

Mr. CURTIS. I understand the Senator from Iowa does not ask for the consideration of the report, but it is simply the presentation of a privileged report. That can be done at any time.

Mr. HARRISON. I was merely calling attention to the fact—

Mr. ROBINSON. There is no request for the consideration of the report?

Mr. CUMMINS. Not at all. In fact, the report can not be considered before it is adopted by the House. It must first be acted upon there.

ORDER OF BUSINESS.

Mr. JONES of Washington. Mr. President, I take it there is nothing further to do, and under the unanimous-consent agreement—

Mr. JONES of New Mexico. Will the Senator from Washington yield for the presentation of a couple of reports from the Finance Committee?

Mr. JONES of Washington. I understand the Senator from Arkansas objects to the presentation of reports or bills, or anything of that kind. I myself have no objection.

Mr. FLETCHER. That can be done to-morrow morning.

Mr. JONES of Washington. I have no objection myself.

Mr. NORRIS. I will object unless the same privilege is accorded to me to make a report.

Mr. ROBINSON. Having objected earlier to-day and announced repeatedly that unanimous consent would not be granted, and having effected an arrangement to take up this character of business during the morning hour on to-morrow, in good faith I do not think Senators should present any requests, and I shall object. If it is necessary to stand here and object over and over, I shall be compelled to do so. I do not want to discriminate between Senators.

The VICE PRESIDENT. There is objection to the request of the Senator from New Mexico.

Mr. JONES of New Mexico. Mr. President, I ask unanimous consent to present and have inserted in the RECORD some petitions which I have received. They are not bills or reports of committees, but merely petitions, and I merely want to get something printed in the RECORD which, it seems to me, is a matter of public interest.

Mr. ROBINSON. I think the practice has been to permit matters to be printed in the RECORD, and I shall not make an objection to the request.

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

Mr. JONES of New Mexico. I would just like to define in a very brief way what I would like to have put into the RECORD. We all have been familiar with the occurrences regarding the strike of last August, and I have received petitions from the State of New Mexico signed by probably a thousand people.

ADJOURNMENT.

The VICE PRESIDENT. Under the unanimous-consent agreement, the hour of 6 o'clock having arrived, the Chair declares the Senate stands adjourned until 11 o'clock to-morrow.

Thereupon (at 6 o'clock p. m.) the Senate, in accordance with the unanimous-consent agreement, adjourned until to-morrow, Saturday, February 24, 1923, at 11 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 23 (legislative day of February 19), 1923.

COAST AND GEODETIC SURVEY.

James Francis Downey, jr., to be aid (with relative rank of ensign in the Navy).

POSTMASTERS.

MISSOURI.

David W. Puthuff, Bollvar.
Everett Drysdale, Butler.
George L. Pemberton, Charleston.
John R. Edwards, Dawn.

MONTANA.

Roy W. Broman, Ismay.
Joseph Brooks, Livingston.
Clyde C. Richey, Richey.

OHIO.

Charles F. Decker, Vermillion.

OKLAHOMA.

Elmer D. Rook, Sayre.

PENNSYLVANIA.

Whitfield Pritchard, Bangor.

SOUTH CAROLINA.

Benjamin F. Foreman, Allendale.

UTAH.

John F. Hunter, Helper.

WEST VIRGINIA.

Fred A. Smith, Northfork.

WISCONSIN.

Henry J. S. Hanson, Bayfield.

George C. Dobbs, Conover.

Frederick N. Lochemes, St. Francis.

HOUSE OF REPRESENTATIVES.

FRIDAY, February 23, 1923.

The House met at 12 o'clock noon and was called to order by Mr. CAMPBELL of Kansas as Speaker pro tempore.

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

Our Lord and our God, apart from Thee life is a weary search. All our deficiencies are met in Thee, for Thou art our wisdom, our righteousness, and our redemption. Conscious of our dependence, O may a childlike humility clothe us as with a garment. This is the way by which comes the great inflow of Thy cleansing love. So inspire us that we shall be the lovers of Thy word, the interpreters of Thy truth, and the messengers of Thy wisdom. Guard Thou our lips, keep Thou our hearts, and bless us with Thy abiding peace as we travel on our homeward way. In the holy name of Jesus we pray. Amen.

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

EXTENSION OF REMARKS.

Mr. LAYTON. Mr. Speaker—

The SPEAKER pro tempore. For what purpose does the gentleman from Delaware rise?

Mr. LAYTON. I rise for the purpose of asking unanimous consent to have printed in the back part of the RECORD a speech I have prepared on the subject of bureaucracy, the same to be printed in 8-point type.

The SPEAKER pro tempore. The gentleman from Delaware asks unanimous consent to extend his remarks in the RECORD on bureaucracy. Is there objection? [After a pause.] The Chair hears none.

DISCHARGE OF A COMMITTEE.

Mr. ROUSE. Mr. Speaker—

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. ROUSE. Mr. Speaker, I move to discharge the Committee on Post Offices and Post Roads from the further consideration of House Resolution 492, a copy of which I will send to the Clerk's desk.

Mr. MONDELL. Mr. Speaker, that motion is not in order.

Mr. ROUSE. It is a privileged motion.

The SPEAKER pro tempore. Upon what question of privilege does the gentleman from Kentucky call the resolution up?

Mr. ROUSE. It asks information from the Postmaster General relative to the filling of vacancies in post offices.

Mr. MONDELL. Mr. Speaker, I withdraw my point of order. It is, I think, a privileged resolution.

The SPEAKER pro tempore. The gentleman from Kentucky moves to discharge the committee from the consideration of the resolution, which the Clerk will report.

The Clerk began the reading of the resolution.

Mr. STAFFORD. Mr. Speaker, I wish to reserve a point of order. I have not heard it to see whether it is privileged or not.

Mr. BLANTON. I make the point of order that the reservation comes too late.

The SPEAKER pro tempore. The Clerk will read.

Mr. SANDERS of Indiana. It has not been read yet, and the gentleman can not make the point of order until it is reported. The Clerk read as follows:

House Resolution 492.

Resolved, That the Postmaster General be, and he is hereby, directed to inform the House of Representatives—

(1) Of the post offices in which a vacancy in the postmastership thereof has occurred since May 10, 1921, for which no certified eligible or list of eligibles for appointment as regular postmaster therein, ob-

tained at the time the vacancy arose; of the name of each such office, the date on which the vacancy arose, the date of the request of the Civil Service Commission for a certified eligible or list of eligibles for regular appointment thereto, the date of the receipt from the Civil Service Commission of a certified eligible or list of eligibles therefor, and the date on which appointment of a regular postmaster was made; and

(2) Of the post offices in which a vacancy in the postmastership thereof has occurred since May 10, 1921, for which a certified eligible or list of eligibles for appointment as regular postmaster therein obtained at the time the vacancy arose; of the name of each such office, the date on which the vacancy arose, and the date on which appointment of a regular postmaster therefor was made; and

(3) Of the appointments of temporary postmasters since May 10, 1921, if any, of the offices for which such temporary appointments were made, of the date on which the vacancies arose, of the date on which such temporary appointments were made, and of the date on which the appointment of a regular postmaster was made.

Mr. MONDELL. Mr. Speaker, the information asked for is not important. I move to lay the resolution to discharge the committee on the table.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Wyoming.

The question was taken, and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. ROUSE and Mr. GARRETT of Tennessee. Division, Mr. Speaker.

The House again divided; and there were—ayes 111, noes 33.

Mr. ROUSE. Mr. Speaker, I object to the vote because there is no quorum present and make the point there is no quorum present.

The SPEAKER pro tempore. Evidently there is no quorum present. 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—ayes 216, noes 101, not voting 110, as follows:

YEAS—216.		
Ackerman	Evans	Kepp
Anderson	Fairchild	Kraus
Andrew, Mass.	Fairfield	Langley
Andrews, Nebr.	Faust	Larson, Minn.
Appleby	Fenn	Lawrence
Atkeson	Fess	Layton
Barbour	Fish	Leatherwood
Beck	Fordney	Lehbach
Begg	Foster	Little
Beham	Frear	Longworth
Bixler	Free	Luce
Blakeley	French	Luhring
Bland, Ind.	Frothingham	McArthur
Boies	Fuller	McFadden
Brooks, Pa.	Funk	McKenzie
Brown, Tenn.	Gahn	McLaughlin, Mich.
Browne, Wis.	Gensman	McLaughlin, Nebr.
Burdick	Gerard	McPherson
Burtness	Gifford	MacGregor
Burton	Glynn	MacLafferty
Butler	Goodykoontz	Madden
Cable	Graham, Ill.	Magee
Campbell, Kans.	Green, Iowa	Majoney
Campbell, Pa.	Greene, Mass.	Mapes
Cannon	Greene, Vt.	Merritt
Chalmers	Griest	Michener
Chandler, Okla.	Hadley	Miller
Chindblom	Hardy, Colo.	Mondell
Christopherson	Hawley	Moore, Ohio
Clague	Hays	Moore, Ind.
Clarke, N. Y.	Henry	Morgan
Clouse	Herrick	Murphy
Cole, Iowa	Hersey	Nelson, Me.
Cole, Ohio	Hickey	Nelson, A. P.
Colton	Hicks	Nelson, J. M.
Cooper, Ohio	Hill	Newton, Minn.
Cooper, Wis.	Himes	Newton, Mo.
Copley	Hoch	Norton
Coughlin	Hogan	Ogden
Crago	Hukriede	Opp
Cramton	Hull	Palge
Dallinger	Humphrey, Nebr.	Parker, N. J.
Darrow	Husted	Parker, N. Y.
Davis, Minn.	Ireland	Patterson, Mo.
Dempsey	James	Paul
Denison	Johnson, S. Dak.	Perkins
Dickinson	Kearns	Perlman
Dowell	Kelly, Pa.	Porter
Dunbar	Kendall	Purnell
Dunn	Ketcham	Radcliffe
Echols	Kirkpatrick	Ramseyer
Edmonds	Kissel	Ransley
Elliott	Kline, N. Y.	Reece
Ellis	Kline, Pa.	Reed, N. Y.

NAYS—101.		
Abernethy	Byrns, Tenn.	Favrot
Almon	Cantrill	Fields
Aswell	Clark, Fla.	Fisher
Bankhead	Cockran	Fulmer
Bell	Collier	Gallivan
Black	Connally, Tex.	Garrett, Tenn.
Bland, Va.	Crisp	Garrett, Tex.
Blanton	Cullen	Gilbert
Bowling	Davis, Tenn.	Goldsborough
Box	Deal	Griffin
Brand	Doughton	Hammer
Briggs	Drewry	Hardy, Tex.
Buchanan	Driver	Hayden
Bulwinkle	Dupré	Hooker

Linthicum	Oldfield	Sandlin	Turner
Logan	Oliver	Sears	Tyson
Londen	Parks, Ark.	Sisson	Upshaw
Lowrey	Pou	Stegall	Vinson
Lyon	Quin	Stedman	Weaver
McClintic	Rainey, Ill.	Stevenson	Wilson
McDuffie	Raker	Sumners, Tex.	Wingo
McSwain	Rankin	Swank	Wise
Mansfield	Rayburn	Tague	Wright
Mead	Rouse	Taylor, Colo.	
Montague	Sabath	Ten Eyck	
O'Connor	Sanders, Tex.	Tillman	

NOT VOTING—110.			
Ansorge	Focht	Lee, N. Y.	Ryan
Anthony	Freeman	Lineberger	Sanders, N. Y.
Arentz	Garner	McCormick	Schall
Bacharach	Gorman	McLaughlin, Pa.	Scott, Mich.
Barkley	Gould	Martin	Shaw
Beedy	Graham, Pa.	Michaelson	Siegel
Bird	Haugen	Mills	Slemp
Bond	Hawes	Moore, Ill.	Smith, Mich.
Bowers	Huck	Moore, Va.	Smithwick
Brennan	Hutchinson	Morin	Snell
Britten	Jefferis, Nebr.	Mott	Steenerson
Brooks, Ill.	Johnson, Miss.	Mudd	Stiness
Burke	Johnson, Wash.	Nolan	Stoll
Byrnes, S. C.	Jones, Pa.	O'Brien	Sullivan
Carew	Kahn	Overstreet	Taylor, Ark.
Carter	Keller	Park, Ga.	Thomas
Chandler, N. Y.	Kelley, Mich.	Patterson, N. J.	Treadway
Classon	Kennedy	Petersen	Tucker
Codd	Kless	Pringle	Volk
Collins	Kindred	Rainey, Ala.	Ward, N. C.
Connolly, Pa.	King	Reber	Watson
Crowther	Kitchin	Rhodes	Wheeler
Curry	Klecza	Riordan	White, Me.
Dale	Knight	Rodenberg	Williams, Tex.
Dominick	Knutson	Rose	Woods, Va.
Drane	Kreider	Rosenbloom	Zihlman
Dyer	Kuuz	Rossdale	
Fitzgerald	Lampert	Rucker	

So the motion was agreed to.

The Clerk announced the following pairs:

On the vote:

Mr. Graham of Pennsylvania (for) with Mr. Barkley (against).

Mr. Morin (for) with Mr. Tucker (against).

Mr. Snell (for) with Mr. Garner (against).

Mr. Curry (for) with Mr. Woods of Virginia (against).

Mr. Rhodes (for) with Mr. Carter (against).

Mr. Beedy (for) with Mr. O'Brien (against).

Mr. Kiess (for) with Mr. Riordan (against).

Mr. Crowther (for) with Mr. Williams of Texas (against).

Mr. Dale (for) with Mr. Byrnes of South Carolina (against).

Mr. Lampert (for) with Mr. Hawes (against).

Mr. Stiness (for) with Mr. Smithwick (against).

Mr. Watson (for) with Mr. Thomas (against).

Mr. Freeman (for) with Mr. Ward of North Carolina (against).

Mr. Anthony (for) with Mr. Carew (against).

Mr. Keller (for) with Mr. Martin (against).

Mr. Fitzgerald (for) with Mr. Park of Georgia (against).

Mr. Mudd (for) with Mr. Drane (against).

Mr. Treadway (for) with Mr. Collins (against).

Mr. Scott of Michigan (for) with Mr. Kunz (against).

Mr. Connolly of Pennsylvania (for) with Mr. Dominick (against).

Mr. Bacharach (for) with Mr. Kindred (against).

Mr. Shaw (for) with Mr. Sullivan (against).

Mr. King (for) with Mr. Kitchin (against).

Mr. Patterson of New Jersey (for) with Mr. Moore of Virginia (against).

Mr. White of Maine (for) with Mr. Johnson of Mississippi (against).

Mr. Lineberger (for) with Mr. Overstreet (against).

Mr. Rosenbloom (for) with Mr. Rucker (against).

Mr. Michaelson (for) with Mr. Sisson (against).

Mr. Kahn (for) with Mr. Taylor of Arkansas (against).

Mr. Moore of Illinois (for) with Mr. Rainey of Alabama (against).

Mr. Johnson of Washington (for) with Mr. Stoll (against).

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. A quorum is present. The Doorkeeper will open the doors.

Mr. STEENERSON. Mr. Speaker, I present a privileged resolution of inquiry.

PENSIONS.

Mr. FULLER. Mr. Speaker, I call up the bill (H. R. 14288), a private pension bill, in order under the rules for to-day, and I ask unanimous consent—

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

The Clerk read as follows:

A bill (H. R. 14288) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Mr. FULLER. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole House.

Mr. STEENERSON. Mr. Speaker, I rise to a question of the highest privilege.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to consider this bill in the House as in Committee of the Whole House. The Chair will state to the gentleman from Minnesota that this bill is in order and comes up, as to-day is set apart for the consideration of that class of legislation.

Mr. STEENERSON. I made my request for consideration of this resolution at the same time Mr. ROUSE made his. Why should one resolution of inquiry be preferred over another?

The SPEAKER pro tempore. The question is one of recognition. The Chair will recognize the gentleman from Minnesota later. The gentleman from Illinois asks unanimous consent that the bill just reported be considered in the House as in the Committee of the Whole House. Is there objection?

Mr. GARRETT of Tennessee. It is a privileged bill?

The SPEAKER pro tempore. Yes. The Chair hears no objection and the Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Rodia A. Dunlifer, widow of Edward R. Dunlifer, late of Company H, Seventy-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Margaret L. Fardette, widow of Joseph Fardette, alias William Taylor, late of Company E, First Regiment Pennsylvania Rifles, and pay her a pension at the rate of \$30 per month.

The name of Elma L. Holton, widow of Charles C. Holton, alias Charles W. Harris, late landsman, United States Navy, and pay her a pension at the rate of \$30 per month.

The name of Anna W. Nixon, widow of William H. Nixon, late deck-hand, United States ram *Queen of the West*, and pay her a pension at the rate of \$30 per month.

The name of Margaret B. Blunt, former widow of Washington Bird, late of Company H, One hundred and seventy-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Dellah J. Sprinkle, widow of Michael J. Sprinkle, late of Company A, Second Regiment, and Company C, Third Regiment, North Carolina Volunteer Mounted Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary Reynolds, widow of Edward W. Reynolds, late of Company D, Sixth Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Katharine Thompson, widow of Peter Thompson, late of Company M, First Regiment Illinois Volunteer Cavalry (also known as Company A, Sixteenth Regiment Illinois Volunteer Cavalry, and Captain Thielman's company, First Regiment Illinois Volunteer Cavalry), and pay her a pension at the rate of \$30 per month.

The name of Mary J. Tosh, widow of William M. Tosh, late of Company G, Fifth Regiment Missouri Volunteer State Militia Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Sallie B. Stoll, widow of Jerome Stoll, late of Company F, Twenty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Leona Stealey, widow of Jacob Stealey, late of Company E, Tenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Eliza H. Lockwood, widow of Ebenezer Lockwood, late of Company D, Fourth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Minerva Douglas, widow of William Douglas, late of Company G, One hundred and thirty-sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Mary A. Guy, former widow of William H. Guy, late of Company F, Fourteenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$30 per month through duly appointed guardian.

The name of Jane Platner, widow of Albert A. Platner, late of Company A, Forty-ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Ruth V. Hutchens, widow of Joseph Harris, late of Company H, Fifty-third Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Martha A. Thompson, widow of Justin G. Thompson, late of Seventy-seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lavina H. Etnire, widow of Daniel Etnire, late of Company F, Seventy-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Ella Knowlton, widow of Benjamin Knowlton, late of Company F, Eighteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Bertha Mann, widow of Ervin F. Mann, late of Companies E and A, Third Regiment Rhode Island Volunteer Heavy Artillery, and pay her a pension at the rate of \$30 per month.

The name of Carrie M. Allison, widow of Leander J. Allison, late of Company F, Fourth Regiment Tennessee Volunteer Mounted Infantry, and pay her a pension at the rate of \$30 per month.

The name of Martha White, widow of Menly White, late of Companies K and G, Sixty-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Catharine Crawford, widow of Lewis S. Crawford, late of Company F, One hundred and thirty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Frances E. Griffin, widow of James P. Griffin, late of Company K, Third Regiment, and Company H, Fourth Regiment, Tennessee Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Mary Spencer, widow of Samuel R. Spencer, late of Company A, Fifth Regiment Pennsylvania Volunteer Heavy Artillery, and pay her a pension at the rate of \$30 per month.

The name of Jennie Boyd, widow of William Boyd, late of Company G, One hundred and sixty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Margaret Blackman, widow of John W. Blackman, late of Company I, Third Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Lida O'Neal, widow of William O'Neal, late of Company B, Fifty-fifth Regiment Kentucky Volunteer Mounted Infantry, and pay her a pension at the rate of \$30 per month.

The name of Carrie Tissue, widow of Newton Tissue, late of Company K, Eleventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Martha E. Butler, widow of Norton Butler, late of Company E, Twenty-third Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Urzula Levisse, widow of Oren Levisse, late of Company D, Seventy-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lula Reeder, widow of Elias Reeder, late of Company D, Seventy-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Warren C. Reeder, helpless and dependent son of Lula and Elias Reeder, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Lula Reeder, the name of said Warren C. Reeder shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Lula Reeder, paid through duly appointed guardian.

The name of Catharine Boardman, widow of Samuel H. Boardman, late of Company C, Twenty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary C. Cole, widow of Ira B. Cole, late of Company I, One hundred and seventy-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Susan Brunaugh, widow of William M. Brunaugh, late of Company A, Thirty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Amelia S. Scott, widow of William N. Scott, late of Company D, One hundred and twenty-ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary E. Blanchard, widow of Asa Blanchard, late of Company F, Thirty-ninth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Barsha Story, widow of Oliver Story, late of Company H, Eighth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Millie Rex, widow of Martin L. Rex, late of Company I, Twenty-second Regiment Pennsylvania Volunteer Cavalry, and Company I, Third Regiment Pennsylvania Volunteer Provisional Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Mary J. Robinette, widow of Jasper C. Robinette, alias Jasper Robinette, late of Company D, Second Regiment Maryland Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Melissa J. Thompson, widow of Rankin Thompson, late of Company D, One hundred and seventy-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary H. Pennypacker, widow of Jacob Pennypacker, late of Company C, One hundred and seventy-ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Nathan E. Hopkins, late landsman and ordinary seaman, United States Navy, and Company C, Twelfth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$50 per month.

The name of Eugene S. Nash, late of Company C, Second Regiment Connecticut Volunteer Infantry, and Captain Peale's Company F, Thirteenth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of \$50 per month.

The name of Mattie Dunn, widow of William W. Dunn, late of Company A, Sixth Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Ruth E. Vann, widow of James G. Vann, late of Company K, Sixth Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Samira E. Coopridge, widow of Wesley Coopridge, late of Company G, Fifty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Lizzie E. Miller, widow of George A. Miller, late of Company A, Twenty-second Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Joseph D. Emerson, late of Company I, First Regiment Michigan Volunteer Infantry, and Company K, Seventeenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$50 per month.

The name of Mary A. Harper, former widow of Alfred Lanstrum, late of Company B, Fifty-ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Susan V. Payne, widow of Samuel J. Payne, late of Company B, Fifty-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Lizzie Leasure, widow of John Leasure, late of Company H, One hundred and sixty-eighth Regiment Pennsylvania Drafted Militia Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Anna R. Twaddle, widow of William Twaddle, late of Company F, Thirty-second Regiment Ohio Volunteer Infantry, and Twenty-sixth Battery Ohio Volunteer Light Artillery, and pay her a pension at the rate of \$30 per month.

The name of Addie Sour, widow of Urias Sour, late of Company K, Fifty-third Regiment, and Company F, Fifty-fifth Regiment, Ohio Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Mary E. Touhy, former widow of Owen Coburn, late of Company A, Twentieth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Charles F. Kuntz, helpless and dependent son of Robert D. Kuntz, late of Company I, Sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$20 per month, through duly appointed guardian.

The name of Liberty E. Frank, helpless and dependent daughter of David R. Frank, late of Company D, Forty-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$20 per month, through duly appointed guardian.

The name of William L. Delow, helpless and dependent son of Charles Delow, late of Company K, Eighth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of \$20 per month.

The name of Midian Mercer, late of Company C, Seventh Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$50 per month.

The name of Joseph Ham, late of Company A, Twenty-second Regiment New York Volunteer Cavalry, and Company D, One hundred and ninety-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$50 per month.

The name of Edward Powell, late of Company F, Ninety-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$50 per month.

The name of Julia M. Fletcher, widow of Henry W. Fletcher, late of Company B, Ninth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Sarah A. Wellman, widow of Richard N. Wellman, late of Company F, Fiftieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of John Wellman, helpless and dependent son of said Richard N. Wellman, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Sarah A. Wellman, the name of said John Wellman shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Sarah A. Wellman, through duly appointed guardian.

The name of Lulu Moore, widow of Perry R. Moore, late of Company C, Twentieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Jacob Shoup, late of Company A, First Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$50 per month.

The name of Martha A. Demaris, widow of Jacob B. Demaris, late of Company K, Fifty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Martha A. Pitzer, widow of Samuel J. Pitzer, alias Samuel E. Pipp, late of Company I, Forty-eighth Regiment Ohio Volunteer Infantry, and Company H, Twenty-sixth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Elizabeth Reed, widow of Samuel Reed, late of Company H, Seventieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Nellie Quimby, widow of David Quimby, alias Thomas Stevens, late of Company G, Seventh Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Victoria M. Ray, widow of James A. Ray, late of Company B, Thirty-fifth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Sarah J. McCulloh, widow of George W. McCulloh, late of Company C, Eighteenth Regiment Maryland Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Samuel E. Blades, afflicted son of Wesley Blades, late of Company A, Second Regiment Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of \$20 per month.

The name of Kate Caldwell, widow of Marshall Caldwell, late of Company E, Fourteenth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Agnes Green, helpless and dependent daughter of Isaiah L. Green, late of Company C, Thirty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Mary A. Harmon, widow of Thomas Harmon, late of Company K, Twenty-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Alice Luth, widow of Albert Luth, late of Company F, Fifty-second Regiment New York Volunteer Infantry, and Company H, Second Regiment New Jersey Volunteer Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Angeline Insley, widow of Isaiah A. Insley, late of Company I, First Regiment Ohio Volunteer Heavy Artillery, and pay her a pension at the rate of \$30 per month.

The name of Mary J. McLaughlin, helpless and dependent daughter of Alvin McLaughlin, late of Company E, One hundred and fiftieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month through duly appointed guardian.

The name of Margaret C. Miller, widow of John W. Miller, late of Company I, Eleventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of John D. Hadley, helpless and dependent son of John Hadley, late of Company H, One hundred and forty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$20 per month through duly appointed guardian.

The name of Isabella W. Williams, widow of John D. Williams, late of Company G, Second Regiment District of Columbia Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Josephine Hoffman, helpless and dependent daughter of Lafayette Hoffman, late of Company I, One hundred and seventy-ninth Regiment, and Company F, Eighteenth Regiment, Ohio Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Anna E. Best, former widow of Josiah Best, late of Company H, Thirty-eighth Regiment, and Company D, One hundred and forty-second Regiment, Ohio Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Amanda Wishard, widow of Samuel G. Wishard, late of Company F, Twenty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Lena Castor, widow of James Castor, late of Company G, Ninety-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Temple Dyer, widow of John F. Dyer, late of Company B, Twelfth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Jennie Alexander, widow of Thomas B. Alexander, late of Company E, Fifty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Amos E. Albritton, helpless and dependent son of Amos A. Albritton, late of Company E, Fifteenth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Susan A. Thompson, widow of Philip A. Thompson, late Lieutenant colonel, Fifth Regiment Missouri Volunteer State Militia Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of George D. Jones, late unassigned, Eleventh Regiment, and Company G, Fifty-first Regiment, Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$50 per month.

The name of John H. Smith, alias Henry H. Smith, late of Company B, Eleventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$50 per month.

The name of Mary E. Saner, widow of Abram Saner, late of Company I, One hundred and forty-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Catherine Meece, widow of George M. Meece, late of Company I, Forty-ninth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Irene S. Slagle, widow of David C. Slagle, late of Company C, One hundred and twenty-fourth Regiment, and unassigned, Company K, Ninety-first Regiment, Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Anna M. Fay, widow of Andrew J. Fay, late of Company E, Third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Nancy A. Gordon, widow of John Gordon, late first-class boy, United States Navy, and pay her a pension at the rate of \$30 per month.

The name of Minerva Lane, widow of John Lane, late of Company G, One hundred and sixteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Caroline K. Nester, widow of George Nester, late of First Battery, Indiana Volunteer Light Artillery, and pay her a pension at the rate of \$30 per month.

The name of Catharine Anderson, widow of William Anderson, late of Captain Harrah's company, One hundred and first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Wilhelmina S. Brand, widow of Spencer H. Brand, late of Company H, One hundred and thirty-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lillian Ensminger, helpless and dependent daughter of Henry C. Ensminger, late of Company B, Sixth Regiment Indiana Volunteer Cavalry, Company E, One hundred and thirty-third Regiment Indiana Volunteer Infantry, and Company D, One hundred and fifty-sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month through duly appointed guardian.

The name of Elizabeth E. Lanam, widow of Joseph H. Lanam, late of Company H, Nineteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Elizabeth M. Griffith, widow of James R. Griffith, late of Company B, Second Regiment Missouri Volunteer Light Artillery, and pay her a pension at the rate of \$30 per month.

The name of Jennie E. Moore, widow of Lyman G. Moore, late of Company B, Eleventh Regiment United States Colored Volunteer Heavy Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Nancy B. Raney, helpless and dependent daughter of Nehemiah Raney, late of Company I, Ninth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$20 per month through duly appointed guardian.

The name of William P. Raney, helpless and dependent son of Nehemiah Raney, late of Company I, Ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$20 per month through duly appointed guardian.

The name of John M. Barrick, helpless and dependent son of Henry Barrick, late of Company B, Fifty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of William F. Graham, late of Company F, One hundred and fifty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month.

The name of Sarah E. Gillespie, widow of Thomas Gillespie, late of Company C, Second Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Sarah E. Stephens, widow of Zaphnath Stephens, late of Company G, Fifty-first Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Amanda I. Hefleger, helpless and dependent daughter of Rudolph Hefleger, late of Company K, One hundred and seventy-ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$20 per month through duly appointed guardian.

The name of Rosetta Alloway, widow of William Alloway, late of Company H, Fifteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Sarah E. Knight, widow of Immer N. Knight, late of Company I, Forty-seventh Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Nancy J. Cooper, widow of Samuel Cooper, late of Company I, Tenth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sarah A. Fitzgerald, former widow of William H. Cox, late of Company I, Fifty-fifth Regiment Kentucky Volunteer Mounted Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sarah J. Moody, widow of Martin P. Moody, late of Company A, Tenth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Elizabeth A. Limes, widow of Henry S. Limes, late of Company A, First Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Mary M. Lilley, helpless and dependent daughter of Matthias Lilley, late of Company F, Fourteenth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of \$20 per month through duly appointed guardian.

The name of John Bywater, alias John Tallman, late of Company H, Eighth Regiment Michigan Volunteer Infantry, and Company E, Tenth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of \$50 per month.

The name of Oscar Okes, helpless and dependent son of William Okes, late of Company F, One hundred and fifteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$20 per month through duly appointed guardian.

The name of Mary M. Singer, widow of Francis A. Singer, late of Company D, Second Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lucy Jane McGrayel, widow of James McGrayel, late of Company G, Twenty-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Susan Laugherty, widow of Thomas J. Laugherty, late of Company H, Sixth Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving through duly appointed guardian.

The name of Agatha M. Miller, widow of John Miller, late of Company D, One hundred and first Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Clara A. Bicknell, widow of William M. Bicknell, late of Company A, Fifth Regiment Maryland Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Hannah K. Hallowell, widow of Daniel Hallowell, late of Company I, Sixth Regiment, and Company C, Seventh Regiment, Maine Volunteer Infantry, and Company C, First Regiment Maine Volunteer Veteran Infantry, and pay her a pension at the rate of \$50 per month.

The name of Elizabeth A. Morrow, widow of Robert Morrow, late of Company A, Sixth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving; *Provided*, That in the event of the death of Nancy A. Morrow, helpless and dependent daughter of said Elizabeth A. and Robert Morrow, the additional pension herein granted shall cease and determine; *Provided further*, That in the event of the death of Elizabeth A. Morrow the name of said Nancy A. Morrow shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Elizabeth A. Morrow, through duly appointed guardian.

The name of Mary Sowle, widow of Elvius Sowle, late of Company D, Thirty-ninth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Susan Ritter, widow of Frank Ritter, alias Frank Hibb, late of Company E, Fourth Regiment Wisconsin Volunteer Cavalry, and Company D, Fifty-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Martha Crawford, widow of William Crawford, late of Company B, Eighth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ruth E. Daniels, widow of Frank Daniels, late of Twelfth Independent Battery Ohio Volunteer Light Artillery, and pay her a pension at the rate of \$30 per month.

The name of Jane Oliver, widow of Aaron P. Oliver, late of Company C, Second Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Elizabeth Grover, widow of William Grover, late of Company I, Second Regiment Minnesota Volunteer Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Harriet Wicks, widow of James Wicks, late of Company H, Eighty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Euphemia Smith, widow of Charles Smith, late of Company K, One hundred and twenty-seventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Ellen Thompson, widow of Joseph Thompson, late of Company A, Twenty-fourth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of William E. Robinson, helpless and dependent son of William C. Robinson, late of Company H, Eighteenth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$20 per month through duly appointed guardian.

The name of L. Anna Mavly, widow of William K. Mavly, late of Company F, Thirty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Amanda J. Alford, widow of George H. Alford, late of Company G, Fifth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Jennie Darling, helpless and dependent daughter of Charles H. Darling, late of Company M, First Regiment Massachusetts Volunteer Cavalry, known as Company D, First Battalion Massachusetts Cavalry, and Company M, Fourth Regiment Massachusetts Volunteer Cavalry, and pay her a pension at the rate of \$20 per month through duly appointed guardian.

