the Eighteenth Legislative Assembly of the State of North Dakota (the Senate concurring therein), That we do hereby respectfully urge the Congress of the United States to take cognizance of the present situation in which the Northwest wheat farmer is placed and the circumstances which have resulted in his present condition of distress, and guarantee a