The name of Margaret F. Freeman, former widow of George C. Carson, late of Company B, Eleventh Regiment, and Company M, Ninth Regiment, Tennessee Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Zula A. Springer, widow of William R. Springer, late of Company G, Seventh Regiment Kansas Volunteer Cavalry, and pay

her a pension at the rate of \$50 per month in lieu of that she is now receiving; *Provided*, That in the event of the death of Claud B. Springer, helpless and dependent son of said Zula A. and William R. Springer, the additional pension herein granted shall cease and determine; *Provided further*, That in the event of the death of Zula A. Springer the name of said Claud B. Springer shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Zula A. Springer through duly appointed guardian.

The name of Mary Savanack, widow of John R. Savanack, late of Company G, One hundred and twenty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Pernina A. Morrison, widow of Theodore Morrison, late of Company A, Ninety-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Charles J. Rice, late of Company A, Thirty-ninth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of \$50 per month.

The name of Henrietta Richmond, widow of Jason H. Richmond, late of Company G, Fifty-seventh Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of John W. Genung, late of Captain Graham's company, attached to Fourteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$50 per month.

This bill is a substitute for the following House bills referred to the Committee on Invalid Pensions:

H. R. 1023.	Rodia A. Dunifer.	H. R. 13747.	Alice Luth.
H. R. 7347.	Margaret L. Fardette.	H. R. 13762.	Angeline Insley.
H. R. 8383.	Elma L. Holton.	H. R. 13787.	Mary J. McLaughlin.
H. R. 8671.	Anna W. Nixon.	H. R. 13788.	Margaret C. Miller.
H. R. 11222.	Margaret B. Blunt.	H. R. 13786.	John D. Hadley.
H. R. 11638.	Delilah J. Sprinkle.	H. R. 13795.	Isabella W. Williams.
H. R. 12123.	Mary Reynolds.	H. R. 13798.	Josephine Hoffman.
H. R. 12242.	Katharine Thompson.	H. R. 13803.	Anna E. Best.
H. R. 12332.	Mary J. Tosh.	H. R. 13813.	Amanda Wishard.
H. R. 12397.	Sallie B. Stoll.	H. R. 13818.	Lena Castor.
H. R. 12398.	Leona Stealey.	H. R. 13821.	Temple Dyer.
H. R. 12447.	Eliza H. Lockwood.	H. R. 13822.	Jennie Alexander.
H. R. 12533.	Minerva Douglas.	H. R. 13823.	Amos E. Albrinton.
H. R. 12537.	Mary A. Guy.	H. R. 13841.	Susan A. Thompson.
H. R. 12553.	Jane Platner.	H. R. 13843.	George D. Jones.
H. R. 12613.	Ruth V. Hutchens.	H. R. 13844.	John H. Smith, alias Henry H. Smith.
H. R. 12711.	Martha A. Thompson.	H. R. 13845.	Mary E. Saner.
H. R. 12851.	Lavina H. Etnire.	H. R. 13848.	Catherine Meece.
H. R. 12879.	Ella Knowlton.	H. R. 13849.	Irene S. Slagle.
H. R. 12883.	Bertha Mann.	H. R. 13896.	Anna M. Fay.
H. R. 12907.	Carrie M. Allison.	H. R. 13897.	Nancy A. Gordon.
H. R. 12910.	Martha White.	H. R. 13898.	Minerva Lane.
H. R. 12915.	Catharine Crawford.	H. R. 13900.	Caroline K. Nester.
H. R. 12923.	Frances E. Griffin.	H. R. 13905.	Catherine Anderson.
H. R. 12968.	Mary Spencer.	H. R. 13906.	Wilhelmina S. Brand.
H. R. 12969.	Jennie Boyd.	H. R. 13912.	Lillian Ensminger.
H. R. 12970.	Margaret Blackman.	H. R. 13917.	Elizabeth E. Lanam.
H. R. 12972.	Lida O'Neal.	H. R. 13924.	Elizabeth M. Griffith.
H. R. 12986.	Carrie Tissue.	H. R. 13925.	Jennie E. Moore.
H. R. 12992.	Martha E. Butler.	H. R. 13946.	Nancy E. Roney.
H. R. 12994.	Urzula Levisse.	H. R. 13947.	William P. Roney.
H. R. 13010.	Lula Reeder.	H. R. 13954.	John M. Barrick.
H. R. 13011.	Catharine Boardman.	H. R. 13958.	William F. Graham.
H. R. 13013.	Mary C. Cole.	H. R. 13965.	Sarah E. Gillespie.
H. R. 13020.	Susan Brunaugh.	H. R. 13967.	Sarah E. Stephens.
H. R. 13040.	Amelia S. Scott.	H. R. 13969.	Amanda I. Heffleger.
H. R. 13041.	Mary E. Blanchard.	H. R. 13970.	Rosetta Alloway.
H. R. 13055.	Barsha Story.	H. R. 13973.	Sarah E. Knight.
H. R. 13060.	Millie Rex.	H. R. 13983.	Nancy J. Cooper.
H. R. 13061.	Mary J. Robinette.	H. R. 13984.	Sarah A. Fitzgerald.
H. R. 13084.	Melissa J. Thompson.	H. R. 13985.	Sarah J. Moody.
H. R. 13089.	Mary H. Pennypacker.	H. R. 13990.	Elizabeth A. Limes.
H. R. 13099.	Nathan E. Hopkins.	H. R. 14007.	Mary M. Lilley.
H. R. 13100.	Eugene S. Nash.	H. R. 14008.	John Bywater, alias John Tallman.
H. R. 13122.	Mattie Dunn.	H. R. 14012.	Oscar Okes.
H. R. 13144.	Ruth E. Vann.	H. R. 14022.	Mary M. Singer.
H. R. 13179.	Samira E. Cooperider.	H. R. 14023.	Lucy Jane McGrayel.
H. R. 13204.	Lizzie E. Miller.	H. R. 14029.	Susan Laugherty.
H. R. 13280.	Joseph D. Emerson.	H. R. 14030.	Agatha M. Miller.
H. R. 13308.	Mary A. Harper.	H. R. 14042.	Clara A. Bicknell.
H. R. 13357.	Susan V. Payne.	H. R. 14044.	Hannah K. Hallowell.
H. R. 13372.	Lizzie Leasure.	H. R. 14049.	Elizabeth A. Morrow.
H. R. 13398.	Anna R. Twaddle.	H. R. 14051.	Mary Sowle.
H. R. 13426.	Addie Sour.	H. R. 14054.	Susan Ritter.
H. R. 13440.	Mary E. Touhy.	H. R. 14060.	Martha Crawford.
H. R. 13473.	Charles F. Kuntz.	H. R. 14072.	Ruth E. Daniels.
H. R. 13527.	Liberty E. Frank.	H. R. 14075.	Jane Oliver.
H. R. 13599.	William L. Delow.	H. R. 14088.	Elizabeth Grover.
H. R. 13599.	Midian Mercer.	H. R. 14090.	Harriet Wicks.
H. R. 13623.	Joseph Ham.	H. R. 14096.	Euphemia Smith.
H. R. 13640.	Edward Powell.	H. R. 14100.	Ellen Thompson.
H. R. 13665.	Julia M. Fletcher.	H. R. 14102.	William E. Robinson.
H. R. 13666.	Sarah A. Wellman.	H. R. 14109.	L. Anna Mavly.
H. R. 13684.	Lula Moore.	H. R. 14150.	Amanda J. Alford.
H. R. 13685.	Jacot Shoup.	H. R. 14153.	Jennie Darling.
H. R. 13700.	Martha A. Demaris.	H. R. 14158.	Margaret F. Freeman.
H. R. 13703.	Martha A. Pitzer.	H. R. 14159.	Zula A. Springer.
H. R. 13703.	Elizabeth Reed.	H. R. 14187.	Mary Savanack.
H. R. 13705.	Nellie Quimby.	H. R. 14210.	Pernina A. Morrison.
H. R. 13707.	Victoria M. Ray.	H. R. 14220.	Charles J. Rice.
H. R. 13710.	Sarah J. McCulloh.	H. R. 14228.	Henrietta Richmond.
H. R. 13731.	Samuel E. Blades.	H. R. 14276.	John W. Genung.
H. R. 13741.	Kate Caldwell.		
H. R. 13743.	Agnes Green.		
H. R. 13744.	Mary A. Harmon.		

Mr. FULLER. Mr. Speaker, I wish to offer an amendment. On page 27, line 6, at the end of the line strike out the capital letter "R" and insert the capital letter "B."

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

The Clerk read as follows:

Page 27, line 6, at the end of the line, strike out the capital letter "R" and insert the capital letter "B."

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

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

On motion of Mr. FULLER, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. ROBSION. Mr. Speaker, I call up the bill H. R. 14200 on report from Committee on Pensions of the House.

The SPEAKER pro tempore. The gentleman from Kentucky calls up the bill H. R. 14200, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 14200) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of war other than the Civil War, and to widows of such soldiers and sailors.

Mr. ROBSION. Mr. Speaker, I ask unanimous consent to consider the bill in the House as in Committee of the Whole House.

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

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill. The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pensions laws—

The name of Joseph Bauer, late of Company K, Second Regiment United States Infantry, Indian wars, and pay him a pension at the rate of \$20 per month.

The name of Isabelle Barnett, widow of Theophilus Barnett, late of Troop H, Nineteenth Regiment Kansas Cavalry, Indian wars, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Fred Stanley, late of Troop M, Eleventh Regiment United States Volunteer Cavalry, war with Spain, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Watson S. Coburn, late of Company I, First Kansas State Militia Cavalry, Indian wars, and pay him a pension at the rate of \$20 per month.

The name of George D. Smith, late of Captain D. B. Randall's Company B, Second Regiment Idaho Volunteers, Indian wars, and pay him a pension at the rate of \$20 per month.

The name of Fred Schwarz, late of the United States Navy, Philippine insurrection, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William C. Knuckles, late of Company K, Twenty-eighth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Barbara Oglesby, widow of George W. Oglesby, late of Captain Martin Williams's company, Lewiston Scouts, Idaho Volunteers, Indian wars, and pay her a pension at the rate of \$12 per month.

The name of Sherwood H. Williams, late of United States Marine Corps, Regular Establishment, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Jerome E. Butler, late of Company C, Thirty-second Regiment United States Infantry, Indian wars, and pay him a pension at the rate of \$20 per month.

The name of Lina Real, widow of Adolphus Real, late of Captain Owen Shaw's company, Texas Mounted Volunteers, Indian wars, and pay her a pension at the rate of \$12 per month.

The name of C. M. Middleton, late of Captain L. H. McNelly's company, special State Troops, Frontier Battalion, Texas Rangers, and pay him a pension at the rate of \$20 per month.

The name of Samuel E. Acuff, alias Samuel E. Harris, late of Companies D and G, Eighteenth Regiment United States Infantry, war with Spain, and pay him a pension at the rate of \$12 per month.

The name of Sarah E. Fortier, widow of Joseph Fortier, late of the Renville Rangers, Minnesota Militia, Indian wars, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Ben C. Robinson, late of Company D, Comanche County Texas Minute Men, Indian wars, and pay him a pension at the rate of \$20 per month.

The name of Richard Burns, late of Company D, Fourteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Jennie E. Buckley, widow of Daniel J. Buckley, late first-class fireman, United States Navy, and pay her a pension at the rate of \$12 per month.

The name of Andrew McLaughlin, late of Company M, Sixty-fifth Regiment, United States Infantry, war with Spain, and pay him a pension at the rate of \$18 per month.

The name of Peter Lacher, late of Troop D, Fourth Regiment United States Cavalry, Indian wars, and pay him a pension at the rate of \$20 per month.

The name of Rebecca Melvina Elliff, widow of Captain Hardy Crier Elliff, late of Captain Hardy Elliff's independent company, Mounted Oregon Volunteers, Indian wars, and pay her a pension at the rate of \$12 per month.

The name of Rose G. Bingman, widow of John I. Bingman, late of Captain Randall's Company B, Second Idaho Volunteers, Indian wars, and pay her a pension at the rate of \$12 per month.

The name of Lizzie Johnson, widow of Thomas W. Johnson, late of Company A, Gray's Battalion, Arkansas Volunteers, Mexican War, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Ferdinand Heinen, late of Lieut. Henry Schwethelm's company, Kerr County Texas Minute Men, Indian wars, and pay him a pension at the rate of \$20 per month.

The name of Annie Veuve, widow of Ernest Veuve, late of Company H, Third Regiment United States Infantry, Indian wars, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Etta W. Cass, widow of Jesse Lee Cass, late hospital steward, Fourth Regiment Texas Infantry, war with Spain, and pay

her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Levi T. Miller, late of Captain Randall's Company B, Second Regiment Idaho Volunteers, Indian wars, and pay him a pension at the rate of \$20 per month.

The name of Mark Y. Judd, late of Captain Warren Wallace's company, Nueces and Rio Grande Counties, Texas Frontier Men, and pay him a pension at the rate of \$20 per month.

The name of Rachel J. Smith, widow of William C. Smith, late colonel First Regiment Tennessee Infantry, Spanish-American War, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Emma Grace Ridgely, widow of Howard B. Ridgely, late of Capt. Martin Williams's company, Lewiston Scouts, Idaho Volunteers, Indian wars, and pay her a pension at the rate of \$12 per month.

The name of Robert Longstaff, late of Troop F, Fifth Regiment United States Cavalry, Indian wars, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William Henry Bush, late of Troop C, Ninth Regiment United States Cavalry, Indian wars, and pay him a pension at the rate of \$20 per month.

The name of Louise W. Noyes, widow of Henry E. Noyes, late captain, Second Regiment United States Cavalry, and brigadier general, retired, United States Army, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Albert C. Roach, late of Company G, Fourteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Rhoda A. Savage, widow of James Savage, late of Company K, Third Regiment Missouri Mounted Volunteers, Mexican War, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Alva C. Cooper, late of Company D, Twenty-second Regiment United States Infantry, Indian wars, and pay him a pension at the rate of \$20 per month.

The name of William E. Johnson, late of Company K, Second Regiment United States Cavalry, Indian wars, and pay him a pension at the rate of \$20 per month.

The name of James Donnelly, late of Company A, Third Regiment United States Cavalry, Indian wars, and pay him a pension at the rate of \$20 per month.

The name of Alice Z. Sherwin, widow of Charles L. C. Sherwin, late of Troop K, Eighth Regiment United States Cavalry, Indian wars, and pay her a pension at the rate of \$12 per month.

The name of Mary E. Tritten, widow of John G. Tritten, late of Troop A, Seventh Regiment United States Cavalry, Indian wars, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Robert M. Daniels, late of Troop E, Eighth Regiment United States Cavalry, Indian wars, and pay him a pension at the rate of \$20 per month.

The name of Paul Henriksen, late of Company D, Eighth Regiment United States Infantry, Indian wars, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Clarence J. Johnson, alias Franklin J. Green, late of Troop C, Seventh Regiment United States Cavalry, Indian wars, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of James McDonough, late of Company E, Second Regiment Illinois Infantry, war with Spain, and pay him a pension at the rate of \$24 per month.

The name of Howard Hines, late of Company B, Nineteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$18 per month in lieu of that he is now receiving.

The name of George Peyton Chambers, late of Company B, First Regiment Alabama Infantry, war with Spain, and pay him a pension at the rate of \$12 per month.

The name of Tracey M. Halley, late of Company A, Eighteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$30 per month. Pension to be paid to a legally appointed guardian.

The name of John F. Kilbride, late of Sanitary Detachment, First New York Cavalry, National Guard, and pay him a pension at the rate of \$20 per month.

The name of John T. Hyder, late of Company E, Tenth Regiment United States Infantry, war with Spain, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of David C. Preston, late private, Company F, Eighth Regiment California Infantry, war with Spain, and pay him a pension at the rate of \$12 per month.

The name of Martin G. Lyons, late of Company E, Ninth Regiment United States Infantry, war with Spain, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William S. Arnold, late of Company G, Eighteenth Regiment United States Infantry, war with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Thomas M. Benton, late of Company A, Twenty-ninth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$14 per month in lieu of that he is now receiving.

The name of William S. Whitley, late of Company B, Tenth Regiment United States Infantry, war with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William Coleman, late of Troop F, Seventh Regiment United States Cavalry, Indian wars, and pay him a pension at the rate of \$20 per month.

The name of William Dotson, late of Company I, Eighth Regiment Illinois Infantry, war with Spain, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Sarah A. Fisher, widow of Stanton G. Fisher, late chief of Indian Scouts, Indian wars, and pay her a pension at the rate of \$12 per month.

The name of Werner Snow, late of Company E, Thirty-second Regiment United States Infantry, Indian wars, and pay him a pension at the rate of \$20 per month.

The name of John Johnson, late of Company F, Thirteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Charles B. Winton, late of United States Navy, second-class fireman, Regular Establishment, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of George W. Camp, late of Company A, Seventh Regiment United States Infantry, war with Spain, and pay him a pension at the rate of \$12 per month.

The name of Blaine Campbell, late of Troop L, Fifteenth Regiment United States Cavalry, war with Spain, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of William H. Thompson, late of Company K, One hundred and sixty-first Regiment Indiana Infantry, war with Spain, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Banner Chandley, late of Company I, Ninth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Harry Elkins, late of Company F, Nineteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William Garnett, otherwise known as Billie Hunter, late scout, interpreter, and guide, Quartermaster Department, United States Army, Indian wars, and pay him a pension at the rate of \$20 per month.

The name of John W. Thomas, late of Company D, Seventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of William Napier, late of Company I, Tenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of James A. Carver, late of Company K, Twelfth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Herschel Spainhour, late of Company D, One hundred and fifty-ninth Regiment Indiana Infantry, war with Spain, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Eli Hayes, late of Company D, Twelfth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Jessy Angle, late of Company I, Seventh Regiment United States Infantry, Indian wars, and pay him a pension at the rate of \$20 per month.

The name of John Dudley, late of Company L, Eighteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Laura Hendrickson, widow of George D. Hendrickson, late of Company K, Signal Corps, United States Army, Regular Establishment, and pay her a pension at the rate of \$12 per month and \$2 per month additional on account of each of the minor children of said George D. Hendrickson until they reach the age of 16 years.

The name of James E. Moran, late of Company C, Thirty-fifth Regiment Michigan Infantry, war with Spain, and pay him a pension at the rate of \$12 per month.

The name of Jeremiah B. Thomson, late of Capt. W. H. Latshaw's Company A, Second Regiment Oregon Mounted Volunteers, Indian wars, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Elizabeth M. Sage, widow of William H. Sage, late brigadier general, United States Army, and pay her a pension at the rate of \$50 per month in lieu of the compensation she is receiving.

The name of Hannah Dougherty, dependent mother of Cornelius P. Dougherty, late of Company F, Eighth Regiment Pennsylvania Infantry, war with Spain, and pay her a pension at the rate of \$20 per month.

The name of Gilbert J. Lalonde, late of the United States Navy, United States ship *Utah*, Regular Establishment, and pay him a pension at the rate of \$30 per month.

The name of George H. Burton, late of Company K, Eighteenth Regiment, and Company L, Twenty-third Regiment, United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Leo Forst, late of Company D, Fifth Regiment United States Infantry, war with Spain, and pay him a pension at the rate of \$12 per month.

The name of Mournin Scott, dependent mother of Joseph Scott, late of the Ninety-seventh Company, United States Coast Artillery Corps, Regular Establishment, and pay her a pension at the rate of \$12 per month.

The name of Henry T. Bishop, late of Company E, Seventh Regiment United States Infantry, war with Spain, and pay him a pension at the rate of \$12 per month.

The name of Horace G. Butterfield, late of Company F, Eleventh Regiment United States Infantry, Indian wars, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Phillip S. Jackson, late of Company H, First Regiment Wyoming Infantry, war with Spain, and pay him a pension at the rate of \$12 per month.

The name of James Mitchell, late of Company B, Third Regiment Kentucky Infantry, war with Spain, and pay him a pension at the rate of \$15 per month in lieu of that he is now receiving.

The name of James C. Woodward, late of Battery H, Ohio Volunteer Light Artillery, war with Spain, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of James A. G. Cox, late of the Seventy-first Company United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of \$35 per month in lieu of that he is now receiving.

The name of Joseph Woods, late of Company D, Fourteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of James Phelps, late of Company F, Twenty-fifth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of George W. Laird, late of Company M, One hundred and sixty-first Regiment Indiana Infantry, war with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Minerva J. Smith, widow of William Smith, late of Capt. Davis Layton's Company H, First Regiment Oregon Mounted Volunteers, Indian wars, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Charles H. Ritter, late of Troop E, Fourteenth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Martin E. McMichael, late of Company F, Ninth Regiment Illinois Infantry, war with Spain, and pay him a pension at the rate of \$12 per month.

The name of Marie F. Manns, widow of William A. Manns, late of Companies K and C, Twenty-third Regiment United States Infantry, Indian wars, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Willie A. Mankin, late of Company F, Third Regiment Tennessee Infantry, war with Spain, and pay him a pension at the rate of \$12 per month.

The name of Viola Butler, permanently helpless and dependent child of Henry C. Butler, late of Captain Lamar's company, Bell's regiment, Texas Mounted Volunteers, Mexican War, and pay her a pension at the rate of \$20 per month.

The name of William P. Johnston, late of the One hundred and fifth Company, United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of \$17 per month.

This bill is a substitute for the following bills referred to the Committee on Pensions:

H. R. 3026. Joseph Bauer.	H. R. 12975. David C. Preston.
H. R. 4839. Isabelle Barnett.	H. R. 13014. Martin G. Lyons.
H. R. 5409. Fred Stanley.	H. R. 13026. William S. Arnold.
H. R. 6908. Watson S. Coburn.	H. R. 13030. Thomas M. Benton.
H. R. 7528. George D. Smith.	H. R. 13105. William S. Whitley.
H. R. 7725. Fred Schwarz.	H. R. 13107. William Coleman.
H. R. 7823. William C. Knuckles.	H. R. 13118. William Dotson.
H. R. 8587. Barbara Oglesby.	H. R. 13145. Sarah A. Fisher.
H. R. 8830. Sherwood H. Williams.	H. R. 13169. Werner Snow.
H. R. 8835. Jerome B. Butler.	H. R. 13178. John Johnson.
H. R. 9084. Lina Real.	H. R. 13225. Charles B. Winton.
H. R. 9035. C. M. Middleton.	H. R. 13227. George W. Camp.
H. R. 9094. Samuel E. Acuff.	H. R. 13230. Blaine Campbell.
H. R. 9131. Sarah E. Fortier.	H. R. 13240. William H. Thompson.
H. R. 9359. Ben C. Robinson.	H. R. 13241. Banner Chandley.
H. R. 9471. Richard Burns.	H. R. 13256. Harry Elkins.
H. R. 9552. Jennie E. Buckley.	H. R. 13265. William Garnett.
H. R. 9730. Andrew McLaughlin.	H. R. 13274. John W. Thomas.
H. R. 9787. Peter Lacher.	H. R. 13313. William Napier.
H. R. 9936. Rebecca Melvina Elliff.	H. R. 13334. James A. Carver.
H. R. 10388. Rose G. Bingman.	H. R. 13421. Herschel Spainhour.
H. R. 10502. Lizzie Johnson.	H. R. 13442. Eli Hayes.
H. R. 10500. Ferdinand Heinen.	H. R. 13461. Jessy Angle.
H. R. 10755. Annie Veuve.	H. R. 13484. John Dudley.
H. R. 10886. Etta W. Cass.	H. R. 13502. Laura Hendrickson.
H. R. 11048. Levi T. Miller.	H. R. 13530. James E. Moran.
H. R. 11112. Mark Y. Judd.	H. R. 13543. Jeremiah B. Thomson.
H. R. 11270. Rachel J. Smith.	H. R. 13562. Elizabeth M. Sage.
H. R. 11279. Emma Grace Ridgely.	H. R. 13565. Hannah Dougherty.
H. R. 11361. Robert Longstaff.	H. R. 13570. Gilbert J. Lalonde.
H. R. 11373. William Henry Bush.	H. R. 13578. George H. Burton.
H. R. 11459. Louise W. Noyes.	H. R. 13588. Leo Forst.
H. R. 11481. Albert C. Roach.	H. R. 13626. Mournin Scott.
H. R. 11574. Rhoda A. Savage.	H. R. 13627. Henry T. Bishop.
H. R. 11650. Alva C. Cooper.	H. R. 13647. Horace G. Butterfield.
H. R. 11919. William E. Johnson.	H. R. 13691. Phillip S. Jackson.
H. R. 11992. James Donnelly.	H. R. 13708. James Mitchell.
H. R. 12152. Alice Z. Sherwin.	H. R. 13733. James C. Woodward.
H. R. 12247. Mary E. Tritten.	H. R. 13742. James A. G. Cox.
H. R. 12249. Robert M. Daniels.	H. R. 13750. Joseph Woods.
H. R. 12265. Paul Henriksen.	H. R. 13766. James Phelps.
H. R. 12266. Clarence J. Johnson.	H. R. 13785. George W. Laird.
H. R. 12436. James McDonough.	H. R. 13794. Minerva J. Smith.
H. R. 12444. Howard Hines.	H. R. 13814. Charles H. Ritter.
H. R. 12481. George Peyton Chambers.	H. R. 13824. Martin E. McMichael.
H. R. 12875. Tracey M. Halley.	H. R. 13886. Marie F. Manns.
H. R. 12891. John F. Kilbride.	H. R. 13909. Willie A. Mankin.
H. R. 12927. John T. Hyder.	H. R. 13962. Viola Butler.
	H. R. 14189. William P. Johnston.

Mr. ROBSION. Mr. Speaker, I offer an amendment to strike out the name of Martin G. Lyons, on page 9, lines 1 to 4, inclusive.

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from Kentucky.

The Clerk read as follows:

Page 9, beginning with line 1, strike out the paragraph, including lines 1 to 4, inclusive.

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

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

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

REFERENCE—YAZOO RIVER.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, the letter of the Secretary of War, which is printed as House Document 597 in a report on a further investigation of the Yazoo River was erroneously referred to the Committee on Rivers and Harbors. I ask that it be referred to the Committee on Flood Control.

The SPEAKER pro tempore. The gentleman from Mississippi asks unanimous consent that a reference be made of the letter of the Secretary of War in reference to the Yazoo River project. If there is no objection, the letter will be referred to the Committee on Flood Control.

There was no objection.

Mr. NEWTON of Minnesota. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the

state of the Union for the further consideration of the bill (H. R. 14222) to amend the trading with the enemy act.

The SPEAKER pro tempore. Will the gentleman from Minnesota withhold that?

Mr. NEWTON of Minnesota. I withhold it.

FREIGHT RATES ON DAIRY SUPPLIES AND AGRICULTURAL IMPLEMENTS.

Mr. STEENERSON. Mr. Speaker, I offer a privileged motion to discharge the Committee on Interstate and Foreign Commerce from the further consideration of House Resolution 266.

The SPEAKER pro tempore. The gentleman from Minnesota offers a privileged motion to discharge the Committee on Interstate and Foreign Commerce from the further consideration of House Resolution 266, which the Clerk will report.

The Clerk read as follows:

House Resolution 266.

Resolved, That the President be, and he is hereby, requested to transmit to the House of Representatives all information in his possession or in the possession of the Interstate Commerce Commission relative to the alleged practice of charging freight on butter tubs made and shipped from Duluth and other points in Minnesota to Red River Valley points in Minnesota, plus freight from Elgin, Ill.; and also relative to the practice of charging freight upon agricultural machinery shipped from points west of Pittsburgh to points in Minnesota, plus freight from Pittsburgh, Pa.; and also all information in his possession or in possession of said commission as to what statutory authority or other legal authority exists or is claimed to exist to justify or authorize such discriminatory and unjust practices.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

Mr. STAFFORD. Mr. Speaker, I make a point of order on the resolution.

Mr. BLANTON. Mr. Speaker, I make a point of order against it.

Mr. MAPES. Mr. Speaker, I have not seen the resolution and only just heard it read, but it calls for information about certain "alleged" practices which clearly takes away any privileged status which it might otherwise have.

Mr. BLANTON. I make the point of order, Mr. Speaker, that this is not a privileged resolution. It asks for information peculiarly within the knowledge of this department. It asks the department to cite to this Congress certain laws, and the gentleman from Minnesota [Mr. STEENERSON] could get that information elsewhere. It calls for a citation to certain laws. That is wholly out of order on a resolution of inquiry.

Mr. MAPES. It calls for information in regard to an alleged practice, which, it seems to me, brings it clearly outside of the rule.

Mr. STAFFORD. Mr. Speaker, I direct the express attention of the Chair to the last clause:

And also all information in his possession or in possession of said commission as to what statutory or other legal authority exists or is claimed to exist to justify or authorize such discriminatory and unjust practices.

That is calling for an opinion in the guise of information.

The SPEAKER pro tempore. The Chair is ready to rule. Clearly the resolution calls for something more than a mere statement of fact. The Chair sustains the point of order.

Mr. STEENERSON. Mr. Speaker, I appeal from the decision of the Chair.

Mr. NEWTON of Minnesota. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 14222) to amend the trading with the enemy act.

The SPEAKER pro tempore. The gentleman from Minnesota [Mr. STEENERSON] appeals from the decision of the Chair.

Mr. STAFFORD. Mr. Speaker, I move to lay the appeal on the table.

Mr. ANDERSON. Mr. Speaker, I move to lay the appeal on the table.

The SPEAKER pro tempore. The gentleman from Wisconsin and the gentleman from Minnesota move to lay the appeal on the table. The question is on agreeing to that motion.

The question was taken, and the Speaker pro tempore announced that the "ayes" appeared to have it.

Mr. STEENERSON. Mr. Speaker, a division.

The SPEAKER pro tempore. The gentleman from Minnesota calls for a division on the question of laying on the table the appeal from the decision of the Chair. As many as favor the motion to lay on the table the appeal from the decision of the Chair will rise and stand until they are counted.

The House divided; and there were—ayes 121, noes 6.

So the motion to lay on the table the appeal from the decision of the Chair was agreed to.

AMENDMENT OF THE TRADING WITH THE ENEMY ACT.

Mr. NEWTON of Minnesota. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 14222) to amend the trading with the enemy act.

The SPEAKER pro tempore. The gentleman from Minnesota moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 14222) to amend the trading with the enemy act. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER pro tempore. The gentleman from Minnesota [Mr. ANDERSON] will please resume the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 14222) to amend the trading with the enemy act, with Mr. ANDERSON in the chair.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 2, line 17, strike out the word "application" with a comma and insert the word "application" without a comma.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 4, line 1, strike out the word "Custodian" with a comma and insert the word "Custodian" without a comma.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 4, line 2, strike out the word "him" with a comma and insert the word "him" without a comma.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 5, line 8, strike out "Austria-Hungary" and insert "Austria-Hungary" with a comma; and on page 5, line 9, strike out the word "who" with a comma and insert the word "who" without a comma.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 5, line 9, strike out the word "Statutes" and insert the word "Statutes" with a comma.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 10, line 13, strike out the word "otherwise" and insert the word "otherwise" with a comma.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 10, line 17, at the beginning of the line insert the word "as."

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 10, line 24, strike out the word "States" with a comma and insert the word "States" with a semicolon.

The amendment was agreed to.

Mr. RAYBURN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. RAYBURN: Page 1, lines 5 and 6, after the word "person," strike out the words "not an enemy or ally of enemy."

Mr. RAYBURN. Mr. Chairman, several Members and I have consulted with the majority. This is the amendment that provides for the return of all the property. It is the one important amendment that will be offered. Several gentlemen have suggested that we try to agree upon time on this amendment. If the amendment is voted down there is only one more important amendment on this side that will be offered to the bill, and that is for the return of the Austrian property. Many Members want to be heard upon this amendment who did not get time in general debate. Therefore I feel that the gentleman from Minnesota [Mr. NEWTON] or the gentleman from Massachusetts [Mr. WINSLOW] should ask for very liberal time for debate on this amendment.

Mr. NEWTON of Minnesota. Does the gentleman's suggestion apply to his particular amendment, or does it apply to the section itself?

Mr. RAYBURN. It applies to this particular amendment.

Mr. NEWTON of Minnesota. Would it not be better if we are to go into a limitation to apply it to the section itself rather than to this particular amendment?

Mr. BLANTON. Oh, no; do not do that.

Mr. RAYBURN. If the amendment I have just offered is adopted, several amendments will have to be adopted to the first section of the bill. Therefore it seems to me that it would be impracticable to agree upon time as to all of the section.

Mr. NEWTON of Minnesota. What suggestion has the gentleman to offer in reference to limitation of debate on this one section?

Mr. RAYBURN. I should like very much to control an hour on this amendment.

Mr. NEWTON of Minnesota. I have no desire whatever to curb debate unduly, but the gentleman from Texas must realize, as we all realize, that we are near the end of the session and that if we take up time here we are just simply preventing some other measures from being considered. It would seem to me that upon this particular amendment half an hour on a side is all that the gentleman should ask for.

Mr. RAYBURN. There are a dozen men on this side who did not get to say anything yesterday. I think there are many on that side who did not, and this is the crux of this whole situation.

Mr. MONDELL. Will the gentleman from Minnesota allow me?

Mr. NEWTON of Minnesota. I yield to the gentleman from Wyoming.

Mr. MONDELL. We debated this very question four hours yesterday. Now, all gentlemen want is to discuss the very question which was discussed most of the time yesterday.

Mr. RAYBURN. There are at least half a dozen gentlemen on this side who did not get even five minutes yesterday.

Mr. TILSON. Will the gentleman from Texas yield for a suggestion?

Mr. RAYBURN. Yes.

Mr. TILSON. Why not let the debate run for a little while, with the explicit understanding that no extensions will be made beyond five minutes, and then later close the debate? Let the chairman determine as to those for and against, but no one to speak longer than five minutes, and let it run, to see how much debate is really desired.

Mr. GRAHAM of Illinois. Let me suggest the impracticability of doing that, because we are standing in the road of an urgent deficiency bill which it is very necessary to pass. If we give an hour to this amendment, there will be another amendment on the Austrian property upon which liberal time will be wanted, and then there is an amendment to be offered on this side upon the declaration of future policy, upon which time will be wanted. If we are not careful we shall occupy the whole afternoon here. It seems to me that we had better agree in advance, so that we shall have no feeling about it among the membership when the time ends. For that reason we ought to limit it now on this amendment.

Mr. RAYBURN. What does the gentleman say to an hour and a half on this amendment?

Mr. NEWTON of Minnesota. If the gentleman is going to insist on its being limited to this amendment, it seem to me we can not go beyond one hour.

Mr. RAYBURN. I think the gentleman ought to grant us an hour and a half for this amendment. We will get through with it by 3 o'clock. We will not take up much time on the Austrian amendment.

Mr. NEWTON of Minnesota. If it is to be limited to this particular amendment we can not go beyond the hour.

Mr. RAYBURN. Let us take both amendments and make it an hour on a side then, on the return of all the property and on the return of the Austrian property.

Mr. NEWTON of Minnesota. I do not think we can do that.

Mr. RAYBURN. I ask for recognition, Mr. Chairman.

The CHAIRMAN. The gentleman from Texas [Mr. RAYBURN] is recognized for five minutes.

Mr. RAYBURN. Mr. Chairman and gentlemen of the committee, I do not have much to add to what I said yesterday in reference to this proposition. The amendment I have offered offers to the House a clear-cut proposition and a square opportunity to pass upon the proposition of whether or not we will do what we concede the only thing that this Government, speaking through this Congress should do, and that is to return all this property at an early date. If this amendment is voted down it means that we by this method only tantalize the situation. It seems to me that as a policy for this Government to-day we would be less likely to be misunderstood if we returned none of this property than if we returned only a

partial amount of it, and for this reason. If we do not act upon this question, if we do not return any of this property, if there is no congressional action on it at all at this time, the world will believe that the United States of America will in the future, as it has in the past, be guided by the decisions of its courts, by its traditions, and follow the rules of international law built up in these modern days of civilization.

But if we return \$10,000 of this property we imply the threat that we are going to retain the remainder as security for the payment of private claims by American citizens against the German Government, and the world will have the right and will believe that we intend to do what some gentlemen have been frank enough to assert, confiscate this property.

The gentleman from Pennsylvania, Doctor TEMPLE, yesterday, although disclaiming any intent on the part of the Government of the United States for the confiscation of this property, driven to the ultimate conclusion, said this:

What is the German Government to do about privately owned property of its citizens which it has turned over to this Government under the terms I read from the treaty a few minutes ago? If the time should come when we would have to sell the property to make good the claims of our people against Germany, then the German owners would hold the claim against their own Government.

If we are going to sell the property and devote the proceeds to paying private claims of American citizens, in God's name, what is that but confiscation?

Mr. PARKER of New Jersey. Will the gentleman yield?

Mr. RAYBURN. Yes.

Mr. PARKER of New Jersey. Is not the real crux of this whole matter that after the armistice the Alien Property Custodian under the last administration did sell most of the property?

Mr. RAYBURN. Some of it.

Mr. PARKER of New Jersey. He did it, and after the armistice, and gave notice that no one but pure American citizens should bid on it.

Mr. RAYBURN. I say that we will be misunderstood the world over because if this House adopts the recommendation of this committee and, in the light of the speeches made here, sustains this committee, they can come to no conclusion but that the property will be confiscated ultimately for certain objects.

Mr. PARKER of New Jersey. The gentleman will acknowledge that this House is not answerable for the policy of confiscation and seizure?

Mr. RAYBURN. That does not enter into what we are doing now. If somebody violated the law in the last administration it is no reason why this Congress or this administration should hold us up to the world in a light that we never have been placed in, in the light to make us misunderstood the world over, when America stands alone in a world of turmoil to-day. If the world is to come to settled conditions, if civilization's battle for freedom and the enlightenment of the world is to stand and to mean anything, the United States must hold forth the beacon light of law, order, humanity, and decency to the whole world. [Applause.]

Mr. NEWTON of Minnesota. Mr. Chairman, I ask unanimous consent that debate on the amendment of the gentleman from Texas and all amendments thereto close in 55 minutes; the time to be divided 30 minutes to those opposing the amendment and 25 minutes to those favoring the amendment.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that debate on this amendment and all amendments thereto close at the end of 55 minutes, 25 minutes to be controlled by the gentleman from Texas and 30 minutes by himself. Is there objection?

Mr. BLANTON. Reserving the right to object, I want five minutes. I understood there was to be liberal debate. Does that include five minutes for me?

Mr. NEWTON of Minnesota. The gentleman will have to look to his colleague.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. NEWTON of Minnesota. Mr. Chairman, I yield five minutes to the gentleman from Indiana [Mr. SANDERS.]

Mr. SANDERS of Indiana. I want to say at the outset that I am opposed to the application of the property in the hands of the Alien Property Custodian to the payment of American claims. I am also in favor of the passage of this measure as it is. The fact that such position may seem anomalous leads me to explain in just as brief form as I can why I think this measure should be passed without amendment with reference to the amount we return, and why those who entertain the views which I entertain can not only support the measure on final passage but can urge that the measure be passed in its present form rather than in the form of returning all the

property at the present time. We are confronted with this practical proposition.

There are many gentlemen in the House who entertain the views so ably expressed by the distinguished gentleman from Texas [Mr. RAYBURN], who is not only one of the able members of our committee but one of the ablest Members of this House. I am among those who entertain such views, but there are many gentlemen in the House who entertain the view that this property ought not to be returned but ought to be applied to the payment of American claims. We have before us legislation which proposes to return to the German nationals 92 per cent in number of all of these trusts. The legislation before us does not commit you or me or any Member of this Congress to any policy of the application of this property to the payment of American claims. If the legislation contained one single section or paragraph or phrase which committed our Government to the policy of taking the property of these enemy nationals, brought here during peace times, builded up by their toll, I would vote against the measure and oppose it; but there is not anything in the bill to that effect.

Personally I should be glad if the Senate and the House could agree to-day to return all of the property to those to whom it belongs, but it can not be done. The distinguished gentleman from Alabama [Mr. BANKHEAD] made an able argument to that effect, but over in another body the distinguished Democratic leader who represents the great State of Alabama has a bill now before that body, proposing to apply this property now to the payment of these American claims; and there are others there sharing the same opinion.

The question is, shall those of us who believe so firmly in the sacred rights of property here, regardless of whether it belongs to our own people or others, amend this bill and propose to give it all back, send the measure to the other body to die, thus losing the opportunity of turning back 92 per cent in number of these trusts, or shall we support the bill in its present form and embrace that opportunity? I say it is a practical proposition, and that the men who belong to the majority, who have the responsibility of legislation, must face the situation as it is, and those of us who believe that it all ought to be returned, with the opportunity confronting us to turn 92 per cent in numbers back, must take advantage of that opportunity.

We have a proposition here which can go through without violating the principles of any gentleman, whether he believes it all ought to be returned or not, for if one believes that all this property ought to be returned, then he believes 92 per cent in number ought to be returned.

Those of us who entertain the view that it all ought to be returned get practically everything we asked for in this measure. We return all of 92 per cent of those trusts, and the bill in its present form has been so amended that we give the income of all the remaining trusts. Thus, not much will be lost to the owners if it goes on for another year or two while they are adjusting these claims. They lose nothing, and we get substantially what we ask for. Therefore, regardless of our views, we can join in this proposition of doing substantial justice and returning what is provided for in this measure. [Applause.]

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

Mr. SANDERS of Indiana. Yes.

Mr. TILSON. Does not the gentleman think that the precedent we are setting by turning back a part of it can be taken as a pledge that all of the rest of it will be disposed of in the same manner?

Mr. SANDERS of Indiana. I do not know, but the matter is in the hands of the American Congress. This property can not be confiscated without the assent of Congress, and the American Congress can never under the sun consent to such a policy as confiscating private property of enemy nationals to pay American claims. [Applause.]

I desire to discuss the provisions of this bill and this question of whether we shall apply this property to the payment of American claims.

The Alien Property Custodian, appointed by virtue of the trading with the enemy act, now holds 30,368 trusts of the value of approximately \$347,000,000. These trusts embrace almost every species of property, including private debts and United States Government obligations. Some of these Government obligations are investments made by the custodian, but others are Government obligations owned by alien enemies at the time they were taken over. The Winslow bill, H. R. 13496, would return 23,144 trusts, each of which is less than \$10,000 in value, and would return \$10,000 in value to some of the beneficiaries of the remaining 2,224 trusts. According to the estimate of Mr. Miller, Alien Property Custodian, this would

amount in all to \$44,362,000, or less than one-seventh of the property in value. (Hearings before House committee, p. 6.)

I.—AS BETWEEN THE UNITED STATES AND THE ENEMY GOVERNMENT WE HAVE THE RIGHT TO CONFISCATE THE PROPERTY OF THESE ENEMY NATIONALS.

Under strict international law all questions as to the rights of the nationals of the respective governments are foreclosed when the treaty is signed.

I apprehend that the treaty of peace abolishes the subject of the war, and that after peace is concluded neither the matter in dispute nor the conduct of either party during the war can ever be revived or brought into contest again. * * * the restitution of, or compensation for, British property confiscated or extinguished during the war by any of the United States, could only be provided for by the treaty of peace. (Ware v. Hylton, 3 Dall. 229.)

Germany not only failed to make provision for the return of the property held by our Alien Property Custodian but specifically agreed in the treaty of Versailles—

The property rights and interests, and the cash assets, of German nationals—

Including that held by our custodian— shall be subject to the disposal of such power— America—

in accordance with its laws and regulations.

Versailles treaty, section 4, article 297 (h) (2), with the further provision that—

Germany undertakes to compensate her nationals in respect of the sale or retention of their property, rights, or interests. (Ibid, art. 297 (i).)

This right in the Versailles treaty and the rights reserved in the Knox-Porter resolution were preserved to us in the treaty of Berlin.

II.—OUR COURTS AND ENGLISH COURTS, WHILE RECOGNIZING THE NAKED RIGHT OF CONFISCATION, CONDEMN ITS EXERCISE.

A. DECISIONS OF THE UNITED STATES.

(1) In former times the right to confiscate debts was admitted as an acknowledged doctrine of the law of nations, and in strictness it may be said to exist, but it may well be considered as a naked and impolitic right, condemned by the enlightened conscience and judgment of modern times. * * * There is no exigency in war which requires that belligerents should confiscate or annul the debts due by citizens of the other contending party. Grant that the law of nations is that debts due from individuals to the enemy may by the rigorous application of the rights of war be confiscated, still it is a right which is seldom or never exercised in modern warfare. (Hanger v. Abbott (1867), 6 Wall. 532.)

(2) Between debts contracted under the faith of laws and property acquired in the course of trade on the faith of the same laws reason draws no distinction and although in practice vessels with their cargoes, found in port at the declaration of war, may have been seized it is not believed that modern usage would sanction the seizure of the goods of an enemy on land which were acquired in peace in the course of trade. Such a proceeding is rare and would be deemed a harsh exercise of the rights of war. (Chief Justice Marshall in Brown v. U. S., 8 Cr. 110.)

(3) There is no exigency in war which requires that belligerents should confiscate or annul the debts due by the citizens of the other contending party. (Hanger v. Abbott (1867), 6 Wall. 532.)

(4) Confiscation of debts is considered a disreputable thing among civilized nations of the present day; and indeed nothing is more strongly evincive of this truth than that it has gone into general desuetude, and whenever put into practice provision is made by the treaty which terminates the war for the mutual and complete restoration of contracts and payment of debts. (Justice Patterson in Ware v. Hylton, 3 Dall. 199 at 255; and see also Judge Wilson, ibid, p. 281; and Judge Cushing, ibid, 283.)

(5) It may not be unworthy of remark that it is very unusual, even in cases of conquest, for the conqueror to do more than to displace the sovereign and assume dominion over the country. The modern usage of nations which has become law would be violated; that sense of justice and of right which is acknowledged and felt by the whole civilized world would be outraged if private property should be generally confiscated and private rights annulled. * * * If this be the modern rule, even in cases of conquest, who can doubt its application to the case of an amicable cession of territory? (Chief Justice Marshall, U. S. v. Percheman, 7 Pet. 51.)

(B) DECISIONS OF ENGLISH COURTS.

Many English authorities are collected and reviewed in the case of ex-Czar of Bulgaria's property (July 30, 1920), 123 Law Times, 661. In this case the Crown had undertaken to forfeit property belonging to the ex-Czar of Bulgaria in Great Britain. It was held that the right did not exist because of the British "trading with the enemy act," which was inconsistent. The court, however, said that except for the act the Crown would have had the right of forfeiture.

I quote, however, certain parts of the decision to show how the court condemned confiscation:

The right to forfeiture and the trading with the enemy legislation are concerned with all enemy property, and it must be remembered that the right to forfeit, although its existence is recognized, has been criticized and its exercise deprecated by practically all writers on international law in modern times. (Lord Sterndale, p. 665.)

* * * Lastly, for more than 100 years it has not been exercised, so far as any record produced to us shows, in the case of private property of enemies, the only form of property with which we are concerned, and the tendency of writers on international law has been, while admitting the existence of the right, to deprecate on grounds of humanity and from economical considerations the assertion of it in the times in which we live, with the intimate relations between the

inhabitants of different countries brought about by improved facilities of communications, etc. (Lord Sterndale, pp. 667-668.)

But, apart from such judicial views, the propriety of the exercise of any arbitrary right of forfeiture has been increasingly made the subject of disapproval by writers on international law, while the unwisdom of its exercise in the general case, because such exercise was calculated to expose British subjects to like measure on the part of their enemies, and in many cases to put them in the position of being obliged to pay their debts twice over, was generally insisted upon. (Lord Younger, L. J., pp. 669-670.)

It will be noticed that while under the act every purpose of forfeiture under the prerogative not merely penal is attained in that, while its procedure when adopted is effective to deprive an enemy owner of property within the realm of any beneficial interest therein while the war lasts, its provisions also permit complete justice to be done to him on the conclusion of peace in respect of his property preserved and administered during the war. (Lord Younger, L. J., p. 670.)

It will be noted on reading this case carefully that the court does not follow the case of *Wolff v. Oxholm* (6 M. & S. 92), which has been cited with approval by our courts.

That case involved the confiscation by Denmark of a debt of a British subject. The British court was there deciding a clear question of international law, took a strong stand against confiscation of debts of enemy nationals, and denied the right under international law to confiscate.

In cases where the Crown seeks to forfeit, the British courts hold themselves bound by the policy determined by the Crown, unless the power has been taken away by act of Parliament.

The views of Great Britain when her own subjects are involved is shown by the *Wolff* case and the British protest against the confiscatory acts of the Confederate States herein-after quoted. Great Britain is for the enlightened policy of nonconfiscation when the property belongs to British subjects.

(C) INTERNATIONAL LAW TEXTS.

Finally, with unnecessarily multiplying authorities on a point which is undisputed, we may quote from Hall the following passage:

"Property belonging to an enemy which is found by a belligerent within his own jurisdiction, except property entering territorial waters after the commencement of war, may be said to enjoy a practical immunity from confiscation." (John Bassett Moore, vol. 7, p. 308, *Digest of International Law*.)

III.—THE QUESTION OF CONFISCATION IS ONE OF POLICY TO BE DETERMINED BY THE CONGRESS OF THE UNITED STATES, AND WHEN INVOLVED IN TREATY, OF COURSE, THE EXECUTIVE ALSO.

(1) The question, What shall be done with enemy property in our country * * * is proper consideration of the legislature, not the executive or judiciary. (Brown v. U. S. (1814), 8 Cr. 110; 3 Law Ed. 504; Huberich, p. 232.)

(2) If Virginia as a sovereign State violated the ancient or modern law of nations in making the law of the 20th of October, 1777, "confiscating debts," she was answerable in her political capacity to the British nation, whose subjects have been injured in consequence of that law. Suppose a general right to confiscate British property is admitted to be in Congress, and Congress had confiscated all British property within the United States, including private debts, would it be permitted to contend in any court of the United States that Congress had no power to confiscate such debts by the modern law of nations? If the right is conceded to be in Congress, it necessarily follows that she is the judge of the exercise of the right as to the extent, mode, and manner. (Ware v. Hylton, 3 Dall. 199, at 224.)

IV.—THE ESTABLISHED AMERICAN POLICY IS OPPOSED TO CONFISCATION.

a. Now, since our courts, British courts, and authorities on international law had condemned confiscation of the private property of enemy nationals, although recognizing it as a naked right, and since it has been expressly held to be a matter of policy, it becomes important to determine what is the established American policy.

(1) THE REVOLUTIONARY WAR.

This was at a time when the Nation was in a formative stage. Congress itself passed no confiscatory measures. The individual States under the Articles of Confederation had sequestered and confiscated property, particularly British debts. Nevertheless, in our treaty of 1782, we provided:

ART. IV. It is agreed that creditors on either side shall meet with no lawful impediment to the recovery of the full value in sterling money of all bona fide debts heretofore contracted.

ART. V. It is agreed that the Congress shall earnestly recommend it to the legislatures of the respective States to provide for the restitution of all estates, rights and properties which have been confiscated, belonging to real British subjects, * * *

ART. VI. That there shall be no future confiscations made * * *

Then in the *Jay* treaty (1794), to make more certain our fulfillment of the obligations we provided for a commission to fix the amount of loss or damages on account of failure to restore or compensate for confiscated property; and later in the treaty of 1802 we provided for the payment of \$2,664,000 in settlement of these claims.

And the same arguments of self-interest were made then as now. Alexander Hamilton answered them so conclusively in his articles signed "Camillus" that what he said has almost become the American textbook on rights of private property of belligerents on land, and is quoted by most authorities on

international law as the statement of the modern doctrine upon the subject.

I quote briefly:

Letter XVIII. No powers of language at my command can express the abhorrence I feel at the idea of violating the property of individuals, which in an authorized intercourse, in time of peace, has been confided to the faith of our Government and laws, on account of controversies between nation and nation. In my view, every moral and every political sentiment unite to consign it to execration. (Hamilton's Works, p. 60, vol. 5, Lodge.)

LETTER XIX. The right of holding or having property in a country always implies a duty on the part of its government to protect that property and to secure to the owner the full enjoyment of it. Whenever, therefore, a government grants permission to foreigners to acquire property within its territories or to bring and deposit it there, it tacitly promises protection and security. It must be understood to engage that the foreign proprietor, as to what he shall have acquired or deposited, shall enjoy the rights, privileges, and immunities of a native proprietor without any other exceptions than those which the established laws may have previously declared. How can anything else be understood? Every State, when it has entered into no contrary engagement, is free to permit or not to permit foreigners to acquire or bring property within its jurisdiction; but if it grant the right, what is there to make the tenure of the foreigner different from that of the native, if antecedent laws have not pronounced a difference? Property, as it exists in civilized society, is not a creature of, is, at least, regulated and defined by the laws. They prescribe the manner in which it shall be used, alienated, or transmitted; the conditions on which it may be held, preserved, or forfeited. It is to them we are to look for its rights, limitations, and conditions. No condition of enjoyment, no cause of forfeiture, which they have not specified, can be presumed to exist. An extraordinary discretion to resume or take away the thing, without any personal fault of the proprietor, is inconsistent with the notion of property. This seems always to imply a contract between the society and the individual, that he shall retain and be protected in the possession and use of his property so long as he shall observe and perform the conditions which the laws have annexed to the tenure. It is neither natural nor equitable to consider him as subject to be deprived of it for a cause foreign to himself; still less for one which may depend on the volition of pleasure, even of the very government to whose protection it has been confided; for the proposition which affirms the right to confiscate or sequester does not distinguish between offensive or defensive war; between a war of ambition on the part of the power which exercises the right, or a war of self-preservation against the assaults of another.

The property of a foreigner placed in another country by permission of its laws may justly be regarded as a deposit, of which the society is the trustee. How can it be reconciled with the idea of a trust to take the property from its owner, when he has personally given no cause for the deprivation? (Pages 68 and 69, Hamilton's Works, vol. 5, Lodge.)

(2) THE MEXICAN WAR.

Congress did not confiscate private property and carefully preserved the rights of individual owners in the ceded lands. Article 8 of the treaty of 1848 provided:

Mexicans now established in Territories previously belonging to Mexico, and which remain for the future within the limits of the United States as defined by the present treaty, shall be free to continue where they now reside or to remove at any time to the Mexican Republic, retaining the property which they possess in the said Territories or disposing thereof and removing the proceeds wherever they please, without their being subjected on this account to any contribution, tax, or charge whatever.

In the said Territories property of every kind now belonging to Mexicans not established there shall be inviolably respected. The present owners, the heirs of these, and all Mexicans who may hereafter acquire said property by contract shall enjoy with respect to it guarantees equally ample as if the same belonged to citizens of the United States.

(3) THE CIVIL WAR.

The action of the Congress during the Civil War resembled confiscation. In reality, however, it was merely confiscation of property used and employed in promoting insurrection.

Charles Cheney Hyde (1922) volume 2, on page 238, analyzes our action:

In the course of the Civil War, the United States, in its endeavor to suppress the insurrection, and by way of punishment for disloyalty and treason on the part of the owners, undertook by an act of Congress of July 17, 1862, to confiscate property found within the Union lines. The principle acted upon differed essentially from that involved in confiscating property of alien enemies, and gives no support by way of precedent to such procedure. On August 6, 1861, the Congress enacted a law for the confiscation of property purchased or acquired, sold or given with intent to aid or abet or promote the insurrection or resistance to the laws, or in case the owner of property should knowingly use or employ it, or consent to the use of employment of it, for such purpose. It was thus the nature or the use of property rather than the character of the owner which was made the ground of confiscation. It is not believed that this law, in view of the nature of the conflict then existing, indicates legislative approval of the confiscation in a foreign war of the property of alien enemies within the national domain. As careful an observer as Hall declared that this act of Congress was the only instance of belligerent confiscation of private property from the close of the Napoleonic wars until the time when he wrote; yet he expressed doubt as to whether the usage was old and broad enough to establish a rule applicable to all forms of private property.

The Confederate Congress passed an act of confiscation which applied as such laws usually do, to all persons living in the enemy country.

Great Britain protested against this act in the language:

Her Majesty's Government have received urgent representations from parties in this country connected in business with, and having establishments in, the Northern States of America, of the hardship

and injustice which this act of the Confederate States, if applied to British subjects domiciled in the United States, can not fail to inflict upon them.

Now, whatever may have been the abstract rule of the law of nations on this point in former times, the instances of its application in the manner contemplated by the act of the Confederate Congress in modern and more civilized times are so rare and have been so generally condemned that it may almost be said to have become obsolete. The conclusion expressed by Wheaton on this subject (*Elements*, 6th ed., p. 369) is as follows:

"It appears, then, to be the modern rule of international usage that property of the enemy found within the territory of the belligerent State, or debts due to his subjects by the Government or individuals at the commencement of hostilities, are not liable to be seized and confiscated as prize of war. * * *

(4) THE SPANISH-AMERICAN WAR.

There was no confiscation by Congress. In the treaty there was a mutual relinquishment of claims, each Government agreeing to take care of the claims of its own nationals, and this has been erroneously cited as a precedent for taking this property. It clearly is not. The doctrine of nonconfiscation of private property on land belonging to enemy nationals rests upon the theory that the property was brought here in reliance upon our hospitality and justice. A mere vague, unliquidated claim growing out of some alleged wrong to a Spanish citizen, only enforceable through diplomatic correspondence, stands upon an entirely different footing.

(5) THE WORLD WAR.

The very enactment of the sections of the "trading with the enemy act," providing for taking over enemy property, was the announcement of a policy of respecting the property of enemy nationals.

A. THE LANGUAGE OF THE ACT.

The "trading with the enemy act" provides that the property shall be held in trust and that—

after the end of the war any claim of any enemy or ally of enemy to any money or other property received and held by the Alien Property Custodian or deposited in the United States Treasury shall be settled as Congress shall direct.

B.—IN THE REPORTS OF COMMITTEES.

1. HOUSE.

Moreover, the preservation of enemy property by governmental agencies is to the best interest of the enemy subject himself. The fortune of trade in time of war renders precarious the solvency of debtors or holders of property, and the assumption of the debt or custody of the property by the Government gives the enemy or ally of enemy the best possible protection. (H. Rept. No. 85, 65th Cong., 1st sess.)

2. SENATE.

Under the old rule warring nations did not respect the property rights of their enemies, but a more enlightened opinion prevails at the present time, and it is now thought to be entirely proper to use the property of enemies without confiscating it. * * * In other words, we fight the enemy with his own property during the war but we do not permanently confiscate it. This temporary conscription of enemy property is also conservation of enemy property, for it takes the property from the hands of debtors or agents, as to whose solvency the enemy would otherwise be obliged to assume the risk, and it invests the property in the safest security in the world—bonds of the United States—or deposits it in Government depositories. (S. Rept. No. 113, 65th Cong., 1st sess.)

C. DEBATES.

Mr. HILL. Then, as I understand it, it is practical confiscation now, but subject to the courtesy and kindness of Congress after the war is over, so far as actual money is concerned, but giving a legal right to recover in case of patents.

Mr. MONTAGUE. Not confiscation at all. The Government will act, if I may use the legal term, as bailee. It will take this property and invest it in the best security in the world. It will take property which does not belong to debtors in this country, and who may not be solvent at the end of the war, and hold it for final disposition after the war. In other words, the Government undertakes to do by these enemy creditors better than the resident debtors or such enemy creditors could do for themselves.

Mr. HILL. * * * Why not permit it to be placed in the bill and not say, as this bill does, that we will invest it for our own benefit, and perhaps by and by, after five years from now, after the war is over, Congress may take some action for their relief?

Mr. MONTAGUE. My individual views are that by impounding this property it is made to serve the interests of America in this great struggle, and at the same time its final and honest payment to the creditor is made more secure. (Vol. 55, Part V, CONG. RECORD, 65th Cong., 1st sess., pp. 4844 and 4845.)

D. STATEMENT OF ALIEN PROPERTY CUSTODIAN.

Having in mind these two provisions, this office has recommended in a public hearing before the proper congressional committee that legislation be enacted as indicated above, which is a preliminary step in the ultimate return of all of this property, bearing in mind the time-honored principle that private property of citizens is not to be utilized for the payment of national debts. If the legislation suggested is enacted into law, there will be ample property left to properly guarantee the settlement of American claims in accordance with the terms of the peace resolution. (Annual report of the Alien Property Custodian for the year 1922, p. 8.)

Mr. LBA. Mr. Miller, suppose that Congress should now definitely determine that it will not take private property for the satisfaction of claims. Would you then know of any reason why Congress should any longer hold this property?

Mr. MILLER. No; if that policy is arrived at there would not be any further reason why we should. (Hearings before the House Committee on Interstate and Foreign Commerce, 67th Cong., 4th sess., p. 17.)

E. STATEMENT OF DEPARTMENT OF STATE.

(a) THE SECRETARY.

Up to this time, Congress has not committed itself to a confiscatory policy. (Letter, Secretary Hughes to Senator Nelson, July 29, 1922, House Hearings, p. 301.)

(b) MR. CARR.

Mr. SANDERS. Thank you very much, Mr. Chairman. I lay that foundation about the State Department and the Congress, Mr. Carr, so that it may be clearly understood what I am driving at. If there is any policy up to date with reference to a confiscation, or any partial confiscation, it is to be found in the resolution of the Congress.

Mr. CARR. That is true.

Mr. SANDERS. And at most that can be regarded only as a reservation of the rights to confiscate.

Mr. CARR. To the extent of these claims?

Mr. SANDERS. To the extent of these claims.

Mr. CARR. I do not understand that there is any policy whatsoever of confiscation. Certainly I do not understand that the Secretary of State would favor a policy of confiscation. The Secretary of State has been merely carrying out what Congress itself required should be done looking to the early settlement of the matter and the protection of the interests of the American claimants.

V.—THE AMERICAN POLICY OF INVIOIABILITY OF PRIVATE PROPERTY ON LAND BELONGING TO ENEMY NATIONALS SHOULD BE CONTINUED.

From an economic standpoint, American interest dictates that course. American investments in foreign countries amount to approximately five and one-half billions of dollars, according to a letter written to me on January 20, 1923, by the Bureau of Foreign and Domestic Commerce. Our foreign trade touches every country in the world. We need foreign investments here in order to furnish facilities for our great export trade. It would pay many times over to pursue the course that would inspire the greatest confidence in those whose investments we seek.

But from the standpoint of national morality and self-respect we must not retain the property. While the Government has very properly retained the funds and property for such reasonable time as was necessary for legislation to be passed to turn it back in an orderly way, nevertheless an indefinite retention of the property for the purpose of security or pledge in favor of claims of our own nationals against Germany, or as a supposed means of pressure to accomplish the satisfaction of such claims, would amount to partial confiscation and would be repugnant to the most enlightened principles of international law.

The bill introduced in the Senate by Senator UNDERWOOD (S. 3852) must never be agreed to by this body. My interpretation of the trading with the enemy act, its various amendments, the Knox-Porter resolution, the Versailles treaty, and the Berlin treaty, which confirms the Knox-Porter resolution and preserves the rights accruing to us by the terms of the Versailles treaty, leads me to the conclusion that we have merely preserved the right, if we should see fit to exercise it, to confiscate the property held by the Alien Property Custodian and have left the determination of the American policy in that regard to the Congress of the United States.

The establishment of the general principle of the inviolability of the right of private property under international law is as important to international trade as was the inviolability of private property secured by the Constitution of the United States to domestic trade.

This Government is basing its refusal to recognize Russia and Mexico upon the failure of these Governments to respect the rights of property. It is therefore extremely important, in respect to property situated in the United States which may not perchance be under the protection of our Constitution, that we scrupulously give it the protection which by our assertions it ought to have.

We declared war because other nations destroyed the lives and property of American citizens in violation of international law. In the prosecution of that war we poured out our treasure and the lifeblood of our sons. It was not in vain. The world in the centuries to come will remember we were not too proud to fight and will know that we shall not count the cost when confronted with like violations of our sacred rights.

Our cost to date in treasure is above \$30,000,000,000, and our cost in life is over 75,000 souls.

Shall we, in the aftermath and as a part of that great world tragedy, for a few paltry millions pursue a course which is inconsistent with our national honor and self-respect?

Our duty seems so clear that we ought not to hesitate. The fact that by our violation of duty we may enhance the interest of certain claimants who are American citizens ought not to affect the performance of the duty. It is easy to do right when we are not tempted to do wrong, but our fidelity to justice ought not to be shaken by temptation. By refusing to yield to that temptation we shall give stronger evidence of our national courage. The world is now threatened with Bolshevism, whose

very sands of foundation are disregard of property rights. If America speaks out in ringing tones for the rights of property, so sacred to the progress of society, the whole civilized world will hear, and what America says will then be indelibly written into international law for the guidance of civilization in the centuries that are to come.

Mr. Chairman, in voting for this measure returning a portion of this property and even in voting against amendments providing for complete return I do so with the firm conviction that this property should all be now returned, and that the passage of the measure in its present form is the nearest approach to that result possible with only seven days of Congress remaining.

America must never apply this property to the payment of American claims, but must see that the just claims are paid in some other way. [Applause.]

Mr. RAYBURN. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. HARDY].

Mr. HARDY of Texas. Mr. Chairman, if this were a proposition depending upon the inability of our Government because of its financial strength to pay in full what we owe, I should favor a proposition by which we might pay 10 per cent now, postponing the final payment to a future date; but we owe this property to certain people who were in our midst as residents here, or who invested money in property here under our laws and under our invitation, as well as under the specific terms of our treaty with Germany at the time they came here. They invested their money here—and there was a guaranty for them under that treaty, and under our law and international law, that in case of war with Germany we would protect their property. Suppose it is true that Germany guaranteed to our citizens the same thing; and that is true. Suppose it is also true that we recognize now that Germany is bankrupt and cannot or will not keep her promise, will not pay what she owes to American citizens; still I assert that that does not give us the right to repudiate our obligation to individuals or to deny or to refuse to pay what we, as a people, owe to the German citizen under our guaranty and under our laws. It is the same thing as if A owes a debt to B and D owed a debt to C. When it comes time for A to settle his debt to B he says, "I am responsible, I have got the money, but C, a friend of mine, has a debt against D and D is bankrupt, and I am going to cancel my debt to you by setting it off against the debt that D owes to C." We propose here to pay the obligation that our Government owes to German nationals who came here under our laws by setting that debt off against what Germany, a bankrupt, owes to some of our citizens. The proposition is immoral, it is a clear repudiation of an admitted obligation. And for Members to declare that they do not intend to confiscate property while they are in the very act of confiscating it seems to me simple hypocrisy and false pretense. They say they may hold this property 50 years until its owners are dead, and yet they say they will not confiscate it.

Suppose we assume that Germany never can or never will pay what she may owe to some of our citizens. Then the principle embodied in this law is that we will hold thereafter the property of Germans here as security, and it can not be security to be realized out of unless it be sold.

Mr. MONDELL. Will the gentleman yield?

Mr. HARDY of Texas. I will yield.

Mr. MONDELL. Just who is it that proposes what the gentleman has just stated? Just who is it that proposes that we shall confiscate these properties?

Mr. HARDY of Texas. Why, if the gentleman does not know that when you hold property as security you can only make it security by the sale of it in case of default in payment. If he does not know that the very assertion of the right to hold it as security is an assertion of the right of appropriation.

Mr. MONDELL. Then, when the Democratic administration took this property over, by taking it over the Democratic administration said that they proposed its confiscation?

Mr. HARDY of Texas. I am glad the gentleman made that statement, because it was asserted here yesterday on that side that we had declared the original taking over was wrong. Never so. But when our Nation got at war with Germany it was right; it was our duty to do two things to protect our people in the stress of war, so we took over these properties to keep them from being used for the benefit of the German Government during the war and also to protect it while the war lasted.

Mr. SNYDER. Will the gentleman yield?

Mr. HARDY of Texas. The declaration on this side was we took the property for these two purposes—that is, to prevent it being used against us and to preserve and protect it for its owners. I will yield to the gentleman, Mr. SNYDER.

Mr. SNYDER. The fact that we are paying back 92 per cent of these claims under this legislation—that is, 92 per cent in number of the claims—is not that a very fair indication that we intend to pay all of them?

Mr. HARDY of Texas. If you intend to do it, why do not you pay them; you are able to do it.

Mr. SNYDER. The gentleman knows as well as every other gentleman it can not be done at this time.

Mr. HARDY of Texas. Ah, I know no such thing. I know the Government of the United States proposes now by a bill to pay hundreds of millions of dollars out to help certain interests. I know we have got money enough to pay our just debts. We took this property to protect it and prevent its hostile use, and now the war is ended. We are obligated to return the property, we acknowledge it, but we say we will not return it yet.

Mr. SNYDER. But we are paying 92 per cent of the claims so held.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HARDY of Texas. May I have one minute additional? I want to answer the last suggestion.

Mr. RAYBURN. I yield the gentleman one additional minute.

Mr. HARDY of Texas. We are paying 92 per cent in number, and politically that may be wise, because you may thereby get 92 per cent of the German vote affected.

Mr. SNYDER. I hope that is so, but I doubt it.

Mr. HARDY of Texas. I do not know whether it will or not, but that is the reason, or one of the reasons, why you pay these little claims and refuse to pay the big ones. If you are honest you will pay both. For this Government to repudiate its obligations in whole or in part—repudiation is as dark, as damnable when perpetrated by a government as it is when perpetrated by an individual under any excuse whatsoever.

Mr. LINTHICUM. Would it not be better to pay a certain percentage of these claims rather than not to pay any?

Mr. HARDY of Texas. Yes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. NEWTON of Minnesota. Mr. Chairman, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, as one of those who have always held, and have frequently stated, that whatever our rights may be under international law we never shall confiscate the property of aliens taken during the war, I am a good deal surprised at the sudden interest evinced by the gentleman from Texas [Mr. RAYBURN], who up to this good hour has been entirely indifferent to the whole matter but who now insists that we return, without regard to existing conditions, all of this property. If anybody in authority under the American flag has by direct action or inference held or suggested that America will confiscate such property, it was the Democratic administration and Democratic Members who, not protesting the attitude of the administration, agreed to it. It was a Democratic administration that took the property, and it was right that they should, although they went far afield in doing so. It was under a Democratic administration that the questionable practices occurred which have reflected on the fair name of America in our handling of this property. It was a Democratic administration that negotiated the treaty under which this property might be confiscated. Now, I am not charging my Democratic colleagues with being favorable to or in approval of such action, but up to the end of their administration, that lasted more than two years and a half after the signing of the armistice, no voice on that side of the aisle was raised for the return of a dollar of this property and no word came from the administration proposing it.

Mr. RAYBURN. The Democrats did not have the House of Representatives until immediately after the signing of the armistice.

Mr. MONDELL. The gentlemen were not necessarily speechless because they did not have a majority, but they did not speak. But now, when we are proposing to do the fair, the just, and the reasonable thing, gentlemen insist we return all the property. You want us to do this, notwithstanding the effect it might have on the mixed commission now sitting or on the European situation.

With Europe on the verge of an explosion and conditions existing under which everything done here is magnified in the minds of those people over there, the gentleman proposes action which would be interpreted in Germany as an entire reversal of American opinion and approval in toto of the present German attitude.

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

Mr. MONDELL. I have only a brief time.

I am glad that all the gentlemen on that side are not trying to play politics with this tremendously important question. I am glad that some of the gentlemen on that side—a consider-

able number, I hope—will join with us in doing this thing which should have been done long ago, and in doing it in a reasonable way, returning the property of three-quarters of those who have property with our Government; relieving those of limited means, doing as much as can be crystallized into action by the Allen Property Custodian's office between now and the meeting of the Congress in December.

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

Mr. MONDELL. I am glad there are a few gentlemen on that side who are willing to take the same patriotic attitude toward this problem that we on our side assumed toward all the problems of the war. [Applause.]

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. RAYBURN. Mr. Chairman, I yield to the gentleman from Tennessee [Mr. GARRETT] five minutes.

The CHAIRMAN. The gentleman from Tennessee is recognized for five minutes.

Mr. GARRETT of Tennessee. Mr. Chairman, it has remained for the gentleman from Wyoming to utter the first partisan words that I have heard in the course of this discussion.

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

Mr. GARRETT of Tennessee. Yes.

Mr. SNYDER. The gentleman could not have been listening when the gentleman from Texas [Mr. HARDY] made his speech just a moment ago.

Mr. GARRETT of Tennessee. Oh, I believe the gentleman from New York did ask a question, which caused the gentleman from Texas [Mr. HARDY] to answer. I am sorry I had forgotten the question of the gentleman from New York.

Mr. SNYDER. I am sure the gentleman overlooked that.

Mr. GARRETT of Tennessee. The test of the pudding is in the chewing of the string. The gentleman from Wyoming, speaking, I assume, for his party—because he made party references throughout—undertook to leave the impression that that side of the House would stand for a return of this property and against confiscation. In a few moments the amendment of the gentleman from Texas [Mr. RAYBURN] will be voted upon, and gentlemen on that side of the House will have the opportunity of letting the country know how they stand upon that matter.

Why is it, since this is a question of principle, that we should not return all if we return any? The gentleman speaks of the fact that the Democratic administration was in power at the time the property was seized. Quite so. But would any gentleman on that side have had the Democratic administration act differently? Oh, but the gentleman from Wyoming said that during the first Congress after the armistice had been signed no Democratic voice was raised upon this subject. There could be no Democratic voice raised here in any authoritative way—

Mr. MONDELL. A Democratic President was still in office—

Mr. GARRETT of Tennessee. Because the Republicans controlled the Congress, and by reason of the machinations of those who wrote round robins and who were willing to destroy the peace of the world in order to defeat the Democratic Party, the efforts of the Democratic President were nullified by the Republican Senate.

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

Mr. GARRETT of Tennessee. Yes.

Mr. MONDELL. Was the Democratic President without voice, or simply without inclination in regard to this matter?

Mr. GARRETT of Tennessee. The Democratic President had wrought out a great treaty looking to the settlement upon terms of justice of all these questions, and that treaty was held up in the treaty-ratifying body by a power that was willing to send the world to damnation if that would hold the Republican Party in power.

Mr. MONDELL. Mr. Chairman, will the gentleman yield right there?

Mr. GARRETT of Tennessee. Yes.

Mr. MONDELL. The gentleman said that the Democratic President negotiated a treaty on terms of justice. The gentleman knows that one of the provisions of that treaty contemplated the confiscation of this property? [Applause.]

Mr. GARRETT of Tennessee. The gentleman does not know anything of the sort. It did not contemplate the confiscation of property. No administration of this country at any time, anywhere, ever committed itself to a principle of confiscation of property. [Applause.] That which was done in the treaty, as the gentleman from Wyoming well knows, was that it should be held, not for the purpose of the payment of private claims or of Government claims—

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

Mr. RAYBURN. Mr. Chairman, I yield to the gentleman two additional minutes.

The CHAIRMAN. The gentleman from Tennessee is recognized for two additional minutes.

Mr. BLANTON. Mr. Chairman, will the gentleman yield for a question? Everybody except the gentleman from Wyoming knows that for four years the Republicans have been in charge of the Speaker, of all committees, of the organization in the House, and of all legislation, and have not made any attempt to return this property.

Mr. GARRETT of Tennessee. No; not until just now.

Mr. BLANTON. Not until just now.

Mr. GARRETT of Tennessee. And then return small amounts, about 93 per cent of the number but a small per cent of the amount.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. GRAHAM of Illinois. It has taken about four years to find out where it was hid. [Laughter.]

Mr. GARRETT of Tennessee. I do not understand what the gentleman means by that.

Mr. GRAHAM of Illinois. It has taken four years for the present administration to find out where the last administration had put that question.

Mr. GARRETT of Tennessee. What does the gentleman mean by that?

Mr. GRAHAM of Illinois. I mean that all kinds of sales and contracts had been entered into by the Alien Property Custodian for the disposal of this property. It was almost impossible to find out where it was and to whom it belonged.

Mr. GARRETT of Tennessee. You have found out, as I understand it now, where it is up to \$10,000. Have you not found out anything about the other? [Laughter.]

Mr. GRAHAM of Illinois. It has taken a good deal of time and effort to do it.

Mr. GARRETT of Tennessee. What is the difference in principle between \$10,000 and about \$10,000?

Mr. DENISON. The gentleman from Tennessee [Mr. GARRETT] made a statement which I think he did not intend to make. He said the treaty of Versailles did not give the allied Governments the power to use the property of German nationals for the payment of private claims. Let me read this and see if he does not think he is wrong.

Mr. GARRETT of Tennessee. Oh, no. The gentleman is mistaken. I did not say that. The gentleman from Wyoming [Mr. MONDELL] stated that it gave the power of confiscation. I stated that there was never any intention in the treaty of Versailles of confiscating this property. [Applause.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. LONGWORTH having taken the chair as Speaker pro tempore, a message in writing from the President of the United States was presented by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills and joint resolution of the following titles:

On February 13, 1923:

H. R. 18696. 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;

On February 14, 1923:

H. R. 855. An act for the relief of Fred G. Leith, United States Navy;

H. R. 10211. An act authorizing an appropriation to meet proportionate expenses of providing a drainage system for Plute Indian lands in the State of Nevada within the Newlands reclamation project of the Reclamation Service;

H. R. 10817. An act to amend section 100 of the judicial code of the United States;

H. R. 11389. An act for the relief of Robert Guy Robinson; and

H. R. 13593. An act making appropriations for the Post Office Department for the fiscal year ending June 30, 1924, and for other purposes.

On February 15, 1923:

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, and

H. R. 12887. An act granting a pension to Jacob F. Rosenberger.

On February 16, 1923:

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.

On February 17, 1923:

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, and

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

On February 19, 1923:

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.

On February 20, 1923:

H. J. Res. 440. Joint resolution to satisfy the award rendered against the United States by the arbitral tribunal established under the special agreement concluded June 30, 1921, between the United States of America and the Kingdom of Norway, and

H. R. 13926. An act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1924, and for other purposes.

On February 21, 1923:

H. R. 369. An act for the relief of the owner of Old Dominion Pier A;

H. R. 7583. An act for the relief of Henry Peters; and

H. R. 13351. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the Daughters of the American Revolution of the State of South Carolina the silver service which was used upon the battleship *South Carolina*.

TRADING WITH THE ENEMY ACT.

The committee resumed its session.

Mr. NEWTON of Minnesota. Mr. Chairman, I yield three minutes to the gentleman from Illinois [Mr. DENISON].

Mr. DENISON. Mr. Chairman and gentlemen, in the interest of accuracy I want to read a paragraph of the treaty of Versailles. The gentleman from Tennessee [Mr. GARRETT] did make the statement, although he may not remember it, that the treaty of Versailles did not authorize the allied Governments to apply the property of German nationals seized by the allied Governments to the payment of the claims of nationals of the allied Governments. The section I have reference to and which I wish now to read to the gentleman from Tennessee is as follows:

All property, rights, and interests of German nationals, within the territory of any allied or associated power and the net proceeds of their sale, liquidation, or other dealing therewith may be charged by that allied or associated power in the first place with payment of amounts due in respect of claims by the nationals of that allied or associated power with regard to their property rights and interests, including companies and associations in which they are interested, in German territory, or debts owing to them by German nationals, and with payment of claims growing out of acts committed by the German Government or by any German authorities since July 31, 1914, and before that allied or associated power entered into the war. The amount of such claims may be assessed by an arbitrator appointed by Mr. Gustave Ador, if he is willing, or if no such appointment is made by him, by an arbitrator appointed by the mixed arbitral tribunal provided for in section 6. They may be charged in the second place with payment of the amounts due in respect of claims by the nationals of such allied or associated power with regard to their property, rights, and interests in the territory of other enemy powers, in so far as those claims are otherwise unsatisfied.

This treaty provided in positive, direct, and unmistakable terms that the property of German citizens in the allied countries might be applied by the allied Governments to the payment of the claims of their nationals against the German Government. The gentleman from Tennessee [Mr. GARRETT] said that the President signed a treaty whose provisions were just. Now, I may say that my own view is that that is not confiscation. I differ with the gentleman from Indiana and with a number of others on this side, and I think that a study of international law on this subject will show that it is not confiscation within the proper meaning of that term.

Mr. COCKRAN. What is it—appropriation?

Mr. DENISON. It is an appropriation of the property by the German Government.

Mr. COCKRAN. By the German Government?

Mr. DENISON. An appropriation by the German Government of the property of her nationals in this country for the payment of the German debt to the nationals of this country, and the German constitution gives that Government the right to do that.

Mr. RAYBURN. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. RAYBURN. I yield five minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman and gentlemen of the committee, this is the most astounding proposition that has been presented by any committee since I have been a Member of the House. The committee expects and desires us in a few hours of debate to violate a well-established principle of international law that has been built up for a thousand years.

Ever since the Crusades, step by step, this principle of protecting enemy property has been developed, and in the last century the United States Government has led the way. We have been the foremost champions of this very principle that the committee is asking Congress to vitiate at least in part. Why, what is this property? It is the property of German citizens taken over in accordance with international law during the war so that it could not be used against this country, and to be held in trust until the end of the war. But in accordance with every principle of international law that property should have been returned within a reasonable time after the armistice, and it certainly should have been returned after the signing of the Porter-Knox peace resolution. This property belonged to private citizens of Germany who invested in our industries or to those who came over here and accumulated wealth under the protection of our laws. Suppose, for instance, this property had been seized in Germany. Suppose German valuables, gold and silver, had been seized by the army of occupation. What would the world have said if our army of occupation had taken that wealth and kept it until the claims of our citizens against the German Government had been settled? Where is there any distinction? This property was taken over from peaceful citizens, and that would have been taken over from a conquered country. Imagine what a howl there would have been if we had done such a thing as that.

Mr. DENISON. Will the gentleman yield?

Mr. FISH. No; I do not yield. Why, the United States of America have gone much further than this. They instructed their delegates to the first Hague Conference and to the second Hague Conference to support the proposition that enemy property should not be seized on neutral boats upon the high seas. I myself believe that such a policy is untenable, because a government at war should be permitted to bring pressure upon an enemy government and not permit an enemy government to use these goods for its own advantage. But here we have a clean-cut issue whether Congress will uphold a long-established and recognized principle of international law or whether it will emasculate or ignore the principle. I resent the speech of the majority leader trying to inject partisan politics into this proposition, because it is one of principle and nothing else. Either you believe that we should give back this property in accordance with international law or you do not believe in the principle that has been built up through a thousand years and adopted by every civilized country. A vote against this amendment is a vote against the hopes and aspirations of civilization itself. [Applause.]

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

Mr. NEWTON of Minnesota. I yield five minutes to the gentleman from New York [Mr. DEMPSEY].

Mr. DEMPSEY. Mr. Chairman and gentlemen of the committee, much learning, much research, much eloquence have been displayed in the course of this debate upon questions of international law, and we have harked back also to an ancient treaty with Prussia. The real question here does not involve international law, and for a very obvious and simple reason. Parties have the right to take their case out of the binding effect of a particular law if they desire to do so, and this country, acting through its Secretary of State, negotiated a treaty with Germany in August, 1921. In that treaty Germany represented all those for whom these eloquent pleas have been made. We did not have the right to go back of the returns and ask Germany whether she in fact represented her nationals. When she said, "We represent them and act for them," as a matter of international law we were bound to accept her say-so. We did accept it, and we negotiated a treaty with her by which she waived any right to the return of this property until her debts to us were paid. Now, will the gentleman say that the Secretary of State was not performing a great public service when he negotiated that treaty? We had piled up a debt of \$42,000,000,000 during the war. We were not asking a cent by way of reparations.

All of the other allies were receiving island possessions, were receiving pay in property and in money. France to-day is occupying the Ruhr to collect Germany's indebtedness to her. Our expenses were greater than any of our allies, and we did not ask a cent. Why should not we say, having all that in mind, "You at least ought to pay to our citizens the small sum you

owe them before we return this property." Was it not natural and proper for Germany, seeing the generous course we were taking, to make the reply and the contract which she did? When she made that contract it superseded all other contracts, it superseded international law, it took the place of it. That was the agreement between the parties, and it superseded all else. These debts which Germany owes us or our citizens amount to a small sum; they will not exceed \$15,000,000. We have \$350,000,000 in money and property, besides \$200,000,000 in ships, perhaps \$550,000,000 in all, and they speak of that as if it was a reason why we should return all of it. Why, it is going to be easy for Germany to live up to the terms of that contract. We have \$550,000,000 and we can return a great part of it, and Germany can without difficulty of any kind pay our nationals the trifling sum of \$15,000,000 which they owe us. We could in good conscience compel Germany to live up to the terms of the treaty that she made with us, a treaty made in times of peace, when Germany was a free agent, three years after the end of the war; but we say by this bill that we are not going to exact the full terms of the treaty, we are going to return 92 per cent in number of all the claims you have, we are going to return to you \$45,000,000 in value, we will give your nationals the net income of all their property in our hands, and we do that despite the fact that we have Germany's agreement to the contrary. [Applause.] This is kindness, not simply justice. It is a long step toward the complete adjustment of all the claims of German citizens who had their property seized. It affords complete relief to all those of small means, to those in most need of relief, and it gives their net incomes to those of larger means. The claims of our own citizens against Germany will no doubt soon be adjusted, being small in amount, and we will be in position to close this whole matter.

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

Mr. RAYBURN. Mr. Chairman, I yield the remainder of my time to the gentleman from New York [Mr. COCKRAN].

Mr. COCKRAN. Mr. Chairman, I hesitate to take the floor at this moment, it being quite impossible in seven minutes to explain with any degree of clearness the reasons which impel me with all the energy at my command to support the amendment offered by the gentleman from Texas [Mr. RAYBURN]. But in these few minutes I may be able to state the issue before us, as I understand it, even though I am denied sufficient time to make clear the momentous consequences which in my opinion will follow our action on it.

This debate, it seems to me, has run into the domain of attorneyship rather than that of statesmanship. We are not, I venture to remind gentlemen, considering a dispute between individual citizens about ownership of property, but a great question of public and international policy. We are to determine whether, in disposing of certain property taken from enemy aliens by this Government, we will obey the humane principles by which this civilization has mitigated in some degree the worst horrors of war, or follow the immeasurably harsher methods which all other civilizations have sanctioned and maintained. Obviously this matter of universal importance and capital gravity should not be decided according to legalistic methods of interpreting written documents but in the high spirit of statesmanship which should govern a great nation in the exercise of its sovereignty.

But even on the basis of attorneyship, I doubt very much whether any gentleman who is a lawyer would in his own conscience attempt to justify an invasion or disturbance of individual property rights by anything contained in that so-called treaty with Germany. Sir, that was not a treaty. It was a capitulation. Everybody knows that when she executed it Germany was in no condition to refuse any demand made upon her by this country. She was in no sense free to decide her own course concerning the different stipulations she was required to make. She could but do whatever we prescribed. And surely I could appeal to my good friend from New York, Judge DEMPSEY, with his large experience on the bench, to tell us if an agreement affecting property between private parties extorted under such conditions came before him in a court of law whether he would not interpose the equitable powers of the court to forbid enforcement of it.

Mr. DEMPSEY. Will the gentleman yield?

Mr. COCKRAN. I can not yield; I have only a few minutes. I want to say now that if anybody wants to ask me a question in his own time I will gladly answer. But I must insist on occupying the brief time allotted to me in placing my own views before the committee.

Mr. Chairman, the task before us, I repeat, is to determine the course which the American Nation, in the exercise of its

sovereignty, will pursue with respect to property taken from nationals of an enemy conquered in battle, prostrate and helpless at our feet.

What disposition will we make of it? Our conclusion, whatever it may be, there is none to question or dispute, at least none who can question it to any effect. We have Germany by the throat; in a grasp so firm that she is utterly incapable of resistance.

But there is one force that has always controlled America in the exercise of its sovereignty; and that is justice—justice as the Christian revelation has established it.

A condition has now arisen in which we must be governed either by these American principles and traditions of justice or revert to the ruthless methods which governed war under all other civilizations; the methods of *væ victis*—"woe to the vanquished."

Few Members of this body, I believe, would openly profess willingness to disregard or nullify the rules and limitations which our civilization has imposed on methods of waging war. But there are several gentlemen—I must confess I have little patience with them—who tell us that while they abhor confiscation of private property seized in war, yet as a matter of prudence they will not vote at the present time to return more than about 10 per cent of this particular property. Why this limitation on their capacity for virtuous conduct? Because they say it is not feasible to secure legislation directing return of the whole.

Mr. Chairman, I have never heard drop from the lips of an American citizen a confession so painful. Why is the return of all this property not feasible? Because, forsooth, these gentlemen believe that the Representatives in Congress of the American people—the depositaries of American sovereignty—can not be induced to do full justice, while they may be persuaded or cajoled into declaring a 10 per cent dividend on justice. Surely it must be obvious that if Congress or the American people have the right to hold this property even for a week after the establishment of peace they can hold it for a century. Holding it for any purpose, for any length of time beyond which regard for the public security requires, is an exercise of ownership over it. And that is confiscation, even though the confiscator may choose afterwards to return a part of it.

Mr. Chairman, I am invoking now no particular provision of any treaty. I am discussing the duty which a great Christian State—the greatest of all Christian States—owes to Christian civilization.

But even if we are to dispose of this matter in the light of specific international agreements, I would remind the committee of the treaty made nearly 100 years ago between Prussia and this country, which the gentleman from Alabama [Mr. HUDDLESTON] read yesterday. In the light of its stipulations, immunity of this property from confiscation is not a question of general international law. It is not even a question of Christian usage. It is an absolute right, specifically granted and recognized by this country in a solemn treaty negotiated in a time of peace, when each party to it was absolutely free to accept or reject its conditions. And a treaty made under such conditions can not be annulled or displaced by the terms of a capitulation, a submission, or a surrender by a vanquished country to its conqueror, especially when that conqueror was itself one of the parties to it.

But, Mr. Chairman, above and beyond all questions of specific agreements or treaties is the overshadowing importance of guarding and preserving what Christian civilization has accomplished in mollifying the horrors of war. Among the most important of these is the immunity of private property from seizure or destruction. This, together with immunity of noncombatants from enslavement or death, are the two most important features of the contributions made by Christianity to the civilization of mankind. Under all ancient civilizations the rule governing war was *væ victis*. The vanquished was entitled to no consideration of any kind. Not merely was all his property seized but he himself was killed or made captive and sold into slavery. By making universal the law of chivalry which held noncombatants immune from injury to their property, their liberty, or their lives, and which not merely forbade taking the life of a man captured in battle but made protection of his captive from injury of any kind the first duty of the captor, Christianity worked a profound revolution in the methods of warfare which proved to be of incalculable value to the civilization of mankind. And these humane principles, broadened and confirmed by the experience of mankind, became, mainly under the leadership of America, the international law of Christian civilization, that law which has for one of its cardinal features the principle that private property must never be destroyed or confiscated. [Applause.]

Immunity of private property in war will be endangered, if not destroyed, should this property be withheld from its owners, under any pretense or for any length of time, now that peace is restored.

The late war has wiped away much of the progress which civilization has made in robbing conflict of its worst barbarities. Let us at least hold fast that which remains. Let us not suffer anything to impair the full measure of security which every private individual should enjoy in the possession of his property. The American people have always struggled to extend these principles of humanity. Let us not suffer anything to be done here which will not merely impede the course of that beneficent tide but stop it, and even reverse it.

Before this war the American people contended strenuously in many international conferences and congresses to make private property at sea as immune from seizure as private property on land. If the amendment of the gentleman from Texas be defeated, it will be a proclamation to the world that not merely has America ceased to contend for extension to merchant ships at sea of immunity from seizure but has actually endangered if not destroyed the immunity now enjoyed by private property on land in time of war. And this surely would be not merely a grave discredit to ourselves but a calamity of measureless proportions to the whole human race.

Mr. Chairman, I am not speaking now through regard for the German nationals who are the legitimate owners of this property. I speak only and solely for the credit and welfare, aye, for the future safety, of the American Nation. She can not directly or indirectly seize or countenance seizure of this private property and maintain unsoiled the glorious record of successful efforts for the humanizing of war, which she has established for over a century. America has longed passionately to make war infrequent, if she can not wholly end it. Some of our prominent citizens have been heard to urge that we outlaw war. That, indeed, is an extravagant conception. War is itself outlawry; and you can not outlaw outlawry any more than it is outlawed already. But we can hope to hold secure the advances which have been made in removing from war many features of its savagery. And one step, a most important step, in that direction we can take here and now by guarding and preserving the rights of these German nationals to this property seized in the last war. At least we can see to it that these rights are not impaired or destroyed by anything this House will do. [Applause.]

Mr. NEWTON of Minnesota. Mr. Chairman, I yield four and a half minutes to the gentleman from New York [Mr. HUSTED].

Mr. HUSTED. Mr. Chairman, the Berlin treaty was entered into three years after the war was over. It was not entered into under duress or coercion. America under such circumstances never has and America never will exercise duress or coercion. The provisions of the treaty of Berlin were thoroughly understood by both parties to the treaty and were freely and willingly accepted by both parties to the treaty. One of the provisions contained in section 5 was that the property of German nationals taken in America during the war should be held by us until some arrangement had been made for the payment of the claims of American nationals. I believe that we are doing exactly what we ought to do in the premises, exactly what we are under moral obligation to do in the premises. We are returning to the Germans all of the money that we can spare, without prejudice and peril to the rights of American nationals. We are giving every one of these German claimants an amount up to at least \$10,000 in full satisfaction or on account of the principal of his claim. In addition to that, we are giving the full amount of the net income derived from these trusts to them, and we are holding the balance until some adjustment has been made for the payment of the American claims. If that is not justice, if that is not right, if that is not a fair settlement under all of the circumstances, especially considering the shocking circumstances under which some of these claims arose, then I do not know what a fair settlement is. I do not yield to any man in my wish to have America in the future, in the present case, as she always has in the past, adhere with the greatest scrupulosity to international practice of high moral authority, but here we have put these provisions in a treaty, and that treaty must not be disregarded. It must be carried out in justice to American claimants. When it comes to a question of protecting American claimants I think we would be remiss in our duty if we did not use the means which the treaty between the nations has provided.

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

Mr. NEWTON of Minnesota. Mr. Chairman, if the motion of the gentleman from Texas prevails, we agree to turn back all of the property now in the possession of the Alien Prop-

erty Custodian. If we vote down his amendment we permit the return of a substantial amount to each and every claimant but retain a sufficient amount whereby the payment of the claims of American citizens will be secured. In drawing up this bill we have only sought to carry out terms and provisions set forth first in the treaty of Versailles and, secondly, in the treaty of Berlin. As was said yesterday, and has been repeated here to-day, those treaties made specific provision for the retention of this property here in the United States until the claims of American citizens had either been satisfied or that Congress had directed the return of the property. If we adopt the gentleman's amendment we tell these American claimants that, so far as we are concerned, they shall not have their day in court; that their Government will not permit them to satisfy any judgment that they may obtain for the payment of these claims. I want to see these American claims paid, and paid in full; and if you leave this bill the way it was drawn, eventually our countrymen who have been victims of the perfidy of Germany will be able to recover that which is justly due them.

Mr. BRITTEN. Will the gentleman yield?

Mr. NEWTON of Minnesota. I am sorry, but I can not yield at the present time. Here is the situation: These American claimants have claims aggregating millions upon millions of dollars. It has always been my idea that the first duty of a government is to protect the lives and the property of its citizens. [Applause.]

As far back as 1785 we negotiated a treaty with Germany wherein Germany agreed, in the event that she became engaged in war with another power, to treat our citizens fairly and in accordance with well-recognized principles of international law. The debate yesterday showed that that treaty was still in full force and effect when the World War broke out in 1914. Germany proceeded to violate its obligations and destroyed the lives and property of our citizens. The damages run into the millions. Are we now to tell them that the Government has abandoned them? Are we going to tell them that we had the means of securing the payments of these claims but relinquished them before they were satisfied? Mr. Chairman, it is unthinkable; it is surprising that any such proposal should be submitted.

I am astounded at the statement of the gentleman from New York [Mr. COCKRAN]. He says that we obtained the signature of Germany to the treaty of Versailles and the treaty of Berlin by duress. In other words, he says that we forced Germany to agree to the provisions of these treaties which hold this property for the securing of the payment of American claims. Of course the vanquished in a war are subdued by force, but is that any reason why agreements therein entered into should be repudiated?

Let us look at this proposition. When we met Germany at Versailles she knew that she had destroyed the lives and the property of our citizens in violation of her own agreement voluntarily entered into. Our commissioners must have told her that. In any event, they participated in securing benefits of these provisions. When the guilt was brought home to Germany in this manner she then agreed to make restitution, in so far as restitution could be made, for having violated a contract that had been in force and effect for years and which contract she had voluntarily entered into. This is the first time that I have ever heard the defense of duress invoked seriously in a situation of this kind. If this is to be carried out, then some objection can be raised against every treaty that is entered into by the vanquished party following a war.

Now, then, if we agree that it is the business of a government to look after the lives and the property of its own citizens, let me ask, who is going to pay the claims of these American citizens if we relinquish this security? In the treaty of Versailles Germany obligated herself to pay millions upon millions of dollars in reparation for wrongs committed by her. The Reparations Commission provided for in the treaty of Versailles have a first lien, so to speak, upon the assets of Germany. We all know the present condition of Germany. If we relinquish this security it will be decades and decades before American claimants get what is coming to them, even if Germany in the best of faith seeks to pay them. The Reparations Commission will get everything that Germany can possibly spare for years to come.

This being the case, if we return this property now, and all of it, as the gentleman from Texas desires to do, we place the Government in a position where it must itself, in honor, pay the claims of its citizens. Do you want the Government to do this? Do you want to let Germany go free and draw out of Uncle Sam's Treasury the necessary moneys with which to pay these claims? [Applause.]

Again let me refer to these earlier German treaties—treaties of amity and commerce, as they were designated. They provided, in the event that either of the contracting parties should be engaged in war with another power, for the free intercourse and commerce of the citizens of the party remaining neutral with the belligerent powers. Free vessels were to make free goods. That same freedom was to be accorded to the persons on board those vessels. No sinkings were to be allowed, and damages were to be properly assessed to the owners of cargoes for losses produced by unwarranted searches and seizures. "Women and children" were to be unmolested in their persons and property. This treaty was in effect for decades, and during that time was kept by both parties. Germany commenced breaking it shortly following her entry into the war by violating almost every part and portion of the specific articles that have been referred to in this debate.

Let me remind you of what happened to an American vessel in 1915 off the coast of Ireland. The *Lusitania* was torpedoed by a German submarine and sent down with 112 American citizens on board. Most of these were women and children. Among them was an American mother with four American-born children, who were going over to join their father, whose business had theretofore carried him abroad. They were all drowned. It was all in gross violation of these earlier treaties—treaties wherein Germany obligated herself not to molest the lives of any of our citizens upon the high seas. These treaties Germany treated as mere scraps of paper as she systematically proceeded to drown our men, women, and children. It was by sinking the *Lusitania*, the *Sussex*, the *Gulflight*, and numerous other American ships that Germany made a dead letter of the treaty.

Gentlemen, it is unthinkable as we view the past that anyone can advocate the present returning of all of this property. [Applause.] The motion of the gentleman from Texas should be voted down.

The CHAIRMAN. The time of the gentleman has expired; all time has expired.

Mr. LONDON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LONDON. Is it in order for me to ask unanimous consent to speak for five minutes?

The CHAIRMAN. The Chair thinks, the time having been limited by unanimous consent, the Chair ought not to put that request.

Mr. LONDON. But is it in order to ask unanimous consent to speak for five minutes?

The CHAIRMAN. The Chair thinks he ought not to entertain that request. The question is—

Mr. LONDON. Well, I do make that request.

The CHAIRMAN. The Chair will not submit it.

Mr. BLANTON. Mr. Chairman, a point of order. The time was not limited in the House, but it was limited in the committee. I remind the Chair of that distinction. Would not the same right prevail for unanimous consent to be changed?

The CHAIRMAN. The Chair is a Member of the House, and the Chair can object. The Chair will not consider the question of extending the time which has been fixed by action of the committee. The question is on the amendment offered by the gentleman from Texas.

The question was taken; and the Chair announced the "noes" appeared to have it.

Mr. RAYBURN. Mr. Chairman, I ask for a division.

The House again divided; and there were—ayes 65, noes 95. So the amendment was rejected.

Mr. HOCH. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. HOCH: Page 13, after line 7, insert a new paragraph, as follows:

"(1) With respect to such alien property held by the Alien Property Custodian, the return of which is not herein provided for, it is hereby declared that the United States has no purpose of confiscating the same, but that such property is to be held in trust for the owners thereof until its return shall be provided for by Congress: *Provided*, That in the return of patents, trade-marks, and copyrights this declaration is not intended to preclude any conditions or reservations that may be necessary in order to protect the interests of the United States."

Mr. GRAHAM of Illinois. Mr. Chairman, I make the point of order against the amendment that it is not germane to the section of the bill.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. GRAHAM of Illinois. The amendment, as I have gathered it from hearing it read—I have not seen it heretofore—is an expression of public policy, being to the effect that it shall be the policy of the Government to return all other property not specifically mentioned in this bill. Now, that is not germane to the purposes of this bill.

The bill consists of certain amendments to the trading with the enemy act and provides, in brief, for the return of certain specific property to certain claimants. It provides, for instance, as to German nationals who have not been able heretofore to obtain any return of their property, that this property may be paid back to them, up to \$10,000. It also provides that of the trusts now in the hands of the Alien Property Custodian the net income or profit shall be paid to the *cestui que trust* from now on. There are other provisions, but they are all for certain specific purposes, namely, the payment of certain sums of money to certain claimants. Nowhere within the limits of this bill can be found any expression of any legislative intent; nowhere in the bill, as I read it, is there anything from which the Chair might gather or from which anyone else might gather what the ultimate purpose of the United States Government is as to the disposal of this property. It has been discussed here on the floor in the presence of the Chair as to what the meaning of this bill was, whether the return of \$10,000 was an expression of the idea that we intended to give back the rest of it or, in fact, whether it was an expression that we intended to confiscate the rest of it. As to that matter the bill is entirely silent.

The gentleman from Kansas [Mr. HOCH] offers an amendment, and in his amendment he proposes, as a policy, to express the opinion of Congress that we shall ultimately turn back all of this property and for the first time injects into the bill an expression of the policy of the United States Government.

Now, there was nothing in the original trading with the enemy act and there has been nothing up to this time in the way of an expression of sentiment on that subject, and particularly there is nothing in this particular section on that subject.

I think it is not necessary for me perhaps to go in particular length into this matter, except to call the attention of the Chair to the general rule on the subject, and that is that where specific subject matters are mentioned in a bill, amendments which are general in their nature have been held on repeated occasions to be out of order. I think that is the rule here, inasmuch as the bill is confined to specific purposes. I do not believe that a general expression of policy is at all germane to the original object to be accomplished by the bill.

Mr. BLANTON. Mr. Chairman, I wish to be heard on the point of order.

Mr. HOCH rose.

The CHAIRMAN. The Chair will recognize the gentleman from Kansas [Mr. HOCH.]

Mr. HOCH. Mr. Chairman, the whole question before the Chair is the question of the germaneness of this amendment. The object of the bill is to amend the trading with the enemy act.

The gentleman from Illinois [Mr. GRAHAM] urged the fact that this bill is silent as to any policy as to the property not to be returned. But the fact that the bill is silent on that certainly does not prove that a declaration on that subject would not be germane.

What is the purpose of the bill before us? It is not simply for the purpose of returning a certain amount of property, but the bill deals in a general way with the provisions of the trading with the enemy act. In numerous places in this bill there are references to all of the alien property. Can it be said that we can bring in here a bill having to do with turning back a certain part of the alien property, and referring to all the alien property, and yet it is not permissible to make a declaration about the alien property which is not to be returned under the provisions of the bill?

I would call the attention of the Chair to the expression on page 3, line 18, in respect to all money and other property. All through this bill we find references to the total amount of property held by the Alien Property Custodian. It also deals with the income of all the remaining part of the property, and specifically turns it back to the owners.

Now, it seems to me on the question of germaneness there can not be any question that on a bill dealing in a general way with a whole subject like this it is in order to make a general declaration of policy with reference to that part of the property which is not turned back to the owner.

The CHAIRMAN. The Chair is ready to rule. The trading with the enemy act deals with the seizure, holding, maintenance, operation, and disposal of the property of alien enemies and others. This amendment is to section 9 of the bill, which deals directly with the disposal of property so seized and held by the Government.

If this bill provided only for the consideration of claims of \$10,000 and under, the Chair might be inclined to think that the point of order made by the gentleman from Illinois [Mr. GRAHAM] should be sustained. But this bill deals with a part,

at least, of all the property held by the Alien Property Custodian. It undertakes to dispose of the income of all of the property held by the Alien Property Custodian. It deals with claims other than those of \$10,000 and under.

The Chair thinks that when a bill undertakes to deal with all of the property in the hands of the Alien Property Custodian in a particular way it is then in order to deal with that property in any other way, and the Chair therefore overrules the point of order.

Mr. HOCH. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to proceed for 10 minutes. Is there objection?

Mr. MONDELL. Mr. Chairman, I feel that we must expedite the consideration of this measure. I think the gentleman from Kansas ought to be able to present his case in five minutes.

Mr. HOCH. I hope the gentleman will yield. This is a very fundamental proposition. I am a member of the committee. I was not able to be here yesterday, and had no opportunity to express myself. Of course, if the gentleman insists I shall not press my request.

Mr. MONDELL. I must say, Mr. Chairman, that I shall have to insist on keeping the debate within reasonable bounds. I shall not object.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HOCH. Mr. Chairman and gentlemen of the committee, we are dealing here in this proposition not only with a matter of property interests, but we are touching upon a fundamental of government, and indeed I think we may say even a larger question, a fundamental upon which civilization itself in a measure has been established. It is true that I have just voted against the motion of the gentleman from Texas [Mr. RAYBURN], and yet I believe that my reasons are entirely good, and not out of harmony with the amendment which I have offered here.

It must not be forgotten that the committee was dealing not merely with theories, but was dealing with a very practical situation which confronted it, and a situation, I may remind gentlemen, which had its inception in the preceding administration. Undoubtedly the treaty of Versailles did revive in a measure the principle of confiscation, long repudiated by enlightened peoples, and as a result of that revival there has arisen a practical difficulty which has presented itself with reference to this property.

Now, my amendment simply seeks to place in this bill a statement of policy with reference to the property which is not returned by the provisions of this bill. The gentleman from Wyoming [Mr. MONDELL] said a few moments ago that no one is proposing a policy of confiscation. If the gentleman had attended the hearings I am inclined to think he would not have been quite so certain about that. Some gentlemen do propose confiscation, and some very influential gentlemen. And they do not want anything said in this bill which will condemn the policy of confiscation. It is true that the official spokesmen for the administration do not argue for confiscation, but on the other hand deny that a policy of confiscation is contemplated. Mr. Carr, of the State Department, speaking before the committee as the one representative of the department to be heard on the subject, over and over again said that the State Department certainly was not advocating any policy of confiscation. I wish I had time to read his statement about that from the hearings. Then, I ask, if all are agreed that there is to be no confiscation, why not now write that conviction into the statute?

Mr. BEGG. Will the gentleman yield?

Mr. HOCH. Yes; for a brief question.

Mr. BEGG. If the gentleman's amendment were adopted, would that bind another Congress if they wanted to do otherwise?

Mr. HOCH. It might not bind a future Congress, but I think it would be a tremendously wholesome thing in connection with this legislation, in order that there might be no misunderstanding as to our attitude on so important a matter of principle not only in this country but throughout the world. [Applause.] In order that it might be understood that the United States does not propose to take any backward step, but that the United States proposes to maintain a moral leadership in the world and to take its stand upon the highest plane of international ethics and international probity. Why, gentlemen, this is a fundamental proposition. It has been a long pathway of civilization leading up to the establishment of the inviolability of private property, and it seems to me that any man is blind who does not see that there are still abroad in the world influences that would deny the right of private property. The right of a man to the fruits of his honest effort, subject only to the limitations which the public interest may impose,

is one of the priceless heritages made possible by long and bloody struggle. I do not speak for any claimant for any of this property. If I may say this personal word, as far as I know, not a person in my district is personally interested in a dollar's worth of this property. But I am jealous for the good name of my country—that by no act, official or otherwise, it add to those forces that would turn the world away from the principle of inviolability of private property. I am anxious that there may be no misunderstanding about America's attitude. We have not only permitted citizens of foreign countries to make investments here, but we have openly encouraged it. We have to-day all over the world representatives of the Department of Commerce who are inviting investments in American industries and the purchase of American securities. Shall we now give the world to understand that in case those investments are made they may be subject to confiscation in case of war? And what shall be said of the safety of the investment of American citizens in every corner of the world if a policy of confiscation should find lodgment in the practice of the nations? Surely America will never adopt such a policy. Then why not now write it in the bond?

As to the claims against Germany—and I yield to no Member in the desire to see every honest claim adjusted and I yield to no Member in condemnation of the infamous acts which gave occasion to some of those claims—the proper pressure will bring adjustment. Our Nation is not helpless, and has never found it necessary to violate sacred rights of third parties in order to protect the interests of its citizens. Let America have no part in any "scrap of paper" policy.

Mr. McPHERSON. Does the gentleman question the right of Germany to pledge this property to America?

Mr. HOCH. I say to the gentleman that in my judgment any citizen of any country has a right under international law to make investments in any other civilized country under the assurance that those investments will be held inviolate, in peace and in war, save only as they may be sequestered in protection of the vital interests of that country in time of war. [Applause.] And I say that if we should abandon that principle we would take a backward step in the history of the world.

Mr. McPHERSON. Does the gentleman mean to deny or to admit that the German Government in the treaty of Berlin had the power and the right, if it saw fit to do so, to pledge this property?

Mr. HOCH. I say that neither the German Government nor any other government has the right to say to this country, "You need not protect the inviolability of private property." [Applause.]

Mr. FAIRCHILD. In answer to the question just asked, I attended every meeting of the Committee on Foreign Affairs when this very provision of the treaty was under discussion, and at no time was there any such interpretation of that clause as has been given by the proponents of this legislation.

Mr. HOCH. Gentlemen, let us not allow this legislation to go out to the world silent upon this proposition.

Mr. McPHERSON. One further question.

Mr. HOCH. I can not yield further. If we do permit this legislation to go out without any statement of policy, gentlemen will not only fondle the hope that we intend to confiscate the property but they will foster that hideous doctrine throughout the world. [Applause.] Let us say to the world now that we propose, in harmony with all those things which have made us glorious as a Republic, to stay true to the principles enunciated by Franklin, to the principles enunciated by Hamilton, by Jefferson, by Marshall, to the principles enunciated by the great founders of the Republic and enunciated at the time the trading with the enemy act was passed, when we deliberately said again and again that we had no purpose of confiscation.

With this amendment adopted there will still be retained for the present, for such purpose of delay as may expedite adjustment of American claims, a vast amount of this property. But while returning a part of this property, let us make it clear that the agent of the Government who administers these remaining trusts is to continue to be what his name implies, a custodian and not a confiscator of private property. [Applause.]

Mr. HAWES. Mr. Chairman, we have at last got to the heart of this matter, so that every man in this House who is opposed to the ultimate confiscation of this property will have an opportunity to say so. I am not concerned whether we return \$10,000 of this money, or whether we return 50 per cent, or whether we return all of it. The big question is the preservation of an old American principle and again asserting our opposition to the confiscation of private property to pay a public debt. The gentleman from Wyoming [Mr. MONDELL] asserted

that he was opposed to confiscation; that there was no intention to confiscate. My distinguished colleague on this committee [Mr. SANDERS of Indiana] made a most effective appeal, but the basis and strength of that appeal was founded on his own opposition to confiscation. When this matter came up in our committee this same question was presented clearly and a vote was taken.

The Republican leader says there will be no confiscation; the Democratic leader says there will be no confiscation; with two exceptions, every Member who has spoken on this subject denies that there will be confiscation. Then, why not write it into the bill?

The State Department stands for security which, under certain conditions, means confiscation, but it seems to stand almost alone.

No other branch of the Government has taken that position, and only two Members of the House have indorsed it.

We will have no trouble collecting our just claims against Germany if the State Department has the old-time courage and ability.

Our State Department in the past has not been driven to the program of seizing the property of private citizens to pay public debt, and the present department will not be supported by the American people or either branch of Congress if it drags American diplomacy back to the dark ages of brute force in dealing with the property of noncombatant civilians who entrusted their property to our keeping.

We should not be concerned with what Germany wants us to do; our concern is standing for the right kind of civilized adjustment.

Insurance claims should not drive us from the fundamentals of property rights and national honor.

The lawful claims of the *Lusitania* sufferers will be paid, and they must be paid as all proper claims for loss or damage suffered by Americans should be.

But the payment must be made by Germany, not by the guests of America.

When the gentleman from Kansas wanted to incorporate in this bill a statement that it did not mean confiscation, his motion was defeated by a vote of 10 to 7. Do not let any man fool himself; do not let any man be deceived here to-day; this is the critical vote. It is not the return of all the property; it is not a return of part of the property; but it is a clear question which each man will take home to his own constituents sooner or later: Does he believe in violating all American traditions; does he want to return to the medieval doctrine of savagery; does he want to inaugurate a new doctrine in America of seizing the private property of individual citizens to pay a public debt? I am not concerned with Germany's position. Germany might ask us to take this property and pay our bills. She might say, "Take our nationals in this country, put them in the workshops, put them in the mines, and then take their wages and pay our public debts." Germany can not tell the American Congress what our duty is. [Applause.] It can not tell us what to do; it is for us to decide this question in accordance with American traditions and American honor. [Applause.]

Mr. GRAHAM of Illinois. Mr. Chairman and gentlemen of the committee, this is a very important amendment. The House has just now voted by a vote of 95 to 65 that in its judgment it ought not to make a declaration that all of this property be returned at this time. The reasons that animated the membership of the committee in deciding that way were doubtless good ones. If they were good—and we must assume that they were—the same method of reasoning would lead any reasonable man to conclude that it would be unwise at this time to adopt this amendment. Let me read it to you:

With respect to such alien property held by the Alien Property Custodian, the return of which is not herein provided for, it is hereby declared that the United States has no purpose to confiscate the same, but that such property is to be held in trust for the owners thereof until its return shall be provided for by Congress: *Provided*, That in the return of patents, trade-marks, and copyrights this declaration is not intended to preclude any conditions or reservations that may be necessary in order to protect the interests of the United States.

Mr. HOCH. Will the gentleman yield?

Mr. GRAHAM of Illinois. I would like to, but I can not. Now, what is first in this amendment? It is in effect a declaration that we do not intend, under any circumstances, to hold this property, but that we propose to turn it back, every cent of it, in spite of anything that may occur in our international relations and irrespective of American claims. In the second place, the reservation is made, curiously enough, that as to patents involved in the worst mess our Government has to deal with—namely, the Chemical Foundation—as to these patents they shall not be turned back without first looking after American interests. Why the discrimination? Does any reasonable man

conclude that it is advisable for us, at the same time we are holding this property as a pledge, to announce in this public manner that we do not intend to hold it under any circumstances or keep it for any purposes except to hand it back? What good could it do? Can anyone see any sense in it? If we adopt that policy the thing to do is to turn it all back now.

Mr. HUSTED. Will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. HUSTED. Does the gentleman think it necessary, or desirable, or dignified for the Congress of the United States to declare in a statute that our Government does not intend to violate the well-established principles of international law?

Mr. GRAHAM of Illinois. It is a ridiculous proposition and makes the condition much worse; it puts us in the light of people trying to do something and not doing it.

Mr. HOCH. Will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. HOCH. Does the gentleman agree with the gentleman from Wyoming and others who have announced that no one has any intention of ever confiscating this property?

Mr. GRAHAM of Illinois. I have said repeatedly, and if the gentleman had been here yesterday he would have heard me state at length, that that question is not involved in this proposition. We are only carrying out the provisions of the resolution that Congress passed and the treaty concluded between our country and the German Republic, a treaty justified by the Constitution and the decisions of the supreme court of the Republic of Germany, as I showed yesterday. [Applause.] That is what we are doing, and you would have it announced to the world by this amendment that we do not propose to do anything with it except to hold it for somebody. Why hold it? What is the object, what is the sense or reason of the committee voting in one breath that it will not turn it all back and then turn around and say something else? [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. GRAHAM of Illinois. Mr. Chairman, I ask unanimous consent to proceed for five more minutes.

Mr. BLANTON. Mr. Chairman, reserving the right to object, the gentleman has spoken on this question several times. There are a number of us who would like to speak upon it for a minute or two, but we have not been given an opportunity. We would like to know what liberality of debate there is going to be in the discussion of this question. If some few gentlemen are going to take up all of the time, then some of us will get none.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COOPER of Ohio. Mr. Chairman, will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. COOPER of Ohio. I do not think the gentleman from Texas [Mr. BLANTON] ought to complain about taking up time.

Mr. GRAHAM of Illinois. Mr. Chairman, I shall finish in a couple of minutes. Let me tell you what this amendment will mean. I know the gentleman from Kansas [Mr. HOCH] is moved by high idealism and by the finest of sentiments. I know the man and I know how his heart and conscience operate, but I want to tell you as a practical proposition, and that is what we are dealing with here, what the effect of this thing will be. It will be to take away from American claimants all right or hope of ever recovering what is coming to them, because the very moment we make this announcement the German Government will then know that there is no longer any pressure that can be applied. Suppose there were not this fund in our hands. By virtue of these two treaties—the treaty of Versailles and the treaty of Berlin—what opportunity would you have to get our American claims from Germany at this time? Do you suppose that France and Great Britain would permit us to draw a cent from the German treasury? If we now give up this pledged property and then go to the Reparation Commission and say that we want this money out of the German treasury to pay the American claims, not a cent would be forthcoming, because we would be met with the objection that, having given up the pledged property in our hands, we had voluntarily relinquished it, and therefore had no further standing in the court of nations.

Mr. HARDY of Texas. Does the gentleman think that the German Government has the right to pledge the property of German citizens in America?

Mr. GRAHAM of Illinois. Absolutely, and if the gentleman will read my remarks of yesterday he will see that I quoted sections of the German constitution, decisions of the Supreme Court of Germany, in which they held that they did have that

right. It is written into article 153 of the German constitution that the Government has the right of expropriation of the property of German nationals anywhere in the world.

Mr. LONDON. On the subject of expropriation I would say that the word expropriation when used in Germany means nothing more than the right of eminent domain, when that phrase is used in Anglo-Saxon law.

Mr. GRAHAM of Illinois. That is all that expropriation means anywhere. It means the right of eminent domain to be exercised by the Government for the common good as to any property within its boundary or jurisdiction. Do not do anything foolish, gentlemen. This amendment ought to be defeated. To do otherwise will be to defeat every American claimant of any hope of getting his claim allowed.

Mr. NEWTON of Minnesota. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

Mr. BLANTON. Mr. Chairman, I reserve the right to object.

Mr. BEGG. Mr. Chairman, I reserve the right to object.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that all debate upon this amendment and all amendments thereto close in 10 minutes. Is there objection?

Mr. BLANTON. I object. The gentleman will save time if he gives us some time for debate now.

Mr. NEWTON of Minnesota. Mr. Chairman, I move that all debate upon this amendment and all amendments thereto close in 10 minutes.

Mr. BLANTON. Oh, make that more than 10 minutes.

Mr. GARRETT of Tennessee. Mr. Chairman, if the gentleman will yield, it seems to me that an accommodation of this matter might be had which would result in the saving of time.

Mr. NEWTON of Minnesota. There has been considerable debate and as I understand it there will be an amendment offered on the Austrian proposition.

Mr. BLANTON. But I want mine on this amendment. The gentleman will save time this evening by granting some time now.

Mr. GARRETT of Tennessee. Fifteen minutes are desired on this side for this particular amendment.

Mr. NEWTON of Minnesota. Let us say 20 minutes then, 10 minutes on a side.

Mr. BLANTON. Three of us want to speak on this side.

Mr. HICKS. I demand the regular order.

Mr. BLANTON. I move to amend by making it 15 minutes on a side. The gentleman will save time not only this evening but next week. I will hold you up next week.

The CHAIRMAN. The gentleman from Texas will have to state a specific amount of time.

Mr. BLANTON. Thirty minutes.

The CHAIRMAN. The question is on the amendment of the gentleman from Texas that debate close in 30 minutes.

Mr. BLANTON. You gentlemen will save time. I will hold up matters next week.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 45, noes 95.

Mr. GARRETT of Tennessee. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. Newton of Minnesota and Mr. Blanton to act as tellers.

The committee again divided, and the tellers reported—ayes 51, noes 96.

So the amendment was rejected.

The CHAIRMAN. The question now is on the motion of the gentleman from Minnesota that debate close in 20 minutes.

The motion was agreed to.

Mr. BLANTON. Mr. Chairman, when the President of this great Nation called the War Congress together in special session on April 8, 1917, in his message to us he then said:

We have no quarrel with the German people. We have no feeling toward them but one of sympathy and friendship. It was not upon their impulse that the Government acted in entering into this war. It was not with their previous knowledge or approval. It was a war determined upon as wars used to be determined upon in the old, unhappy days when the people were nowhere consulted by their rulers.

Upon that message the Congress declared a state of war to exist against a cruel, autocratic German Government. It was the Kaiser's Government that violated our rights and forced us upon the battle fields to protect them.

We then had a good reason for taking into our custody the property of all people who were subjects of that Imperial Government. War was the reason. It was the only reason. The reason was that we were engaged in deadly conflict with a Government, whose subjects in this country might use their property and finances in helping our enemy. We had the right to take their money and property and hold it in custody

until the war ended. We never at any time intended to hold the property of individuals longer than the end of the war.

Remember that this \$350,000,000 is not the property of our enemy, the German Government. It is the property of individuals, many of whom lived in this country for years, who had never become citizens of the United States, hence were subjects of our enemy. If it were the property of the German Government I would be in favor of holding it all until Germany settled all of the just claims of our citizens whose lives and property were wrongfully destroyed. But as before stated, it is the property of individuals and not the property of the Government.

Our reason for taking over the property has long since ceased to exist. It is now four years and three months since the armistice. We are now presumed to be at peace with the German Government. If during the war President Wilson was correct when he said:

We have no quarrel with the German people. We have no feeling toward them but one of sympathy and friendship—

then certainly we should now have no quarrel with these German people in the United States four and one-fourth years after the war was over. What has become of the said feeling of sympathy and friendship?

The time has come, Mr. Chairman, when we can do but two things, either we must turn this property back to them, or we must confiscate it. If we do not turn it back, it ipso facto becomes confiscation. When you have the custody of another's property, and you no longer have any just right to hold it, then whenever you decide to hold it, your act of holding it becomes confiscation.

The question now is, What are we going to do, hold it or confiscate it? Our Republican friends on the other side of the aisle in one breath assert that they do not intend to confiscate this property, yet in the next breath they vote to hold it, which in fact confiscates it. Thus they speak one way and act another.

The amendment of the gentleman from Kansas [Mr. Hoch] is the product of a lashed conscience. He realizes just what import our retaining 90 per cent of this property will carry to the civilized peoples of the world. He realizes that such action must be explained if we are to retain our standing and integrity. He is trying to absolve his country from wrong intentions when he realizes that his party is now doing something for which it has no reasonable excuse whatever. He is trying to hide your wrongdoing with a declaration of good purpose and intent. For he realizes that you have no excuse whatever for holding 90 per cent of this property.

What excuse have you for holding this property longer? Why do you still want to retain the custody of this \$300,000,000 of property that belongs to other people for two more years when you know that eventually our Government is going to have to return it? I do not know. But I saw in the Washington Times the other day a statement that may throw some light on the subject. I do not know how authentic it is, but it comes from one of the leading newspapers here in the Nation's Capital. Here is what the Washington Times says:

Congressman FRANK MONDELL, Republican floor leader of the House, who retires from Congress on March 4, after 25 years of service, may succeed Miller, the Alien Property Custodian, it was reported to-day.

If the Times knows what it is talking about it seems to be a proposition of retaining a good berth for a lame duck. All politicians believe in taking care of lame ducks, but do you want to continue this office and all of its great force and incidental expenses for two more years just to take care of somebody? Why, there are to-day 138 employees in this Alien Property Custodian's office. We fixed his salary at \$5,000, but we neglected to fix the other salaries, and he is now paying his chief lawyer \$8,000 per year, more than a Senator or Congressman gets, and he is paying his director general \$7,000 per annum. He has quite a number of lawyers employed and they, with the chiefs of divisions, all draw good salaries, and their positions are all good patronage plums for the party in power.

There are 23 good positions there under the custodian that are not under the civil service, but are appointive offices. If eventually we must return this property—and we must—then why continue this office and its host of highly paid employees for two more years? That is the question you must answer by your vote this evening. You Republicans are going to have to answer to the American people for it. For four years you Republicans have been in charge of this House of Representatives and Senate. For four years you have had your Speaker, you have had control of every organization and committee of this House, you have been in control of every piece of legislation that has been passed here for four years, and you are to account to the people of this country on this question. You

are the ones the people should and will look to, because you have been in power here for four years and will be in power for two more years. I want to answer the question of the gentleman from Kansas [Mr. HOCH]. What excuse have you for holding it? If you have a good excuse, what reason have you for not telling the world that your policy is not to confiscate it? That is the question you have to decide here.

The CHAIRMAN. The time of the gentleman has expired. Mr. BEGG. Mr. Chairman and members of the committee. There seems to be a lot of anxiety about some property belonging to some nationals of another country. I am not one-half—and I can not understand the men of this House—I am not one-half as much interested in what becomes of the property of some nationals that must have been seized honestly and for a purpose because they were doing something to handicap the prosecution of the war, as I am interested in seeing to it that the property of the American citizen and his life is properly indemnified by a people who wrongfully took that property and life. I want to ask men on that side and on this side, I do not question your patriotism or loyalty, but is it possible that time has dulled the insult to the American Government when American property, when American manhood and womanhood were destroyed without justification? The seizure of this property which you are to-day for ulterior purposes, for selfish motives, for private gain, willing to forget was to compensate the sorrows of the dead—property loss to the living. Shall we hereby make a solemn declaration to surrender back that which we have rightfully come in possession of, as my good friend from Pennsylvania [Mr. TEMPLE] so clearly outlined to you yesterday. My good friends, the treaty had been held up to you which gives the absolute right to the control of this property until the satisfaction of all the claims against the German Government has been had. Some of my colleagues on this side, and my good friend from Kansas, seem alarmed that unless we make a declaration, a renewal of our pledge of faith to the policies on which we have builded and from which we started—unless we make a new declaration of the principles for which that flag stands, the world will misunderstand and misinterpret our motives. My God, my good colleagues, I would rather have the world misunderstand my motives in protecting the dead who sacrificed their lives than to have the American citizen believe I was more interested in the restoration of a little property to an enemy than I was in protecting the rights of those principles for which they died. [Applause.]

Mr. SUMNERS of Texas. Will the gentleman yield?

Mr. BEGG. Yes.

Mr. SUMNERS of Texas. Does the gentleman favor or not the appropriation of this money to the payment of claims against the German Government?

Mr. BEGG. If that is the only way that Germany can compensate the loss of life unlawfully, illegally, and wrongfully taken by Germany of American citizens, yes [applause], without any compromise.

Mr. SUMNERS of Texas. Will the gentleman yield further?

Mr. BEGG. I would take the last red cent of it if I could not get justice for the American citizen who was wronged when we were a peaceful neutral, not during the war time, but when we were living under a solemn declaration of Germany as well as this country. I will not barter away those privileges and those principles which were purchased by the blood of American manhood four or five times. [Applause.]

The CHAIRMAN. The time of the gentleman has expired; all time has expired. The question is on the amendment offered by the gentleman from Kansas.

Mr. RAYBURN. I ask that the amendment be again reported.

The CHAIRMAN. The gentleman from Texas asks that the amendment be again reported. Without objection, the Clerk will again report the amendment.

Mr. BLANTON. Mr. Chairman, I make the point of order that the motion of the gentleman from Minnesota was that debate should close in 20 minutes; 10 minutes to a side.

The CHAIRMAN. The gentleman from Texas is in error. The gentleman from Minnesota moved that all debate on this amendment and all amendments thereto close in 10 minutes. There was an effort made to arrive at 20 minutes, offered by the gentleman from Texas.

Mr. BLANTON. I understood it was 20 minutes, and therefore I moved to make it 30 minutes.

The CHAIRMAN. The Clerk will again report the amendment.

The amendment was again reported.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Kansas [Mr. HOCH].

The question was taken, and the Chairman announced that the "noes" appeared to have it.

Mr. WOODRUFF. I ask for a division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided, and there were—ayes 58, noes 84.

So the amendment was rejected.

Mr. BLANTON. Mr. Chairman, I think we ought to have tellers on that vote. It is close enough. I ask for tellers.

The CHAIRMAN. The gentleman from Texas asks for tellers. As many as favor taking this vote by tellers will rise and stand until they are counted. [After counting.] Nine gentlemen have risen—not a sufficient number.

Tellers were refused.

Mr. MacLAFFERTY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MacLAFFERTY: Page 3, line 17, after the word "terminated" strike out the period and insert a colon and the following language: "Provided further, That no statute of limitations shall be pleaded or be a defense to any claim made under this section against any enemy fire insurance company and the surplus funds of such enemy fire insurance company held by the Alien Property Custodian or by the Treasurer of the United States for debts, claims, or demands remaining unpaid by such enemy fire insurance company for losses; and any number of claimants of demands or claims arising under contract or collateral thereto, whether based upon fraud or otherwise, against the same enemy or ally of enemy may join in the same action provided that the aggregate amount sought to be recovered therein by such claimants equals or exceeds the sum of \$3,000."

Mr. NEWTON of Minnesota. Mr. Chairman, I reserve a point of order on the amendment.

Mr. HUDDLESTON. Mr. Chairman, I make the point of order on the amendment.

Mr. MacLAFFERTY. Will not the gentleman reserve it?

Mr. HUDDLESTON. No; I make it.

Mr. MacLAFFERTY. If gentlemen on that side of the House or on this side knew the meaning of the amendment, they would not make the point of order.

The CHAIRMAN. Does the gentleman from California desire to be heard on the point of order?

Mr. MacLAFFERTY. No, sir; I do not.

Mr. BLANTON. Mr. Chairman, I desire to be heard on it if the gentleman from California does not.

Mr. Chairman, I am not speaking of the merits of the gentleman's amendment, but the amendment is certainly germane. This bill deals with the specific property of the insurance companies which are involved in the gentleman's amendment. It certainly is a proper limitation on a germane subject, and this Congress has a right to properly indicate what it wants to do with these particular nationals' property. I think the gentleman's amendment is clearly in order, regardless of its merits.

The CHAIRMAN. The Chair is ready to rule.

Mr. MacLAFFERTY. Mr. Chairman, may I be heard?

The CHAIRMAN. Yes; the Chair will be very glad to hear the gentleman.

Mr. MacLAFFERTY. Mr. Chairman, I simply wish to say this, that in my opinion the amendment is germane to the bill because it deals with certain funds of certain specific people in this country whom I can name, whose funds are now in the custody of the Alien Property Custodian.

This amendment refers to certain claims of certain people in the city of San Francisco which they have against these fire insurance companies, who, when the great San Francisco fire occurred, walked out of the State and said, "If you want to sue us, come to Germany and sue." They represented that they did not have funds in this country to properly pay their claims, and the war came along and developed the fact that they had over \$4,000,000. Therefore that settlement was made by fraud, and such of the claimants as accepted 50 cents or 75 cents on the dollar did so because of fraud and they were deceived.

I want to call attention to this fact: This amendment does not deal with taking money that belongs to certain nationals of Germany and paying the debts of the German Government with that money, but it refers to those people with whom these fire insurance companies had contracts, the insured or assured, who were mostly poor people; people whose insurance policies were almost all they had left in the world. These German insurance companies fraudulently, after collecting the premiums for 50 years in the city of San Francisco, regarded those policies as mere "scraps of paper," and walked out of the country. We have those funds in charge now, and I ask that they be used in this way. I believe there is not a man on the Democratic side who will not stand with me on that.

Mr. SANDERS of Indiana. Mr. Chairman, I want to speak on the point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. SANDERS of Indiana. This is the suggestion I have to make to the Chair: This bill deals with certain rights of other people with reference to property held by the Alien Property Custodian. The proposed amendment deals solely with the question of establishing some claim against some possible claimant and not against the alien property.

Mr. MacLAFFERTY. I disagree with that.

The CHAIRMAN. The Chair is ready to rule. The pending portion of the bill deals with the rights of persons who are not enemy aliens against the United States, while the amendment of the gentleman from California deals with claims of American nationals against enemy aliens. The Chair thinks that fact alone would be sufficient to justify him in sustaining the point of order at this particular place. However, in addition, while the bill under consideration provides for the payment of claims against the Government of the United States, the amendment proposed by the gentleman from California apparently deals with another class of claims not included within the purview of the pending bill, namely, claims against nationals of Germany. The Chair therefore sustains the point of order.

Mr. MacLAFFERTY. I thank you. You heard my speech anyhow. [Laughter and applause.]

Mr. HAWES. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. HAWES: Page 4, paragraph 1, lines 4 and 5, strike out the words "or Austria or Hungary or Austria-Hungary," so that said paragraph 1 will read as follows:

(1) A citizen or subject of any nation or State or free city other than Germany, and is at the time of the return of such money or other property hereunder a citizen or subject of any such nation or State or free city; or.

Mr. HAWES. Mr. Chairman, we have many red-blooded representatives of this Government, and amongst others is the present Alien Property Custodian. He is an ex-Member of Congress. He is a soldier who served on the other side. He is a man of fine capacity, who has investigated most carefully, most conscientiously, the whole subject of alien property. When we came to the question of the restoration of the Austrian property he unqualifiedly recommended to our committee the return of that property. I will read part of his statement before the committee:

Mr. HAWES. So the status of the Austria-Hungary portion of this bill is this: In the first place, they did not seize the property of Americans during the war; and, in the second place, what was Austria-Hungary is now six different republics or monarchies; and we are trying to hold the Austrian Government responsible, in an indirect way, for the conduct of five other governments over which they have no control.

Mr. MILLER. Yes, sir. That is the situation, and I have recommended to the chairman, in response to his letters to me, as chairman, action on the Austrian-Hungarian property as I have outlined.

Mr. HAWES. And you would recommend an amendment in this bill which would release all property of the former Empire of Austria-Hungary that is held?

Mr. MILLER. I do; and a number of those cases are pathetic cases. We hold hundreds of death benefits which we have collected on account of their nationals who were killed out in the steel mills and in the mines of the West, and we would like to give that back to them.

Mr. HAWES. So we are violating the traditions of international law, the opinion of Marshall, and the dictates of humanity and all spirit of equity in holding these claims?

Mr. MILLER. May I put in there so anyone reading this testimony will understand my position? I am willing to recommend this; but, on the other hand, if the State Department comes to the hearings and through their representatives say that there are claims against Austria, I do not want to be criticized for suggesting this, but I have done it personally.

Mr. HAWES. As to the character of those claims against the Austrian Government, are not nearly all of these made by insurance companies?

Mr. MILLER. I think they are, sir; but I am not certain.

Now, there was a time when the people in that territory made war, and when they went into the nation of a neighbor they took back with them the persons and property of their enemies. They were sold as slaves. But gradually we drew away from that ancient and brutal custom. The treaties of The Hague, and great conventions of enlightened American men and women have tried to put some humanity into the brutal doctrine of war. When this Nation went into war some of the citizens of Austria-Hungary had invested their money in the United States. Since that time all of the citizens of Czechoslovakia, Poland, Rumania, Serbia, and Italy have had their money returned to them. Originally Mr. Miller had \$30,000,000. He has given back \$20,000,000 to the citizens of the countries which you see in red on the map, and he is holding \$10,000,000, representing, if you please, security for the acts of 52,000,000 people.

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

Mr. RAYBURN. To ask that the gentleman may have five minutes additional.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that the time of the gentleman from Missouri [Mr. HAWES] be extended five minutes. Is there objection? There was no objection.

Mr. HAWES. Two minutes will do. Now, we have as security, if you want to take that position, \$350,000,000 and \$200,000,000 more in ships. We are returning only \$44,000,000. That leaves us—those of you who are interested in the question of security—over \$500,000,000. To restore to Austria all of her property which we hold—and she never held any of ours at any time during the war—would be increasing this amount only \$10,000,000.

There is nothing left of Austria. Her capital city of Vienna has 2,000,000 people and is surrounded by mountains. All of the alluvial country which formed her hinterland is cut off. She is embarrassed in every way. She has the sympathy of everybody in the world. Why can we not be generous and in releasing this \$44,000,000 add the other \$10,000,000 to it and preserve American tradition at least to that extent?

Mr. MONTAGUE. Will the gentleman yield?

Mr. HAWES. Yes.

Mr. MONTAGUE. Will the gentleman permit me to suggest that Austria now has a population of less than 7,000,000 all told.

Mr. HAWES. Only six and one-half million people.

Mr. MONTAGUE. She does not raise within her present boundaries enough foodstuffs to last her two months out of the twelve.

Mr. HAWES. And she has no coal.

Mr. MONTAGUE. No coal and no forests to any amount.

Mr. REED of West Virginia. Will the gentleman yield?

Mr. HAWES. I yield to the gentleman from West Virginia.

Mr. REED of West Virginia. Will the provision for the return of the \$10,000 be sufficient to satisfy in large measure the small compensation claims in this territory?

Mr. HAWES. The gentleman can figure it for himself, when the total we are holding is \$350,000,000 and the total amount we are holding from Austria is only \$10,000.

Mr. REED of West Virginia. The gentleman did not get my question. Are there any large amounts held back from the citizens of Austria and Hungary?

Mr. HAWES. I do not know that.

Mr. REED of West Virginia. Would not the \$10,000 provision largely relieve all those claims?

Mr. HAWES. It is only a small percentage—a large number of claims but a small percentage of the whole.

Mr. LONDON. Mr. Chairman, I hope it is not too late to take up the bigger issues involved in the controversy. A great deal of confusion has been artificially created here by the legal discussion. The trouble with some lawyers is that their minds are so stuffed with legal precedents that they resemble a crowded warehouse with the index lost or with the catalogue missing. [Laughter.] They can not get down to fundamentals. During the last World War no nation which felt strong enough to do so failed to disregard the tenets of international law, and in no case was the flouting of all principles of international justice more flagrant than in the treatment accorded to the persons and property of the individual nationals of the belligerent nations.

The Magna Charta 700 years ago proclaimed the principle which some would evade now, more than 4 years after the armistice.

In its forty-first paragraph, the Magna Charta provides as follows:

All merchants shall have safe and secure exit from England and entry to England, with the right to tarry there and to move about as well by land as by water, for buying and selling by the ancient and right customs, quit from all evil tolls, except (in time of war) such merchants as are of the land at war with us. And if such are found in our land at the beginning of the war, they shall be detained, without injury to their bodies or goods, until information be received by us, or by our chief justiciar, how the merchants of our land found in the land at war with us are treated; and if our men are safe there, the others shall be safe in our land.

That the noncombatant is to be protected both in his life and in his property is a principle as old as civilization itself.

Professing to adhere to the principle in theory, those who would withhold the greater part of the property of German and Austrian nationals are violating the principle in practice.

The situation is simple. Germany has returned to American nationals all their property. We are asked to withhold the bulk of the property of German nationals. We have no right to hold the property of the individual German to satisfy a claim against his Government. It is a most absurd thing to

take the property of a German servant girl, take her savings, in order to satisfy some claim that the Americans have against Germany. Only a few weeks ago we voted to the powerful and one of the greatest nations in the world billions of dollars when we voted for the liquidation of the debt that England owes us. I voted for it. I was glad to vote for it as a measure calculated to promote peace, amity, and concord among nations. [Applause.]

But here men have the courage to assert that the property of German individuals should be retained by the American Government. For what? To satisfy claims against the German people or against the German Government. Gentlemen, the 60,000,000 Germans will not disappear. Do not believe that they are doomed forever. Germany has a glorious past and it has a future. The forces of democracy are at work there. The Germans have made invaluable contributions to science, literature, and philosophy, and if they have produced a Wilhelm, they have given to the world such men as Goethe, Schiller, and Heine, champions of liberty, progress, and of truth. [Applause.] The dollars that you are worrying about are historically safe, financially safe, legally safe. Let me say that to the lawyers who have a lot of legal knowledge but no principle left. [Applause.]

Mr. DENISON. Mr. Chairman—

Mr. LONDON. Oh, I am not through yet. I do not know why the gentleman from Illinois should have taken it as a personal reference. [Laughter.]

Mr. DENISON. Mr. Chairman, I rose to ask for the floor.

Mr. LONDON. I understand the situation. Now, let us not make any mistake about the meaning of the treaty of Berlin. The treaty upon which you rely—what does it say? That German property shall be held subject to the action of Congress. Now, Congress acts upon it. It is its duty to act. Shall our action be honorable, broad-minded, and humane, or shall it be the contrary?

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

Mr. LONDON. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. The gentleman asks for two minutes more. Is there objection?

There was no objection.

Mr. LONDON. If we are to act, let us act honorably; if we are to release the property, let us release all of it, or at least have the courage to say that we are determined to return every piece of property at the earliest possible moment. Because the danger is if you pass the bill allowing only the smaller claims to be paid you assert by the very same act that you intend to confiscate the rest.

If for technical reasons you are unable to return all the property at once, say so.

Let there be no doubt left as to the intentions of this Government.

Mr. NEWTON of Minnesota. Mr. Chairman, I ask unanimous consent that all debate upon this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DENISON. Mr. Chairman, there is a great deal about the situation of Austria that excites our sympathy. Austria-Hungary began the war, but she came out of it in the worst fix of any of the European nations. The Austrian Government is no doubt in a serious situation to-day; but that does not change her status in international law and does not change her status as a nation in dealing with the United States as a nation. The fact is that the claims of Austrian citizens for property in the hands of the custodian amount to about \$11,000,000, and the further fact remains that a large part of those claims come within the \$10,000,000 that we are returning; so that the bill that is now before you will dispose of nearly all of the Austrian claims. Those that are left represent a few wealthy Austrian citizens, living in Austria, who had property invested in this country in large amounts; so that the legislation that we are now considering will result in no serious hardship to any large number of Austrian citizens.

I want to read to you a letter that the Secretary of State addressed to the committee that considered and reported this bill. There seems to have been a mistaken opinion passing about that there were no considerable claims against Austria by citizens of the United States. Here is a part of the letter, which appears in the hearings, from the Secretary of State:

In so far as shown by the records of the department, 61 claims have been filed by American citizens against the Imperial and Royal Austro-Hungarian Government for compensation for losses resulting from the torpedoing of vessels by submarines of that Government, for military

requisitions made by that Government, and for damage or injury to persons and property. The total amount of these claims is approximately \$13,043,913.

In addition to the foregoing claims filed with the department against the Imperial and Royal Austro-Hungarian Government, it is not unlikely that many of the claims of American citizens filed with the department against the Government of Germany may, upon investigation, be found to be claims for losses for which the Imperial and Royal Austro-Hungarian Government should be responsible. This possibility arises from the fact that claims for losses resulting from submarine warfare have been filed against Germany in cases where the Government responsible for the act has not been determined.

The State Department thinks that a great many of the claims that have been filed against Germany are really against the Austro-Hungarian Government, and will be found to be so when fully investigated.

The claims of American citizens against Austria will amount to many million dollars. We can not tell how far they will be reduced by the investigation of the commission, but it will not be safe to do more than we are doing by this bill; and it will not do for us as a government to make any distinctions as between nations. We can not treat one nation in one way and another nation in another way. There is no difference in dignity and sovereignty as between nations. A small nation is entitled to the same consideration and has the same dignity as a large nation. The strength of their armies or the amount of their resources makes no difference in their standing in international law. We must, above all things, make no distinction or discrimination in our actions toward nations with whom we are on friendly terms.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. FESS. Mr. Chairman and gentlemen of the committee, during the discussion of the peace resolution in both the last and the present Congress, all of which is a matter of record, the question of protecting American rights was under consideration and became the chief subject of debate. Our Democratic friends bitterly assailed us upon the charge that we were forfeiting these rights against Germany. These charges were answered by our providing for protection of these rights in the resolution. During the discussion of the anticipated treaty the same question was discussed here in the House. The gentleman from Texas [Mr. HARDY], who spoke so seriously awhile ago, was very eloquent against the resolution back in 1921, and equally so to-day, but speaking from different viewpoints. Then he charged us with wanton willingness to forfeit the claims against Germany. At the time to which I refer, June 13, 1921, in his objection to the resolution ending the war, this is what he said (CONGRESSIONAL RECORD, Sixty-seventh Congress, first session, page 2504):

It is said that in the prospect of this resolution passing, lawyers have been retained already to bring suits for the recovery of the property of many German citizens seized by the United States. In like manner our citizens whose property was seized in Germany must go to Germany for relief—a beautiful prospect for thousands of lawsuits and rich pickings for hundreds of lawyers.

And so on. That was the strong argument of the gentleman from Texas [Mr. HARDY] in his discussion of the peace resolution which ended the war and preserved all our rights by specific stipulation. He argued that it should not be passed, because, among other reasons, we had no protection of the right of American citizens as against Germany. This, mark you, in the face of the specific provision guaranteeing protection, still he argues that if we passed the resolution we would lose all protection over the alien property, which we had rightfully seized and should hold until our claims were adjusted, and, as I recall, it was a rather strong position at that time.

One of the best, if not the best, speech that was made on the floor of the House at the time was made by our friend Mr. CONNALLY of Texas, representing the Foreign Affairs Committee. Speaking for the Democratic side of the Chamber, speaking with great emphasis and with powerful conviction, not only upon his part but with impressive results upon many of his hearers, for I was wonderfully persuaded by his argument. He said:

Where is the man who doubts that German citizens will demand the return of their property? Are there not hundreds of claims for such return now pending with the Alien Property Custodian? If Germany hesitates to perform obligations which she has solemnly assumed, will she be timid in asserting claims that possess the color of lawful rights? So that by the treaty of 1828 as well as the law of nations the moment this country declares peace every German alien may go into court, and will have the right to go into court, and demand the return of his part of the \$400,000,000 of property held by the Alien Property Custodian. We have the right to retain that \$400,000,000 and say to Germany, "We hold it in pledge to offset your damages due to American citizens in the sum of \$221,000,000." Will you pass this resolution and run the risk of surrendering the position which the United States may occupy at the council table?

"Oh, but," they say, "we can attend to that later." Who doubts, gentlemen, but that after this resolution passes the United States will deal with Germany not as a victor, but as an equal? When she goes to the council table I want my country to be in a position to absolutely

dictate the terms of peace. [Applause on the Democratic side.] I want to give your and my President the power to settle these matters in the interest of the people of the United States. I do not want him to be humiliated in dealing with an enemy over whom we have triumphed. America should be able to exact as a victor in war into which she was forced, what she was unable to exact while she was yet at peace. I shall never vote to make my country an humble mendicant, cringing and fawning before the enemy she has conquered, to secure unquestioned rights as a matter of grace. [Applause on the Democratic side.]

With peace formally declared may not Germany and her nationals demand: Give back my ships! Give back my property—my stocks and bonds—my moneys and my lands!

What will you say to American claimants to justify your course?

When it was urged that no such forfeiture was possible because of the terms of the resolution which assured protection, he replied:

"Oh," the gentlemen on the majority side say, "section 2 takes care of these things. Section 2 reserves all the rights we have." Let us see what that does.

Here is section 2:

"Sec. 2. That in making this declaration, and as a part of it, there are expressly reserved to the United States of America and its nationals any and all rights, privileges, indemnities, reparations, or advantages, together with the right to enforce the same, to which it or they have become entitled under the terms of the armistice signed November 11, 1918, or any extensions or modifications thereof; or which were acquired by or are in the possession of the United States of America by reason of its participation in the war or to which its nationals have thereby become rightfully entitled; or which, under the treaty of Versailles, have been stipulated for its or their benefits; or to which it is entitled as one of the principal allied and associated powers; or to which it is entitled by virtue of an act or acts of Congress; or otherwise."

Section 2 undertakes to reserve rights under the armistice. When peace is declared the armistice is terminated because an armistice is merely a truce to allow diplomatic negotiation.

This Chamber resounded from the Democratic side with the charges that Republicans were jeopardizing American rights by a course designed to forfeit all of our protection which we now have to hold the property of the foreign nationals. Even the able and talented floor leader, Mr. GARRETT, who spoke with so much vigor to-day, spoke then as follows (CONGRESSIONAL RECORD, 67th Cong., 1st sess., p. 2573):

The passage of this resolution throws away every moral and physical advantage which we now possess; it places us alone among nations, with all our vital interests exposed to the constant menace of a selfish and irritated world.

Surely we do not need to pass it in order to insure that we shall ourselves be just in negotiating with Germany and her allies. Is there anything in German history or any evidence in the manifested spirit of present-day Germany which encourages the belief that she will be more likely to make a just and righteous treaty after we have thrown every advantage away? Surely not. By passing it we are but depriving ourselves and our posterity of all the advantages accruing from a victory of arms honorably won by our bravest and our best and surrendering, perhaps for all time, the opportunity which has been ours and which still is ours to advance civilization and to calm at least in measurable degree the awful apprehensions of the mothers of men.

As an American Congressman I must be excused from aiding in such a denouement. [Prolonged applause on the Democratic side.]

It is a singular situation, with that provision determining the position then, charging us with turning all the property back by the peace resolution against which they rallied, now they come unitedly and demand that we do precisely what they united against us for doing. Then we were condemned because our resolution, they asserted, would turn back the property. Now we are condemned because this resolution does not turn back all the property.

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

Mr. FESS. Oh, my friend from New York [Mr. COCKRAN] made a fine speech upon the right side of that question when it was under discussion, and voted right. I looked up his record at that time, because he spoke to-day. I am glad to announce that, unlike his party, he is consistent, and I compliment him upon it.

The American Government will, of course, never confiscate property. We will ever respect the rights of private property inviolable. Everyone knows that. [Applause.] That is why it is perfectly useless to adopt an amendment such as that of my friend from Kansas [Mr. HOCH], because it is merely a certificate that we are honest; and it is nothing else. I hope that the American Congress does not need to certify to the people of the country that it means to do the right thing, not only for its own citizens but all other nationals. It is not necessary for Congress to declare our honor by resolution. It is an imputation that might lead to a doubt of the Nation's integrity in our foreign relations.

The war left us in a complicated situation, with many problems for attention. One by one they have been taken up. This one of alien property is serious and must be properly handled.

To protect all rights we entered into a treaty. This question was covered and agreed upon by both parties to the treaty.

Section 5 gives us the right we are now exercising:

Sec. 5. All property of the Imperial German Government, or its successor or successors, and of all German nationals which was, on April 6, 1917, in or has since that date come into the possession or under the control of, or has been the subject of a demand by the

United States of America or of any of its officers, agents, or employees, from any source or by any agency whatsoever, and all property of the Imperial and Royal Austro-Hungarian Government, or its successor or successors, and of all Austro-Hungarian nationals which was, on December 7, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America or any of its officers, agents, or employees, from any source or by any agency whatsoever, shall be retained by the United States of America and no disposition thereof made, except as shall have been heretofore or specifically hereafter shall be provided by law until such time as the Imperial German Government and the Imperial and Royal Austro-Hungarian Government, or their successor or successors, shall have respectively made suitable provision for the satisfaction of all claims against said Governments, respectively, of all persons, wheresoever domiciled, who owe permanent allegiance to the United States of America and who have suffered, through the acts of the Imperial German Government or its agents or the Imperial and Royal Austro-Hungarian Government or its agents, since July 31, 1914, loss, damage, or injury to their persons or property, directly or indirectly, whether through the ownership of shares of stock in German, Austro-Hungarian, American, or of other corporations, or in consequence of hostilities or of any operations of war, or otherwise, and also shall have granted to persons owing permanent allegiance to the United States of America most-favored-nation treatment, whether the same be national or otherwise, in all matters affecting residence, business, profession, trade, navigation, commerce, and industrial property rights, and until the Imperial German Government and the Imperial and Royal Austro-Hungarian Government, or their successor or successors, shall have, respectively, confirmed to the United States of America all fines, forfeitures, penalties, and seizures imposed or made by the United States of America during the war, whether in respect to the property of the Imperial German Government or German nationals or the Imperial and Royal Austro-Hungarian Government or Austro-Hungarian nationals, and shall have waived any and all pecuniary claims against the United States of America.

It will not be overlooked that this treaty is signed by Germany, and our procedure under the terms is not a violation of international law nor the common law of nations. That treaty sets up an agency for adjusting the points in dispute. There are many items involving controversies growing out of pre-war contracts. That agency is now at work on these controverted items. To reverse the course and thus to nullify by turning everything back, even including what is now in dispute in the courts, as many cases are, would be a very unwise step at this juncture for all concerned—our own citizens as well as those of other countries. We are doing precisely what the treaty provides and what we ought to do in honor to ourselves and in respect for the nationals of other countries. [Applause.]

This bill when it becomes law will clean up 93 per cent of the claims. In money it makes a small per cent of the totals. When these are out of the way the balance can be expedited under the provisions of the treaty, which is clear in its procedure and which, so long as it is followed, is complete defense against the charge of confiscation. We are here endeavoring to do justice to nationals of other countries as provided in the treaty and at the same time protect all the rights of American citizens. I predict that the record will show quite a unanimity of decision when the final vote is taken.

The CHAIRMAN. All time has expired, and the question is on the amendment offered by the gentleman from Missouri.

The question was taken, and the Chair announced the yeas appeared to have it.

On a division (demanded by Mr. RAYBURN) there were—yeas 55, noes 56.

So the amendment was rejected.

Mr. NEWTON of Minnesota. Mr. Chairman, I have an amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. NEWTON of Minnesota: Page 7, lines 13 and 14, strike out the words "was at such time and."

Mr. NEWTON of Minnesota. Mr. Chairman, the amendment is a formal one that has been submitted to members of the committee on both sides of the aisle. It corrects the text by striking out certain words which were placed in there inadvertently because the phrase is to be found in the original act. As amended it will better express the purpose of the paragraph.

Mr. FISH. Mr. Chairman, I would like to be heard on the amendment.

The CHAIRMAN. The gentleman from New York.

Mr. FISH. Mr. Chairman, I would like to call attention of the committee to the remarks made by the gentleman from Ohio [Mr. BEGG], who questioned the motives of those of us who favored the return of all of this property, and I would like to avail myself of this opportunity to say that his statement was absolutely unjust and unfair, and further to say, using an old and fitting expression, "O, patriotism, what crimes are committed in thy name," and recommend to the gentleman that he go to a primary school and study international law.

Mr. BEGG. Will the gentleman yield?

Mr. FISH. When I get through.

Mr. BEGG. I want to correct the gentleman's statement.

Mr. FISH. I do not yield.

Mr. BEGG. Well—

Mr. FISH. I do not yield.

Mr. BEGG. Does not the gentleman want to quote me correctly?

Mr. BLANTON. I make the point of order—

Mr. FISH. I heard the gentleman and heard him very well. I do not yield. Now, Mr. Chairman and gentlemen of the committee, the greatest thing that was done by the United States in the World War, except that of turning the tide of defeat into victory, was the fact that we asked for no reparations, the fact that we asked for no indemnity, and the fact that we asked for no territory, and now, the first time that Congress has been put to the test, it has violated a fundamental principle of international law by refusing to return property held in trust to its lawful owners. [Applause.]

Mr. TILSON. Will the gentleman yield? I want to know just when that first test came.

Mr. FISH. I do not yield. We have been found wanting to a sacred trust. We have been preaching for generations from the housetops the doctrine of inviolability of property taken from an enemy, and when we are actually put to the test Congress denies that principle; it denies it in part, and only turns back a certain percentage of the property.

That is what the action of the House amounts to in continuing to hold this property over four years after the war. I do not question the spirit and motive that animates any Member of the House, but at least, gentlemen, I can not help but feel that we have repudiated our traditional policy, that we have literally kicked out of the window an established international principle that has been gradually built up during a thousand years. [Applause.]

Let me quote what Alexander Hamilton, the great proponent of the Federal Constitution, had to say on the sacredness of private property seized in time of war (see Camillus letters, 18 to 22): "No powers of language at my command can express the abhorrence I feel at the idea of violating the property of individuals which in an authorized intercourse in time of peace has been confided to the faith of our Government and laws, on account of controversies between nation and nation." * * * "The right of holding or having property in a country always implies a duty on the part of its government to protect that property, and to secure to the owner the full enjoyment of it; whenever, therefore, a government grants permission to foreigners to acquire property within its territories, or to bring and deposit it there; it tacitly promises protection and security."

Again let me call your attention to section 38 of Instructions for the Government of the Armies of the United States, issued on April 24, 1863: "Private property, unless forfeited by crimes or by offenses of the owner, can be seized only by way of military necessity for the support or other benefit of the Army, or of the United States. If the owner has not fled, the commanding officer will cause receipts to be given which may serve the spoliated owner to obtain indemnity."

Practically all authorities on international law from the time of Grotius and Vattel to Hall and Wheaton agree that private property of enemy nationals should not be confiscated when found in a State on the outbreak of war. Modern international custom and usage is emphatically opposed to the idea of confiscation or reprisal. We have not confiscated private enemy investments in any of our wars from the Revolution to the present.

It is the business of civilization to create such conditions as will render victory less brutal and defeat more bearable. It is within the power of Congress to set a glorious example to the world by restoring all the private property of German and Austrian nationals, excepting ships in which the German Imperial Government had an interest, and of patents which are still in litigation. It is a wonderful opportunity to demonstrate our sincerity by upholding international law and American traditions, irrespective of any interest we may have to the contrary. We have a real duty to perform in behalf of established law and order. We must not shirk the responsibility and put our own selfish interests above those of the civilization of the world. What a glorious climax it would be to the part played by our country in the World War if we should in these days of passion and hatred by act of Congress comply with the established principles of international law and help by our example to lead the way to peace.

Under the provisions of this bill only forty-four millions out of three hundred and fifty millions are to be returned. In addition we are holding two hundred millions in seized ships and many millions of dollars worth of patents.

We have laid ourselves open to suspicion by the manufacturers, by the exporters, by the importers, by the merchants of Europe, who believed we went into the World War from the purest, the highest, and the most idealistic motives, when we say that this property, which should have been returned a long time ago, is not to be restored, but by an act of Congress it is to be held in reprisal for claims against the German Government. Why, the gentleman from Ohio got up here and said that he would like to see every cent of the property belonging to enemy aliens used to offset the claims of our citizens against the German Government, and he was applauded on this side—

Mr. BEGG. Will the gentleman yield?

Mr. FISH. I will yield.

Mr. BEGG. I only made this statement, that if Germany did not indemnify in any other way I would then take it.

Mr. FISH. I will say to the gentleman we are holding by this bill \$200,000,000 of shipping, we are holding four or five thousand patents, far more than is required to cover every single legitimate claim against the German Government even if we restore all private property.

Mr. DENISON. Will the gentleman yield?

Mr. FISH. I can not yield. Why, it is said that the total legitimate claims amount to \$15,000,000, not insurance claims. I am in the insurance business, and a large part of them are not legitimate. They were paid for [laughter] by the 10 per cent war-risk insurance, but the total claims amount to from \$15,000,000 to \$30,000,000—less than the cost to the United States of one day of actual warfare—and now we propose to repudiate for this sum one of the greatest and most important principles in international law, and the principle that this Nation has always been foremost to champion. [Applause.]

Mr. NEWTON of Minnesota. Mr. Chairman, I move that the debate on this section and all amendments thereto be now closed.

The CHAIRMAN. The gentleman from Minnesota moves that the debate on this section and all amendments thereto be now closed. The question is on agreeing to that motion.

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

Mr. NEWTON of Minnesota. No; I can not.

Mr. SABATH. I have an amendment that I desire to be heard on. I want to be heard on that amendment for five minutes.

Mr. NEWTON of Minnesota. Then, Mr. Chairman, I make it 10 minutes.

The CHAIRMAN. The gentleman from Minnesota modifies his motion. The gentleman from Minnesota moves that the debate on this section and all amendments thereto close in 10 minutes. The question is on agreeing to that motion.

The motion was agreed to.

Mr. SABATH. Mr. Chairman, I offer an amendment.

Mr. NEWTON of Minnesota. Mr. Chairman, is it in order to have a vote now on the slight amendment I have offered, or will that go over until the debate is closed?

The CHAIRMAN. The question is on agreeing to the motion of the gentleman from Minnesota.

The motion was agreed to.

Mr. SABATH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SABATH: Page 5, line 16, after the word "or," insert "an individual who was at that time a citizen or subject of Germany, Austro-Hungary, or who is not a citizen or subject of any nation, who prior to April 6, 1917, was and is now a permanent resident of the United States, or."

Mr. SABATH. Mr. Chairman and gentlemen, nearly every one on that side, as well as on our side, has positively stated that he is in favor of returning the property that is now being held by the Alien Property Custodian. It is true that one or two gentlemen have qualified their statements. But I venture to say that 95 per cent of the membership are in favor of returning and not confiscating this property of the alien enemy. Consequently, I am hopeful that all of the Members will be in favor of this amendment, which provides for the return of property of resident aliens, men who have lived in America from 10 to 40 years. The gentleman from Missouri has stated that no such property has been taken. He, of course, is mistaken. Many an estate and many a man's property has been taken who has been and who is now a resident of the United States.

Mr. CLARKE of New York. Mr. Chairman, will the gentleman yield for a question?

Mr. SABATH. I regret I have not the time.

During the year 1914—yes; and for many years before—thousands of our citizens, and some who were not citizens, were in Germany when the war broke out—three years before we en-

tered the war. These people, though residents of the United States, were unable to return to the United States. They were held in Germany against their will and against their protest, and notwithstanding the fact that they had not been guilty of any wrongdoing, but because of the fact that they were temporarily absent from the United States, their property has been taken by the Alien Property Custodian, and up to this day it has not been returned to them.

Now, I believe in all fairness that the least thing which we can do to-day, two years after peace has been declared between our country and Germany—the least thing we can do is to return the property belonging to those who have made their home in this country and who are permanent residents in the United States. In the act of 1920 we provided for the return of the property of those aliens who were sent to detention camps because of suspicion and acts of disloyalty. In view of that fact what excuse have we to retain the property of those who were not accused but found to be loyal and patriotic?

I do not know how many of these claimants there are, but I am of the opinion that there can not be more than 100 or 200, and that the sum total of all will not be great. In justice I plead with the committee that this amendment that I have offered be adopted. Of course, we must bear in mind, Mr. Chairman and gentlemen, that Germany four years ago by legislation ordered the return of property of American citizens, and in nearly every instance it has been returned, with the exception of cases where there was a question of the amount due, and this only as to before the war—money that was deposited with the banks. But all the private claims have been paid. Now when Germany has returned the property to all of our citizens I hope we will not continue to hold property belonging to people, formerly German subjects, who have made their homes here, many of whom have filed a declaration of their intention to become citizens; and the chances are that in a year or two they will become American citizens. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. SABATH. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

The extension of remarks referred to is here printed in full as follows:

Mr. SABATH. Mr. Speaker, during the general debate on the bill each and every Member who took the floor has gone on record in the strongest and most positive terms that the Government has no right, nor was it intended, to take over or confiscate the property of German nationals. They have set forth clearly that under the treaty of 1785, entered into between the United States and Germany, in the event of war between the two nations the rights and properties of German citizens were guaranteed. Of course, it is not my intention in any way to defend the cause of the Imperialistic German Government. I, with a great many other Members, enjoined and condemned that Government for violating and disregarding the treaty during the war, and I ask now, Should we in peace be guilty of that for which we so strongly condemned the former German Government? Surely, Mr. Speaker, no one will contend that two wrongs will make a right. Very early in the war President Wilson and A. Mitchell Palmer, Alien Property Custodian, gave expression in messages and announcements with regard to the conduct of the war in accordance with the principles of international law. President Wilson in one of his messages stated:

We shall conduct our operations as belligerents without passion and ourselves observe with proud punctilio the principles of right and of fair play that we profess to be fighting for.

In the Official Bulletin of November 14, 1917, appeared an announcement of the then Alien Property Custodian, A. Mitchell Palmer, stating:

The purposes of Congress are to preserve enemy-owned property in the United States from loss and to prevent every use of it which may be hostile and detrimental to the United States. The Alien Property Custodian exercises the authority of a common-law trustee; there is no thought of a confiscation or dissipation of property thus held in trust.

With such expression from the President of the United States and the Alien Property Custodian at that crucial stage of the war, it is undisputed that they were aware of the rights and immunities of holders of private property. It is one of the most settled rules of international law that private property is immune and inviolable in time of war, and even in cases of conquest. Why, then, Mr. Speaker, the continuous holding of properties taken over during the war? The time is long past for the return of the properties, so why delay longer? I hope this

great Nation of ours will not hesitate now in doing the proper, right, and honorable thing in returning the properties without further delay. It will demonstrate that we still adhere to old, honest traditions and will prove to the German citizenry that our fight was not against them but against the then German Imperialistic Government.

There are some who claim that section 5 of the treaty of January 5, 1921, gives us the right to hold the property for claims of our citizens. That might be so, but section 5 was embodied in the treaty in violation of the strict and positive provisions of the treaty of 1799, which provided:

ART. XXIV. * * * And it is declared that neither the pretense that war dissolves all treaties, nor any other whatever, shall be considered as annulling or suspending this and the next preceding article, but that on the contrary that the state of war is precisely that for which they are provided, and during which they are to be as sacredly observed as the most acknowledged articles in the law of nature and nations.

Now, Mr. Speaker, in the taking over of the property by our Government and the placing of it in the hands of the Alien Custodian we need but to revert to the hearings and the speeches made on the floor of the House when we considered the legislation providing for it to determine what the true intent of Congress was. A perusal of the debate will satisfy the most doubtful person that the property was taken only to be held by the Alien Property Custodian so that it could not be used against our country during the war. The gentlemen who had charge of the bill on the floor of Congress, Mr. MONTAGUE, of Virginia, and the gentleman from Pennsylvania [Mr. Dewalt], both so positively stated. Therefore I ask, Mr. Speaker, what right have we to hold the properties any longer?

It is my opinion that a great injustice has been done; that all of the property has not been returned before this time; and, further, notwithstanding that all admit the property should be returned some day, why does this bill provide that but 10 per cent of it should be returned now; in other words, that we should do 10 per cent justice? Of course, I realize that even the return of 10 per cent of the properties will relieve about 30,000 people in starving and straitened circumstances, yet the lame justification is given that we should hold the balance as security for the claims of our own citizens. I am satisfied, Mr. Speaker, that we could return all of the property now in the hands of the Alien Property Custodian and that by retaining the German ships seized during the war we will find that the value of these ships alone will be more than sufficient to take care of every just claim of American citizens. It is a fact that we seized 126 ships during the war; 21 of them were turned over to the Army and Navy, and the balance, 105 in number, were held and used by our Government. The total tonnage of the 105 ships was over 700,000 tons. It is asserted that nearly a billion dollars' worth of claims will be filed with the Mixed Claims Commission against Germany and Austria. Precedents and statistics show the settlement of war claims in past wars have been adjudicated on an 8 per cent basis. Hence full settlement of all claims would be in the neighborhood of \$80,000,000 or \$100,000,000. Can it be denied that the value of a fleet of 105 vessels, whose tonnage is between 700,000 and 800,000 tons, will not serve as a guaranty for the payment of all claims allowed?

I am of the opinion that the people of this country are unwilling that our Government should hold this property to satisfy unreasonable and illegal claims filed by marine insurance companies. These companies charged tremendous premiums during the war, which premiums were added to the cost of transportation and merchandise shipments.

It is a source of regret that not even a provision was made in this bill for the return of the properties of Austrians and Hungarians, against whom, I understand, we have no claims, unless it be that of some fictitious claims of the marine insurance companies. The Government of Austria-Hungary has not seized or taken any property or business owned within its borders by the citizens of the United States. Of course, it was decreed that no such property or income therefrom could be taken or sent from Austria to the United States or its allies during the war.

The committee, Mr. Speaker, also failed to include a provision in the bill which would allow the return of property of persons permanently resident of the United States. To-day, as before the war in 1914, we have hundreds of American citizens in every country of the world. When the war broke out there were thousands of American citizens in Germany and Austria-Hungary, there were also some who were not citizens but who were permanent residents of the United States, they having resided in our country upward of 10 years and longer. They were of that class of former subjects of Germany and Austria who had expatriated themselves

by reason of absence from their native country beyond the period of 10 years.

The German military law required that all reserves present themselves within 10 years after their regular service and a failure to so report would revoke their citizenship. There were many of this class who temporarily left the United States to sojourn in Germany and Austria, some on business, some for their health, others visiting their relatives, many of whom had return transportation to this country, who, when the war broke out, found it impossible to return to the United States, they being held there against their will by the German Government. Notwithstanding that they made many efforts to leave they were unable to do so, owing to the strict regulations governing the entry and departure of persons to and from the country. However, when opportunity did present itself they did leave and are again in the United States. Though we have authorized the return of the property of those who were suspected in the United States during the war, of those who were placed in detention camps, and those who were compelled to report to the offices of the Department of Justice throughout the war, we, at this late day, still refuse to return the property of these permanent residents of the United States who were not suspected and against whom no charges of disloyalty were made. What possible reason can there be that their property should not be returned to them immediately? Is there any possible justification for holding it longer? It is true that they have not acquired American citizenship, but they have lost their German citizenship and are now, in the strictest legal interpretation, citizens without a country but permanent residents of the United States. And yet they are denied the return of their property, and that, notwithstanding the fact the German Government nearly four years ago, by proper legislation, ordered the return of the property of American citizens which they seized.

Some gentlemen, Mr. Speaker, maintain that we are holding the property as security. Can anyone contend that international law or justice will permit the taking of property that we hold as custodians or bailees. It must and no doubt will be conceded by all familiar with the laws of our land that if any individual acting as custodian or bailee of any property taken by him as such who should fall to turn over property so taken and held by him when the action, cause, or time for which he received such property would no longer exist or would be terminated, could not only be prosecuted against civilly and in trover, but could be prosecuted criminally for wrongful conversion or larceny by bailee. The property held by the Alien Property Custodian was taken by him during the war for the purpose to preserve and, secondly, to prevent it from being used against our country during the duration of the war and for no other purpose. Therefore I feel that it is our duty—yes; justice demands—that the property shall be returned, and we can not justify in doing what our laws and what the international laws say is illegal and unlawful.

Mr. Speaker, if the Interstate and Foreign Commerce Committee had given any consideration to the evidence and to the law I feel that they would have, in addition, provided for the return of the property owned by the Austrian and Hungarian citizens and also by the resident aliens. In fact, I honestly believe that if the membership of this House could have considered the evidence and heard the legal arguments of some of the ablest international authorities and would be familiar with the precedents established by all the civilized nations, that the private property of enemies is inviolate, I feel that the amendment of the gentleman from Texas, or, at least, my amendment, would prevail. By continuing to hold 90 per cent of the property we are violating our precedents and the precedents established, as I said, by every civilized nation and are doing what no other civilized nation has ever been guilty of, namely, taking and holding property of individuals for liquidating claims of the Government.

Mr. Speaker, I again state that justice demands that we without delay order the return of this property.

Mr. HAWES. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SANDERS of Indiana. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BLANTON. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GRAHAM of Illinois rose.

The CHAIRMAN. The gentleman from Illinois is recognized for five minutes.

Mr. GRAHAM of Illinois. Mr. Chairman, just a word about this amendment. It will hardly take me a minute to state it. If this amendment is agreed to it will return all property that belongs to Germans or Austrians. Notice the language of the amendment—

An individual who was at such time—

that is, the time of the seizure—

a citizen of Germany, Austro-Hungary, or.

I imagine we do not want to do anything of that kind. This is the same question that was presented a while ago. It is unnecessary to talk about it. If this amendment is agreed to, it returns all property of every kind.

Mr. SABATH. The gentleman is in error.

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois [Mr. SABATH].

The question being taken, on a division (demanded by Mr. SABATH) there were—ayes 44, noes 84.

Accordingly the amendment was rejected.

The Clerk read as follows:

SEC. 2. That the "trading with the enemy act," as amended, is amended by adding thereto the following sections:

"SEC. 20. That no money or other property shall be paid, conveyed, transferred, assigned, or delivered under this act to any agent, attorney, or representative of any person entitled thereto, unless satisfactory evidence is furnished the Alien Property Custodian or the court, as the case may be, that the fee of such agent, attorney, or representative for services in connection therewith does not exceed 10 per cent of the value of such money or other property; but nothing in this section shall be construed as fixing such fees at 10 per cent of the value of such money or other property, such 10 per cent being fixed only as the maximum fee that may be allowed or accepted for such services. Any person accepting any fee in excess of such 10 per cent shall, upon conviction thereof, be punished as provided in section 16 hereof.

"SEC. 21. That the claim of any naturalized American citizen under the provisions of this act shall not be denied on the ground of any presumption of expatriation which has arisen against him, under the second sentence of section 2 of the act entitled 'An act in reference to the expatriation of citizens and their protection abroad,' approved March 2, 1907, if he shall give satisfactory evidence to the Alien Property Custodian of his uninterrupted loyalty to the United States during his absence, and that he has returned to the United States, or that he, although desiring to return, has been prevented from so returning by circumstances beyond his control.

"SEC. 22. No person shall be entitled to the return of any property or money under the provisions of this act who is a fugitive from justice from the United States or any State or Territory thereof or the District of Columbia.

"SEC. 23. The Alien Property Custodian is directed to pay to the person entitled thereto, from and after the time this section takes effect, the net income, dividend, interest, annuity, or other earnings, accruing and collected thereafter, on any property or money held in trust for such person by the Alien Property Custodian or by the Treasury of the United States for the account of the Alien Property Custodian, under such rules and regulations as the President may prescribe.

"SEC. 24. The Alien Property Custodian is authorized to pay all taxes (including special assessments), heretofore or hereafter lawfully assessed by any body politic against any money or other property held by him or by the Treasurer of the United States under this act, and to pay the necessary expenses incurred by him or by any depositary for him in securing the possession, collection, or control of any such money or other property, or in protecting or administering the same. Such taxes and expenses shall be paid out of the money or other property against which such taxes are assessed or in respect of which such expenses are incurred, or (if such money or other property is insufficient) out of any other money or property held for the same person, notwithstanding the fact that a claim may have been filed or suit instituted under this act."

Mr. GRAHAM of Illinois. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois [Mr. GRAHAM] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GRAHAM of Illinois: Page 14, line 8, strike out the word "Custodian" and insert in lieu thereof the following: "Custodian or the court, as the case may be."

Mr. GRAHAM of Illinois. Mr. Chairman and gentlemen, this is simply to make this section conform to the preceding sections of the trading with the enemy act, by which a claimant can either go into court or go before the Alien Property Custodian.

Mr. WOOD of Indiana. Mr. Chairman and gentlemen of the committee, if this bill becomes a law it will relieve all but about 7 per cent of those whose property is now held by the Alien Property Custodian. I sincerely hope that there will not be a single vote against the passage of this bill. The distress that is now prevalent among those whose property we are holding beggars all possible description. I trust this vote will be unanimous for the purpose of showing to these people who were our combatants only a short time ago that there is no animosity and no rancor in the hearts of Americans against the German people. We have many reasons to entertain a feeling of friendliness toward them. Sixty years ago, when this country was trembling in the balance and when it was not known from one day

to another whether this Union would survive, the German people came to our relief in a most magnanimous way. Ex-Secretary of the Treasury Robert J. Walker, a citizen of Mississippi, and who remained loyal to the Union, was sent by Abraham Lincoln to the German people for relief. He succeeded in borrowing \$250,000,000 from German citizens with which the North could prosecute the war. He succeeded in selling a billion dollars' worth of bonds over there, the proceeds of which made it possible that our Government might survive. I know that war makes bitter enemies, but I do not believe that during the existence of the late war, with few exceptions, there was any hatred or feeling against German citizens. I do not believe there is any feeling of that character now, and there should not be; and if this bill is passed by the unanimous vote of this House, it will be the best possible assurance of this fact to these people who are so much in need of the friendly offices of this great Government of ours.

There is no need of our making a declaration that we will return the balance of this property. That goes without saying, for we have declared that we do not intend to confiscate any portion of it. We have asked for no reparation. We have asked for nothing except that which it is our duty to ask, that our nationals also receive the same treatment, which I believe they will receive at the hands of the German Government. I regret exceedingly that we have so long delayed the passage of this bill. But through the red tape that is ever present in transactions of this character it seems that it has been impossible to reach it sooner. But this Congress is drawing rapidly to a close, and we should be derelict in our duty, this Nation would be derelict in the duty it owes to these suffering people, if we should permit Congress not to pass this bill. I trust it will go through here at the earliest possible moment, so that there can be no excuse for its not passing at the other end of the Capitol. In so doing we will have performed a duty to humanity and a duty to our country. [Applause.]

Mr. BANKHEAD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Alabama moves to strike out the last word.

Mr. NEWTON of Minnesota. Mr. Chairman—

The CHAIRMAN. The Chair has recognized the gentleman from Alabama on a motion to strike out the last word.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. BANKHEAD. If it will not be taken out of my time.

Mr. NEWTON of Minnesota. Not to be taken out of the gentleman's time, I should like to submit a request for unanimous consent, that all debate on this section and all amendments thereto close in 10 minutes.

Mr. SUMNERS of Texas. Reserving the right to object, I want five minutes.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that all debate on this section and all amendments thereto close in 10 minutes. Is there objection?

Mr. RAYBURN. I object.

The CHAIRMAN. The gentleman from Texas objects.

Mr. NEWTON of Minnesota. I should like to amend the request by making it 20 minutes.

The CHAIRMAN. The gentleman asks unanimous consent that all debate on this section and all amendments thereto close in 20 minutes. Is there objection?

There was no objection.

Mr. BANKHEAD. Mr. Chairman and gentlemen of the committee, upon yesterday the distinguished gentleman from Pennsylvania, Doctor TEMPLE, in undertaking to assert that there was justification by well-recognized precedents for the position for which he was contending, asserted that during the Civil War the officials of the Confederacy confiscated private property belonging to citizens of the Northern States. I am not in a position to deny the accuracy of that statement, but rather assume that it is true, because Doctor TEMPLE asserted it. But I think, for the sake of the RECORD and for students of this question who may read this debate, it may be a contribution to the literature on the subject to insert in the RECORD a quotation on this subject from Charles Cheney Hyde's recent work on international law, on page 238, as follows:

In the course of the Civil War the United States—

Not the Confederacy, mark you—

in its endeavor to suppress the insurrection, and by way of punishment for disloyalty and treason on the part of the owners, undertook by an act of Congress of July 17, 1862, to confiscate property found within the Union lines. The principle acted upon differed essentially from that involved in confiscating property of alien enemies, and gives no support by way of precedent to such procedure. On August 6, 1861, the Congress enacted a law for the confiscation of property purchased or acquired, sold, or given with intent to aid

or abet or promote the insurrection or resistance to the laws, or in case the owner of property should knowingly use or employ it, or consent to the use or employment of it, for such purpose. It was thus the nature of the use of the property rather than the character of the owner which was made the ground of confiscation. It is not believed that this law, in view of the nature of the conflict then existing, indicates legislative approval of the confiscation in a foreign war of the property of alien enemies within the national domain. As careful an observer as Hall declared that this act of Congress was the only instance of belligerent confiscation of private property from the close of the Napoleonic wars until the time when he wrote; yet he expressed doubt as to whether the usage was old and broad enough to establish a rule applicable to all forms of private property.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. BANKHEAD. I yield.

Mr. SANDERS of Indiana. I would like to suggest to the gentleman along the same line that the Confederate Government passed a confiscatory act and Great Britain protested vigorously against it with reference to her nationals living in the North.

Mr. BANKHEAD. I thank the gentleman for his statement.

Mr. SANDERS of Indiana. I was supporting the gentleman.

Mr. TEMPLE. Mr. Chairman, the gentleman from Alabama referred to some remarks that I made yesterday. Here is what I said yesterday:

T. J. Lawrence, the author of an exceedingly valuable discussion of international law, says that only one instance of such confiscation can be found in the history of warfare since Napoleonic times, and that was in the heat of a civil war which we in America would like to forget, and consisted of confiscation by the Confederate Government of the property of those living within its borders who remained loyal to the North.

In the fifth edition of Lawrence's Principles of International Law, page 424, I find this language:

The growth of the practice of allowing enemy subjects resident in a country to continue there unmolested during the war carried with it permission for them to retain their property; and in modern times the real property of enemy subjects has not been interfered with by the belligerent States in whose territory it was situated, even when the owners resided in their own or neutral States; the one exception being an act of the Confederate Congress, passed in 1861, for the appropriation of all enemy property found within the Confederacy, except public stocks and securities. This proceeding was deemed unwarrantably severe; and contrary usage has been so uniform that we may safely regard the old right to confiscate or sequester as having become obsolete through disuse.

I have here the act of the Confederate Congress, approved August 30, 1861, that is referred to by Lawrence. I do not care to print it in the RECORD. I have also in my mind the correspondence between Fred J. Cridland, the acting consul at Richmond, and Lord Lyons. Cridland reports the seizure of 2,500 hogsheds of tobacco that belonged to British subjects because this property was in some way connected with the firm of August Belmont & Co., of New York. Lord Lyons in a dispatch dated at the foreign office, December 6, 1861, replies and discusses at considerable length the principles involved, and closes with the following paragraph:

Under these circumstances, I have to instruct you to remonstrate strongly with the secretary of state of the so-called Confederate States on the hardship and injustice of confiscating the property of neutrals under the sequestration act of the Confederate Congress.

I only rose because what I stated yesterday was referred to, and I think I have shown that my statement on yesterday was absolutely accurate. Mr. Chairman, I yield back the balance of my time.

Mr. SUMNERS of Texas. Mr. Chairman, I do not want to get into the discussion of the confiscation by the Confederate States and by the Federal Government of private property during the Civil War, but those of us who live in the South have understood that a good deal of cotton belonging to private citizens, animals, corn, and so forth, was taken, even the cover from the beds of the homes, and after the war the Federal Government confiscated millions of dollars under the guise of a cotton tax, which it has failed to pay back, though violative of every principle of right and justice operative in behalf of a defenseless people. I do not want to bring that into this controversy. But it does remind me that it was not what was taken for the maintenance of the Federal Army and the depredations during the war that has been so hard to forget, but what was done after the war. Things like this cotton tax, the period of carpet-bag rule, and so forth. When the war is on fight the best you can, and then when the war is over quit fighting. Either destroy utterly or leave the fellow you have been fighting in the best possible mental attitude to take his place in the world as a good neighbor. [Applause.] I think that is a sound proposition. I know it is. Now, I can not see the philosophy or reasoning for the procedure here contemplated.

Everybody says, you all say, that it is not contemplated that one single cent of this money being held by the Alien Property Custodian is to be confiscated. We proclaim that to the world in no uncertain terms. Then, in the name of common sense,

what coercion, what advantage can we expect to exercise by reason of the retention of property which we declare we intend eventually to turn over to the owners? I can not get the sense of this from any angle. We have claims, I understand, of about a billion dollars filed against Germany and its nationals. We do not have enough on hand now to pay these claims if we retain all we have. If we are going to retain part, as is proposed by this bill, why not retain all? If we are going to return a part, why not return it all? I do not see the common sense of it, nor any possible benefit from this piecemeal procedure. We say we are not going to confiscate a cent, and yet our procedure is enough to make the world doubt the honesty of our declaration. The only thing I can see in this procedure is that it will make it necessary to retain on the pay roll the custodians, clerks, lawyers, and others who are holding this property.

There are too many of that sort of people living off of the wreckage of the war. The more they absorb the less there will remain to pay the world's war debts and rebuild its devastated areas and revive its normal activities. If we are going to confiscate this property finally, do it now. If we are going to turn it back, do it now and let these people who have been living off of this property for years find something else to do.

Somewhere, somehow in the economy of the world some one must pay the alien property custodians for their retention of this stuff. I say the world has enough debt and enough burden upon its back, without retaining those which can be gotten off. Turn back a part of what is not enough now to pay our claims, declaring at the same time we are going to turn the remainder back, but retain enough to justify hiring a lot of lawyers, clerks, and an Alien Property Custodian to fool around with this property, which we say we will eventually turn over, is a policy the wisdom of which I can not understand. That policy brings nothing to those who have suffered loss. It postpones the owners to whom we say we will eventually return it. It helps nobody except the custodians who are drawing their salaries from the earnings of the property, and possibly the banks in which money is deposited. I repeat, that the wise policy is to fight until the war is over. Then quit. Wind up as quickly as possible. Take what is to be taken. Give back what is to be given and get rid of the army of noncombatants who live off, as long as possible, that which is salvaged from the war. I hope the Senate will insist upon doing now the plain and common-sense thing, and that is to wind up the whole matter and let whatever of this property we say we are not going to confiscate, and we say we are not going to confiscate any of it, go back to the owners to whom we expect to give it in the next year or so.

Mr. SANDERS of Indiana. Mr. Chairman, the gentleman says that he hopes the Senate will do something. The gentleman is aware that the Democratic leader has a bill now before that body to take this property and with it pay American claims.

Mr. SUMNERS of Texas. I do not care what the Democratic leader has done. I do not want the Republican side of the House when it occasionally gets half right to spoil its position by undertaking to follow the Democratic leader of another Chamber. What you ought to do when you are uncertain is to follow the Democratic leader on this side of the House. [Laughter and applause.]

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

The amendment was agreed to.

Mr. GRAHAM of Illinois. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Page 14, line 22, strike out the words "Property Custodian or by the Treasurer" and insert "Property Custodian or by the Treasurer."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. NEWTON of Minnesota. Mr. Chairman, I move that the committee do now rise and report the bill with the amendments to the House with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to; accordingly the committee rose, and Mr. CAMPBELL of Kansas having resumed the chair as Speaker pro tempore, Mr. ANDERSON, 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. 14222, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. NEWTON of Minnesota. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The SPEAKER pro tempore. The previous question is ordered under the rule. Is a separate vote demanded on any amendment? If not, the Chair will put them en grosse. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

Mr. RAYBURN. Mr. Speaker, I offer the following motion to recommit.

The Clerk read as follows:

Mr. RAYBURN moves to recommit the bill H. R. 14222 to the Committee on Interstate and Foreign Commerce, with instructions to report the same back forthwith with the following amendment: On page 1, lines 5 and 6, strike out the words "not an enemy or ally of enemy."

Mr. NEWTON of Minnesota. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to recommit.

Mr. RAYBURN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 125, nays 181, answering "present" 2, and not voting 119, as follows:

YEAS—125.

Abernethy	Dunbar	Lee, Ga.	Sabath
Almon	Favrot	Linthicum	Sandlin
Aswell	Fields	Logan	Sears
Bankhead	Fish	London	Sinclair
Beck	Fisher	Luce	Sisson
Bell	Frear	Lyon	Smithwick
Black	Fulmer	McClintic	Speaks
Blanton	Funk	McDuffie	Sproul
Bowling	Garrett, Tenn.	MacGregor	Stafford
Box	Garrett, Tex.	Maloney	Staggall
Briggs	Hawes	Mansfield	Stedman
Britten	Hayden	Martin	Stevenson
Browne, Wis.	Herrick	Mead	Sumners, Tex.
Buchanan	Hickey	Montague	Sweet
Byrnes, S. C.	Hogan	Moore, Va.	Tagne
Byrnes, Tenn.	Hooker	Morgan	Tea Eyck
Cañtrill	Huddleston	Nelson, J. M.	Tinkham
Carew	Hudspeth	Norton	Turner
Carter	Hukriede	O'Connor	Tyson
Chalmers	Hull	Oldfield	Unshaw
Clague	Humphreys, Miss.	Oliver	Vail
Clark, Fla.	Jacoway	Patterson, Mo.	Vinson
Cockran	James	Perlman	Weaver
Collier	Jeffers, Ala.	Quin	Wilson
Cooper, Wis.	Johnson, Ky.	Rainey, Ill.	Wise
Coughlin	Jones, Tex.	Raker	Woodruff
Crisp	Kissel	Ramsayer	Woodyard
Cullen	Kraus	Rankin	Wright
Davis, Tenn.	Lanham	Rayburn	Wurzbach
Deal	Lankford	Riordan	
Domlnick	Larsen, Ga.	Roach	
Doughton	Lazaro	Rouse	

NAYS—181.

Ackerman	Drewry	Humphrey, Nebr.	Michener
Anderson	Driver	Husted	Miller
Andrew, Mass.	Dupré	Ireland	Mondell
Andrews, Nebr.	Edmonds	Jeffers, Nebr.	Moore, Ohio
Anthony	Elliott	Johnson, S. Dak.	Moore, Ind.
Appleby	Ellis	Kearns	Mott
Arentz	Evans	Kelley, Mich.	Murphy
Atkeson	Fairfield	Kelly, Pa.	Nelson, Mo.
Barbour	Faust	Kendall	Nelson, A. P.
Begg	Fenn	Ketcham	Newton, Minn.
Bixler	Fess	Kincheloe	Newton, Mo.
Bland, Va.	Focht	Kirkpatrick	Nolan
Boles	Fordney	Kline, N. Y.	Ogden
Bond	Foster	Kline, Pa.	Paige
Brooks, Pa.	French	Langley	Parker, N. J.
Bulwinkle	Frothingham	Larson, Minn.	Parker, N. Y.
Burtess	Fuller	Lawrence	Parks, Ark.
Butler	Gallivan	Layton	Paul
Cable	Gensman	Loa, Calif.	Perkins
Campbell, Kans.	Gerner	Leatherwood	Porter
Campbell, Pa.	Gifford	Leibach	Pou
Chindblom	Gilbert	Lineberger	Purnell
Christopherson	Graham, Ill.	Little	Ransley
Clarke, N. Y.	Green, Iowa	Longworth	Beece
Cole, Iowa	Greene, Mass.	Lowrey	Reed, N. Y.
Cole, Ohio	Greene, Vt.	Luhring	Reed, W. Va.
Colton	Griest	McArthur	Rhodes
Cooper, Ohio	Griffin	McCormick	Ricketts
Copley	Hadley	McFadden	Riddick
Crago	Hammer	McKenzie	Robertson
Cramton	Hardy, Colo.	McLaughlin, Mich.	Robison
Curry	Haugen	McLaughlin, Nebr.	Rosenberg
Dale	Hawley	McPherson	Rogers
Dallinger	Henry	MacLafferty	Sanders, Ind.
Darrow	Hersey	Madden	Shaw
Dempsey	Hicks	Magee	Shelton
Denison	Hill	Mapes	Shreve
Dickinson	Hoch	Merritt	Siunott

Smith, Idaho	Temple	Underhill	Winslow
Snyder	Thompson	Vestal	Wood, Ind.
Stephens	Thorpe	Walters	Wyant
Strong, Kans.	Tillman	Ward, N. Y.	Yates
Summers, Wash.	Tilson	Wason	Young
Swank	Timberlake	White, Kans.	
Swing	Tincher	Williams, Ill.	
Taylor, Tenn.	Towner	Williamson	

ANSWERED "PRESENT"—2.

Lee, N. Y. Rucker

NOT VOTING—119.

Ansoorge	Dyer	Knight	Scott, Mich.
Bacharach	Echols	Knutson	Scott, Tenn.
Barkley	Fairchild	Kopp	Siegel
Beedy	Fitzgerald	Kreider	Slemp
Benham	Free	Kunz	Smith, Mich.
Bird	Freeman	Lampert	Snell
Blakeney	Gahn	McLaughlin, Pa.	Steenerson
Bland, Ind.	Garner	McSwain	Stiness
Bowers	Glynn	Michaelson	Stoll
Brand	Goldsborough	Mills	Strong, Pa.
Brennan	Goodykoontz	Moore, Ill.	Sullivan
Brooks, Ill.	Gorman	Morin	Taylor, Ark.
Brown, Tenn.	Gould	Mudd	Taylor, Colo.
Burdick	Graham, Pa.	O'Brien	Taylor, N. J.
Burke	Hardy, Tex.	Olp	Thomas
Burton	Hays	Overstreet	Treadway
Cannon	Hines	Park, Ga.	Tucker
Chandler, N. Y.	Huck	Patterson, N. J.	Voigt
Chandler, Okla.	Hutchinson	Petersen	Volk
Classon	Johnson, Miss.	Pringle	Volstead
Clouse	Johnson, Wash.	Radcliffe	Ward, N. C.
Codd	Jones, Pa.	Rainey, Ala.	Watson
Collins	Kahn	Reber	Webster
Connally, Tex.	Keller	Rose	Wheeler
Connolly, Pa.	Kennedy	Rosenbloom	White, Me.
Crowther	Kiess	Rossdale	Williams, Tex.
Davis, Minn.	Kindred	Ryan	Wingo
Dowell	King	Sanders, N. Y.	Woods, Va.
Drane	Kitchin	Sanders, Tex.	Zihlman
Dunn	Klecza	Schall	

So the motion to recommit was rejected.

The Clerk announced the following additional pairs:

On the vote:

Mr. Rucker (for) with Mr. Treadway (against).

Mr. Lampert (for) with Mr. Taylor of New Jersey (against).

Mr. Kindred (for) with Mr. Patterson of New Jersey (against).

Mr. Sullivan (for) with Mr. Crowther (against).

Mr. Voigt (for) with Mr. Burdick (against).

General pairs:

Mr. Cannon with Mr. Taylor of Arkansas.

Mr. Snell with Mr. Brand.

Mr. Morin with Mr. Kunz.

Mr. Keller with Mr. O'Brien.

Mr. Connolly of Pennsylvania with Mr. Woods of Virginia.

Mr. Kiess with Mr. Park of Georgia.

Mr. Dowell with Mr. Garner.

Mr. Olpp with Mr. Collins.

Mr. Radcliffe with Mr. Kitchin.

Mr. Graham of Pennsylvania with Mr. Sanders of Texas.

Mr. Davis of Minnesota with Mr. Tucker.

Mr. Moore of Illinois with Mr. Barkley.

Mr. Free with Mr. Goldsborough.

Mr. Burton with Mr. McSwain.

Mr. Dunn with Mr. Stoll.

Mr. Beedy with Mr. Johnson of Mississippi.

Mr. Fitzgerald with Mr. Thomas.

Mr. Bacharach with Mr. Wingo.

Mr. Freeman with Mr. Taylor of Colorado.

Mr. Johnson of Washington with Mr. Williams of Texas.

Mr. Michaelson with Mr. Hardy of Texas.

Mr. Brennan with Mr. Drane.

Mr. Kahn with Mr. Ward of North Carolina.

Mr. Brooks of Illinois with Mr. Overstreet.

Mr. Mudd with Mr. Rainey of Alabama.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question now is on the passage of the bill.

Mr. MONDELL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The Clerk called the roll, and there were—yeas 300, nays 11, answered "present" 1, not voting 115, as follows:

YEAS—300.

Abernethy	Arentz	Benham	Box
Ackerman	Aswell	Bixler	Brand
Almon	Atkeson	Black	Briggs
Anderson	Rankhead	Bland, Ind.	Britten
Andrew, Mass.	Barbour	Blanton	Brooks, Pa.
Andrews, Nebr.	Beck	Boies	Browne, Wis.
Anthony	Begg	Bond	Buchanan
Appleby	Bell	Howling	Falwickle

Burdick	Gifford	McArthur	Rodenberg
Burtness	Graham, Ill.	McClintic	Rogers
Butler	Green, Iowa	McCormick	Rouse
Byrnes, S. C.	Greene, Mass.	McDuffie	Rucker
Byrnes, Tenn.	Greene, Vt.	McLadden	Sabath
Cable	Griest	McKenzie	Sanders, Ind.
Campbell, Kans.	Griffin	McLaughlin, Mich.	Sandlin
Campbell, Pa.	Hadley	McLaughlin, Nebr.	Sears
Cantrill	Hardy, Colo.	McPherson	Shelton
Carew	Hardy, Tex.	MacGregor	Shreve
Carter	Haugen	MacLafferty	Sinclair
Chalmers	Hawes	Madden	Sinnott
Chindblom	Hawley	Magee	Sisson
Christopherson	Hayden	Maloney	Smith, Idaho
Clague	Henry	Mansfield	Smithwick
Clark, Fla.	Herrick	Mapes	Speaks
Clarke, N. Y.	Hersey	Martin	Sproul
Cockran	Hickey	Mead	Stafford
Cole, Iowa	Hicks	Merritt	Steagall
Cole, Ohio	Hill	Michener	Stedman
Collier	Hoch	Miller	Stephens
Colton	Hogan	Mondell	Stevenson
Cooper, Ohio	Luddeston	Montague	Strong, Kans.
Cooper, Wis.	Ludspeth	Moore, Ohio	Strong, Pa.
Copley	Hukriede	Moore, Va.	Summers, Tex.
Coughlin	Hull	Moore, Ind.	Swank
Crago	Humphrey, Nebr.	Morgan	Sweet
Crisp	Humphreys, Miss.	Mott	Swing
Cullen	Husted	Murphy	Tague
Curry	Ireland	Nelson, Me.	Taylor, Tenn.
Dale	Jacoway	Nelson, A. P.	Temple
Dallinger	James	Nelson, J. M.	Ten Eyck
Darrow	Jeffers, Ala.	Newton, Minn.	Thompson
Davis, Tenn.	Johnson, Ky.	Newton, Mo.	Thorpe
Deal	Johnson, S. Dak.	Nolan	Tilson
Dempsey	Kearns	Norton	Timberlake
Denison	Kelley, Mich.	O'Connor	Tincher
Dickinson	Kelley, Pa.	Ogden	Tinkham
Dinnick	Kendall	Oldfield	Towner
Dowell	Ketcham	Oliver	Turner
Dunbar	Kirkpatrick	Paige	Tyson
Echols	Kissel	Parker, N. J.	Underhill
Edmonds	Kline, N. Y.	Parker, N. Y.	Upshaw
Elliott	Kline, Pa.	Patterson, Mo.	Vaile
Evans	Kopp	Paul	Vestal
Fairfield	Kraus	Perkins	Vinson
Faust	Langley	Perlman	Voigt
Favrot	Lanham	Porter	Volstead
Fenn	Lankford	Pou	Walters
Fess	Larsen, Ga.	Purnell	Ward, N. Y.
Fields	Larson, Minn.	Quin	Wason
Fish	Lawrence	Rainey, Ill.	Weaver
Fisher	Lazaro	Raker	White, Kans.
Focht	Lea, Calif.	Ramsayer	Williams, Ill.
Fordney	Leatherwood	Rankin	Williamson
Foster	Lee, Ga.	Ransley	Wilson
Frear	Leibach	Rayburn	Wingo
French	Lineberger	Reece	Winslow
Frothingham	Linthicum	Reed, N. Y.	Wise
Fuller	Little	Reed, W. Va.	Wood, Ind.
Fulmer	Logan	Rhodes	Woodruff
Funk	London	Ricketts	Woodyard
Gallivan	Longworth	Riddick	Wright
Garrett, Tenn.	Lowrey	Riordan	Wurzbach
Garrett, Tex.	Luce	Roch	Wyant
Gensman	Luhling	Robertson	Yates
Gerhard	Lyon	Robison	Zihlman

NAYS—11.

Bland, Va.	Dupré	Hooker	Parks, Ark.
Drewry	Gilbert	Jones, Tex.	Tilman
Driver	Hammer	Kincheloe	

ANSWERED "PRESENT"—1.

Lee, N. Y.

NOT VOTING—115.

Ansoorge	Fairchild	Knutson	Scott, Mich.
Bacharach	Fitzgerald	Kreider	Scott, Tenn.
Barkley	Free	Kunz	Shaw
Beedy	Freeman	Lampert	Siegel
Bird	Gahn	Layton	Slemp
Blakeney	Garner	McLaughlin, Pa.	Smith, Mich.
Bowers	Glynn	McSwain	Snell
Brennan	Goldsborough	Michaelson	Snyder
Brooks, Ill.	Goodykoontz	Mills	Steenerson
Brown, Tenn.	Gorman	Moore, Ill.	Stiness
Burke	Gould	Morin	Stoll
Burton	Graham, Pa.	Mudd	Sullivan
Cannon	Hays	O'Brien	Summers, Wash.
Chandler, N. Y.	Hines	Olpp	Taylor, Ark.
Chandler, Okla.	Huck	Overstreet	Taylor, Colo.
Classon	Hutchinson	Park, Ga.	Taylor, N. J.
Clouse	Jeffers, Nebr.	Patterson, N. J.	Thomas
Codd	Johnson, Miss.	Petersen	Treadway
Collins	Johnson, Wash.	Pringle	Tucker
Connally, Tex.	Jones, Pa.	Radcliffe	Volk
Connolly, Pa.	Kahn	Rainey, Ala.	Ward, N. C.
Cramton	Keller	Reber	Watson
Crowther	Kennedy	Rose	Webster
Davis, Minn.	Kiess	Rosenbloom	Wheeler
Doughton	Kindred	Rossdale	White, Me.
Drane	King	Ryan	Williams, Tex.
Dunn	Kitchin	Sanders, N. Y.	Woods, Va.
Dyer	Klecza	Sanders, Tex.	Young
Elliott	Knight	Schall	

So the bill was passed.

The Clerk announced the following additional pairs:

Mr. Cramton with Mr. Garner.

Mr. Treadway with Mr. Doughton.

Mr. Snell with Mr. Kindred.
Mr. Lampert with Mr. Sullivan.
Mr. Bacharach with Mr. McSwain.
Mr. Snyder with Mr. Kitchin.
Mr. Taylor of New Jersey with Mr. Drane.

The result of the vote was announced as above recorded.

On motion of Mr. NEWTON of Minnesota, a motion to reconsider the vote by which the bill was passed was laid on the table.

HOOR OF MEETING TO-MORROW.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER pro tempore. 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, I object.

The SPEAKER pro tempore. The gentleman from Tennessee objects.

INCOME TAX OF NONRESIDENT ALIENS.

Mr. GREEN of Iowa. Mr. Speaker, I call up the bill (H. R. 14050) a bill unanimously reported by the Committee on Ways and Means, and ask unanimous consent that it be considered in the House as in Committee of the Whole House on the state of the Union. It will only take a short time to dispose of it.

Mr. MADDEN. Is it a privileged bill?

The SPEAKER pro tempore. The gentleman from Iowa calls up a bill which the Clerk will report.

Mr. BLANTON. May I understand what it is that the gentleman asks?

The SPEAKER pro tempore. The gentleman presents a privileged bill which the Clerk will report.

Mr. BLANTON. But I do not want the unanimous-consent privilege to pass.

The SPEAKER pro tempore. It has not been put yet. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 14050) to amend the revenue act of 1921 in respect to income tax of nonresident aliens.

The SPEAKER pro tempore. The gentleman from Iowa [Mr. GREEN] asks unanimous consent that the bill may be considered in the House as in Committee of the Whole.

Mr. BLANTON. Mr. Speaker, reserving the right to object, how long will it take to pass it?

Mr. GREEN of Iowa. About 10 minutes.

Mr. BLANTON. There will be debate on it. It is now half-past 5. Why not put it off until to-morrow?

Mr. GREEN of Iowa. I did not think there would be any debate on it. It has been unanimously reported by the Committee on Ways and Means.

Mr. CRISP. Mr. Speaker, this bill has had a unanimous report from the Committee on Ways and Means. I have discussed the matter with my two Democratic colleagues that I could get access to—the gentleman from Mississippi [Mr. COLLIER], and the gentleman from Arkansas [Mr. OLDFIELD]—and they will have no objection, and I myself shall not object to the consideration of this bill in the House as in Committee of the Whole. I want to say that if that is done there will be no general debate at all. It will be considered under the five-minute rule, and I should not think it would take more than a very few minutes to dispose of it.

Mr. STAFFORD. Mr. Speaker, let the bill be reported before the stage of the unanimous-consent privilege is passed.

The SPEAKER pro tempore. The Clerk will report the bill. The Clerk read as follows:

Be it enacted, etc., That section 210 of the revenue act of 1921 is amended, to take effect January 1, 1922, to read as follows:

"NORMAL TAX.

"SEC. 210. (a) That in lieu of the tax imposed by section 210 of the revenue act of 1918 there shall be levied, collected, and paid for each taxable year upon the net income of every individual (except as provided in subdivision (b) of this section) a normal tax of 8 per cent of the amount of the net income in excess of the credits provided in section 216, except that in the case of a citizen or resident of the United States the rate upon the first \$4,000 of such excess amount shall be 4 per cent.

Mr. GREEN of Iowa. It will be practically impossible for a person who is not familiar with the revenue act to understand the reading of the bill. Perhaps the gentleman would be satisfied if I made a statement about it.

Mr. STAFFORD. If it is an important amendment we should have a statement of it. It seems to be an amendment of an important revenue act.

Mr. COOPER of Wisconsin. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman from Iowa,

if I understood it correctly from the reading, if that is ex post facto law, to take effect January 1, 1922, a year ago?

Mr. GREEN of Iowa. The bill would apply to taxes to be paid this year. This is simply a reciprocity bill with Canada.

Mr. BLANTON. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Texas objects.

AMENDMENT OF THE WAR RISK INSURANCE ACT—CONFERENCE REPORT (REPT. NO. 1697).

Mr. SWEET, from the Committee on Interstate and Foreign Commerce, submitted for printing under the rule the conference report and accompanying statement on the bill (H. R. 10003) to amend and modify the war risk insurance act.

RURAL CREDIT LEGISLATION.

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent to print in the RECORD, in 8-point type, a letter from the Secretary of Commerce, and another letter from the Secretary of Agriculture, in regard to pending rural credit legislation.

The SPEAKER pro tempore. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD on the subject indicated in 8-point type. Is there objection?

There was no objection.

Following are the letters referred to:

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, February 23, 1923.

HON. SYDNEY ANDERSON,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I have your letter of to-day's date requesting my present views as to the Lenroot-Anderson rural credit bills. As you know, this department recommended the principles now incorporated in this bill over a year ago, and we would feel it would be a great disaster if it should fail to become law.

It is scarcely necessary to repeat that the principles of this bill were recommended by the Joint Commission of Agricultural Inquiry after consultation with responsible banking authorities. It was formally approved by the Federal Reserve Board on January 26, 1922; indorsed as sound by the Treasury Department on February 22, 1922; was again recommended by the credits committee of the Agricultural Conference, upon which the Federal Reserve Board, the War Finance Corporation, were represented, together with other responsible financial authorities. It has been earnestly recommended and supported by the President and has been passed unanimously by the Senate. Thus the bill has had most unusual consideration and the widest of support.

This bill extends the functions of the Farm Loan Board so as to adequately mobilize that part of needed farm credit "intermediate" between farm mortgages and commercial paper, the former being now organized under the Farm Loan Board, the latter under the Federal reserve system. It is no departure from the underlying principle of the public support to mobilization of private credit, as exemplified and in successful operation by the Farm Loan Board in farm mortgages. Its funds, except the temporary capital advanced by the Treasury, must be obtained from the investing public, and are thus under constant check of confidence of the investors. It is my own opinion that this machinery should be set in motion at the earliest moment.

The diminished buying power of our farmers to a point below pre-war levels and the fact that they are in the middle and far West paying 8 to 12 per cent interest at the present moment on this type of credit should be ample evidence of necessity for constructive aid. The only way to secure a reduction of these rates is to erect the machinery by which the investment capital of the East may flow easily and safely into these areas.

There are many useful provisions in the Capper bill, but I do not believe that its author expected that its permissive character would replace the positive machinery and assurance to the farmer of immediate remedy through an existing and definite agency, as provided in the Lenroot-Anderson bill.

A very important reason for the provision of this credit machinery is that much of the "intermediate" farmers' credit falls outside of the real field of the Federal reserve system. It is just as important to the farmer as to the commercial public that the demand deposits of the country should be confined to very short term credits. And unless some organized institution is provided which can positively mobilize investment capital of the country to supply credit need which lies outside of the natural and economic purview of the demand deposits mobilized

under the Federal reserve system then the system itself will be in constant danger of encroachment.

I am advised that even if it should come about that adequate "intermediate farm credits" were organized through the Federal reserve system there is danger that they would be secured in emergency through inflation of the currency. To expand the ability of the Farm Loan Board to mobilize the private investment capital of the country through a temporary advance of capital from the Treasury would not have this result.

Yours faithfully,

HERBERT HOOVER,

DEPARTMENT OF AGRICULTURE,
Washington, February 23, 1923.

HON. SYDNEY ANDERSON,
House of Representatives.

DEAR MR. ANDERSON: I have your letter of February 22, in which you suggest that, in view of what has been said recently with regard to rural-credits legislation, it would be helpful if I would restate my position on this question. I am glad to comply with this suggestion.

A considerable part of the farmer's credit needs are to be classed neither with short-time credit, as thought of in commercial circles, nor long-term mortgage credit, but are represented by what we have come to call intermediate credit; that is, a term of credit which corresponds fairly well with the farmer's turnover period, which varies from six months to as long as three years in the case of breeding stock. The need for some such system of intermediate credit has been recognized for 30 years or more, and has been brought to public attention in a strikingly emphatic way during the past three years. The lack of it has caused hundreds of thousands to fail, has imposed great financial suffering upon millions, and has injuriously affected general business and industry. In my opinion, there is nothing that can be done through legislation that will be so helpful in reestablishing agriculture on a sound basis as the prompt enactment of a satisfactory rural credits bill; and the reestablishment of agriculture is now generally looked upon as a national need.

The two bills passed by the Senate and now in the House, while similar in some of their provisions, have little in common in their main features.

The Lenroot-Anderson bill is a true rural-credits measure as that term is generally understood.

The Capper bill is not a rural-credits measure in the usual meaning of the term, but is designed to encourage by Government authority the organization of private corporations organized and operated for the profit of their stockholders and supervised by the Comptroller of the Currency. These corporations are to have a capital stock in a minimum amount of \$250,000 and are authorized to issue debentures to an amount not exceeding ten times their paid-in capital and surplus, on the basis of live-stock paper and agricultural paper when secured by warehouse receipts. The debentures are further secured by certain deposits in a Federal reserve bank. Larger rediscount corporations with a capital stock of not less than \$1,000,000 may also be organized, and these, too, may issue debentures on a plan similar to the smaller corporation. Special provisions are made for the supervision of corporations organized under the act from the office of the Comptroller of the Currency, as well as for the examination of the institutions and inspection of the security back of the paper handled by them. The bill is carefully drawn and the credit facilities it authorizes may prove highly useful to ranching interests, if actually brought into existence. The plan does not, however, meet the farmer's needs for intermediate credit. It is not designed to meet the needs of the great surplus-producing States in which diversified farming is followed. It does not protect borrowers against excessive interest rates. It gives the color of Federal support to large money-making corporations organized for that especial purpose.

The Lenroot-Anderson bill, on the other hand, sets up definite intermediate-credit facilities, with powers and functions broad enough to serve agriculture in all its phases. The bill owes its origin to a plan devised about a year ago as a result of the thorough and exhaustive studies by the Joint Commission of Agricultural Inquiry. The plan has received the careful study of a large number of persons outside of Congress, as well as within, who know the credits needs of agriculture not only from the banker's standpoint but also from that of the farmer. As a result of this study the original plan has been amplified and amended in many particulars.

The Lenroot-Anderson bill as it passed the Senate has received the cordial approval of the President and has been re-

ceived by the farmers of the country as a well-considered effort to meet their credit needs. The outstanding features of the bill are:

1. A farm-credits department is set up in each of the 12 Federal land banks, to be managed by the "district directors" appointed by the Federal Farm Loan Board for the various banks.

2. The Federal Government will subscribe to the capital stock of each farm-credits department, as called for by these departments, up to an amount of \$5,000,000. If in case of any department such capital should prove insufficient, it may, with the approval of the President of the United States, be increased, provided that the aggregate of such increase for all departments shall not exceed \$60,000,000.

3. The earnings of each department are to be applied in turn to expenses of operation, to a 4 per cent dividend on the stock, to the building up of a surplus until such fund reaches \$2,000,000, after which 25 per cent of the earnings go to the retirement of the Government's capital stock until it is reduced to \$1,000,000.

4. The farm-credits departments are authorized to discount and to purchase agricultural and live-stock paper having a maturity of not less than six months nor more than three years, for and from banks, live-stock loan companies, and farmers' cooperative credit associations, and may also make loans direct to associations under specified conditions.

5. To provide additional loanable funds, collateral trust debentures may be issued by the departments in an amount not to exceed ten times their paid-in capital and surplus.

6. Rates of discount may not exceed by more than 1 per cent the rate paid on debentures, and paper discounted must not involve a rate to the farmer higher than $1\frac{1}{2}$ per cent above the discount rate.

7. The debentures issued by the farm-credits departments of the Federal land bank will be secured not only by specific collateral and the capital of the issuing department, but each of the 12 departments assumes a contingent liability on all debentures issued by any other department.

8. The assets and liabilities of the farm-credits departments will be separate and distinct from the assets and liabilities of the existing farm-mortgage departments in each Federal land bank, so that farm-loan bonds as at present issued will in no respect be affected by the establishment of the farm-credits departments.

9. The farm-credits departments will be under the general supervision of the Federal Farm Loan Board, and means are provided for the examination of institutions offering paper for discount and of the specific security back of such paper.

10. The Federal reserve act is amended by extending the term of discount on agricultural and live-stock paper from six months to nine months, by slightly increasing the permissible dividend rate to member banks in order more generally to induce State banks to enter the Federal reserve system, and by temporarily reducing the capital requirements for the admission of such banks.

Much of the comment and newspaper discussion on these bills would lead one to think that either one will meet the farmers' intermediate credit needs and that the problem is that of a choice between them. Such is by no means the case. One is a rural credit bill. The other is not.

It is highly doubtful that corporations of the kind authorized in the Capper bill would be organized outside of the districts where considerable volumes of live-stock loans are needed, and even if such corporations were organized in other parts of the country, they would be absolutely ineffective in providing the farmer with better facilities for working or production credit in general agriculture.

The Lenroot-Anderson bill, on the other hand, embodying the original joint-commission plan in amplified and amended form, would provide a channel for all kinds of legitimate agricultural and live-stock credit paper drawn for a term of from six months to three years. In brief, the following significant merits may properly be claimed for this bill:

1. It utilizes existing credit machinery to the fullest possible extent.

2. It can be put into operation promptly and will reach every section of the United States.

3. Because it so largely utilizes existing machinery the necessary overhead expense can be held to a minimum.

4. It can be expanded to meet emergencies without requiring new legislation.

5. It will make available to the farmer credit for such term as synchronizes with his period of production and make unnecessary the present practice of agreeing to repay before the

borrowed capital has yielded returns to the borrower and user.

6. It will reduce the cost of credit to the farmers, particularly for sections remote from centers of surplus capital.

7. It will transform the farmers' intermediate credit paper into standardized investment securities which can be safely bought by investors anywhere without investigation of the specific security back of them.

8. While subscription to capital by the Federal Government is called for by this plan, the amount required is moderate and adjusted to the actual needs of agriculture. It does not, like some of the other plans proposed, tie up \$300,000,000 to \$500,000,000 of the Government's funds. The use of the Government's capital is for the most part temporary, and provision is made for a reasonable return to the Government on such capital.

I believe the Lenroot-Anderson bill as it passed the Senate offers a satisfactory basis for a real rural-credit system which would promote more stable farm production and more orderly marketing. It is a response in good faith to the repeated promises which have been made to the farmers.

I can see no strong objection to the enactment of the Capper bill also, but to offer the latter as a rural credits bill or a substitute for the Lenroot-Anderson bill would give the farmers of the Nation the best of reasons for feeling that in reply to their request for bread they had been offered a stone.

Very sincerely,

HENRY C. WALLACE, *Secretary.*

EXTENSION OF REMARKS.

Mr. LARSEN of Georgia. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Near East question.

The SPEAKER pro tempore. The gentleman from Georgia asks unanimous consent to extend his remarks on the Near East question. Is there objection?

There was no objection.

The extension of remarks referred to is here printed in full as follows:

Mr. LARSEN of Georgia. Mr. Speaker, during recent years no subject relating to Europe perhaps has had a more sympathetic consideration of the people of this Nation than that which relates to the Near East. For hundreds of years the Turk in his relation to civilization, and especially to the inhabitants of western Europe, has been one of deep concern to Christian nations.

An editorial appearing in the Macon (Ga.) Telegraph on February 16 is so elucidating that I believe it is worthy of the consideration of this House, and therefore desire to bring it to the attention of this body. It is entitled "Justice to the Turk," and follows:

[From the Macon Daily Telegraph.]

JUSTICE TO THE TURK.

Editorial reference has already been made to Editor Julian Harris's astounding defense of the Turk. His charity would be admirable were it supported by any measure of facts and were it not an implied criticism of a long list of martyrs of which the world is not worthy, and even of fine girls who have been outraged by multiplicity of Turks in succession and then sent to Turkish harems. The Telegraph acknowledges its lack of first-hand information, but evidently our lack is no greater than that of Editor Harris.

To-day we wish to put on the witness stand Charles F. G. Masterman, who has had a long career in English public life, being several times member of Parliament, undersecretary of the State home department, and financial secretary to the treasury. Mr. Masterman is author of "The Heart of the Empire," "In Peril of Change," and "The Condition of England." His testimony appeared in the Atlantic Monthly for January under the caption "The return of the Turk." He quotes from official documents and eyewitnesses of the highest dependability. Here are some of his remarkable statements:

"The Turk has returned to Europe. His return will mean the despair of all those who are working for the return of permanent peace. * * * The Turk never has had and never will have a homeland in Europe. He entered as a barbaric tribe, like a scourge or a plague. * * * There seems to be in the Turk an unalterable and inexplicable element of blight after victory."

The Turk, says Mr. Masterman, has never worked and produced; he has only lived upon the Christian populations over whom he has misruled, plundered, outraged, and massacred.

"The Turk has produced nothing in music, art, science, or any of the prominent elements of civilization. * * * He is alien to everything that Europe regards as legitimate methods of treating people who are subject to another's sway. And he has now grown so tired of the continual interference of Europe with his periodic massacres and atrocities that he has made up his mind to avoid the necessity of such interference in the future by the simple method of extermination of all the Christian people under his control. By so doing he has committed suicide, for he is killing in every town and village or putting to flight by the fear of his advent all the artificers and makers of anything in the way of manufacture, and is leaving nothing but a bankrupt nation of men who appear to have no capacity but in carrying on a war and to a limited extent in the work of agriculture."

But while the Turk is killing out or driving out to the point of extermination he is very friendly to the Jews, and, as Mr. Masterman supposes, "hopes that by giving concessions of great wealth in Asia Minor to various competing European financiers, he will obtain the money necessary for his own desire to live on easy lines, doing no work at all."

Mr. Masterman makes a terrific indictment of the governments of western Europe, especially his own government, for allowing the Turk to have continued his inhumanities, barbarities, and unnameable crimes against women and girls who prize their virtue as highly as our own mothers and sisters prize theirs.

While Mr. Masterman would not dare to criticize the American Government as he does his own Government, and recognizes that America has shown an enormous compassion in deeds as well as in words, he confesses his great surprise at "the comparative indifference of America, and especially of the American churches, to the doings of the Turks in Armenia, and to the present hideous situation." He also brings out the fact that America has allowed the noble work being done for the Christian populations in Turkey to be almost obliterated.

"During the war," says Mr. Masterman, "the Turks wiped out the whole of American civilization (in Turkey) in pursuit of the policy of murder and torture, when it would have been better for the most part that their victims had been killed outright."

Under Mr. Masterman's supervision was compiled a record of crimes of the Turk during the World War, with Professor Toynebe, the historian, sorting and correlating the evidence for over six months. This commission of distinguished experts cut out for the most part evidence which could not be corroborated, and also threw out most of the native evidence. "The report in book form is a record of testimony from European men and women who actually saw the things happen, and who were impotent to prevent these hideous happenings. They caused the considered judgment of Lord Bryce to condemn them as an effort to exterminate a whole nation, without discrimination of age or sex, whose misfortune it was to be subjects of a nation devoid of sympathy or pity, and the policy they disclosed as one without precedent even in the blood-stained annals of the East." What the Turks have done against their Christian subjects and the comparative indifference of not only western nations but of Christendom, are the blackest spots on modern history. The report of these experts was published as a British Government document entitled "The Treatment of Armenians in the Ottoman Empire." Mr. Masterman summarizes some of the striking features in this report, as follows:

"It (the testimony) reveals an attempt at the extermination of a race. The men suffered least. They were taken out at the port of Trebizond and sunk in the Black Sea or were carried up into the valleys, separated from the women and children, and there slaughtered by bayonet or rifle.

"The most terrible fate was that of the girls brought up in the American colleges and schools, as delicate and refined, and often as distinguished in intelligence, as the girls of London or Boston or New York. Many of these were outraged and then had their throats cut; many were outraged by many Turkish soldiers each and committed suicide or went insane; others were taken after this experience into Turkish harems, where they still remain.

"The old men and women and the children were driven in great bateaus through the desert, without food or water, flogged when they rested or lay down exhausted, until hunger or disease or some kindly bullet of their escorts put an end to their misery. That was done during the war by direct command from Constantinople itself, especially by Talaat and Enver Bey. Talaat was subsequently assassinated in Berlin by an Armenian whose family had suffered under this policy of devilry; and it is to the honor of the German court that the assassin was acquitted."

Talk about the Germans being as bad as the Turk! They were bad enough, but they did not represent but misrepresented their religion. The Turk, while much worse than other Mohammedans, has represented both his race and his religion at their worst. "Where the Turkish feet tread the grass never grows" and flowers cease to bloom.

While the young Turks have an infusion of the fine quality of Jewish blood, they nevertheless have adopted the policy of "systematic annihilation of the Christian population in order that in the future they should be bothered no more by European protest on the subject of their ill treatment."

If the Armenian Christians had gone all the way with the Master and always turned the other cheek, perhaps by this time the Turk would have been converted; but until we ourselves learn to turn the other cheek our tongues and pens and arms should be lifted in the defense of the martyrs and not in the defense of the monsters.

Mr. ROUSE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on House Resolution 492.

The SPEAKER pro tempore. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD on House Resolution 492. Is there objection?

Mr. BLANTON. Reserving the right to object, Mr. Speaker, I want to ask the gentleman from Kentucky whether he would touch upon the action of the majority in laying this matter on the table?

Mr. ROUSE. That is the resolution.

Mr. STAFFORD. That was the one that was slaughtered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The extension of remarks referred to is here printed in full as follows:

Mr. ROUSE. Mr. Speaker, the law relative to the appointment of postmasters, which was approved by the President April 24, 1920, states:

Whenever a vacancy occurs from any cause the appointment of a regular postmaster shall be made without unnecessary delay.

House Resolution, 492, which I introduced on the 23d day of January last, reads as follows:

Resolved, That the Postmaster General be, and he is hereby, directed to inform the House of Representatives—

(1) Of the post offices in which a vacancy in the postmastership thereof has occurred since May 10, 1921, for which no certified eligible or list of eligibles for appointment, as regular postmaster therein, obtained at the time the vacancy arose; of the name of each such office, the date on which the vacancy arose, the date of the request of the Civil Service Commission for a certified eligible or list of eligibles for regular appointment thereto, the date of the receipt from the Civil Service Commission of a certified eligible or list of eligibles

therefor, and the date on which appointment of a regular postmaster was made; and

(2) Of the post offices in which a vacancy in the postmastership thereof has occurred since May 10, 1921, for which a certified eligible or list of eligibles for appointment as regular postmaster therein obtained at the time the vacancy arose; of the name of each such office, the date on which the vacancy arose, and the date on which appointment of a regular postmaster therefor was made; and

(3) Of the appointments of temporary postmasters since May 10, 1921, if any, of the offices for which such temporary appointments were made, of the date on which the vacancies arose, of the date on which such temporary appointments were made, and of the date on which the appointment of a regular postmaster was made.

The House earlier in the day voted, by a strict party vote, to deny the membership of the House and the country the information relative to the appointment of postmasters. I contend that the Postmaster General has violated the law by not complying with the law of April 24, 1920, and I also contend that the Civil Service Commission is a party to this violation. I desire to cite one case, and there are many other cases which are similar.

About the middle of August, 1921, a civil-service examination was held for applicants for the post office at Bedford, Ky. In this examination five applicants contested, three applicants receiving a passing grade, namely, W. T. Bare, C. A. Bell, and B. B. Black, and two applicants failed to receive a passing grade, although one having been given credits allowed to ex-service men. During the month of October, 1921, the Civil Service Commission certified the three eligibles to the Post Office Department to be considered for appointment of postmaster at Bedford, Ky. The three men certified are highly respected citizens of the county in which they live. The Post Office Department declined to appoint any one of the three. Some time during the early summer of 1922 charges were filed with the Post Office Department against one of the eligibles, by name, William T. Bare, because he had permitted some political literature to be posted in his place of business. Mr. Bare had, about 10 years previous to taking this examination, been elected clerk of the circuit court of his county. He served as clerk of the circuit court honorably and faithfully for six years; he had also been elected to various offices connected with the Order of Red Men in the State of Kentucky, and several months before he took the civil-service examination for postmaster at Bedford had been elected to the highest office of the Order of Red Men of the State of Kentucky. Notwithstanding these honors which had been bestowed upon Mr. Bare by the citizens of his county and by the Order of Red Men of the State of Kentucky, the Civil Service Commission decided that Mr. Bare was not a suitable person to be appointed postmaster, and his name was stricken from the eligible register. By this order of the Civil Service Commission the Post Office Department was enabled to appoint a temporary postmaster at Bedford, and appointed one of the applicants who failed to receive a passing grade in the examination, and who is serving as a temporary postmaster to this day.

After the facts relative to the charges which had been filed against Mr. Bare had been reported to me I immediately took the matter up with the Civil Service Commission and stated to the commission that if their action in removing Mr. Bare with notation opposite his name "that he was not a suitable person to be considered for postmaster at Bedford," was made permanent their action would be held to be absurd and ridiculous and would be disapproved and condemned by every person whose privilege it was to be acquainted with Mr. Bare and place the Civil Service Commission in rank disrepute. I also stated that the great Order of Red Men of the State of Kentucky should, and no doubt would, adopt suitable resolutions condemning the Civil Service Commission for removing Mr. Bare. The Civil Service Commission referred the papers to some agent of the commission, who after two or three months made a report which restored Mr. Bare's name to the eligible register for postmaster at Bedford. This eligible register has been maintained by the Civil Service Commission, and the Post Office Department has had the list of the three eligibles for more than 16 months, and no permanent appointment has been made. I contend that the Postmaster General is violating the law by not making a permanent appointment from this eligible register. I also contend that the Civil Service Commission is a party to this violation because they ordered the removal of one of the eligibles, thereby paving the way for the Postmaster General to appoint a temporary postmaster and evade the law, and those who permitted this violation of the law or those who are connected with the Civil Service Commission who are winking at the violation of the law should be removed from office.

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

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to extend his remarks on the bill just passed. Is there objection?

There was no objection.

Mr. BOX. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the proposed admission of refugees from the Near East, on the inspection of immigration in foreign ports, and on the regulation of immigration.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

There was no objection.

The extension of remarks referred to is here printed in full as follows:

REFUGEES FROM THE NEAR EAST.

Mr. BOX. Mr. Speaker, by this bill it is proposed to admit into the United States an indefinite number of refugees from Turkish territory. No good reason has been suggested for the selection of the unfortunate from Turkey and Greece as distinguished from the unhappy, the oppressed, the persecuted, the homeless, and the starving from many other lands. There are many such who want to come from Poland, from Russia, and many other places where people are in great distress. To admit all who are thus distressed would be to repeal or disregard the system of restrictive immigration laws which the people have caused to be enacted during the last 40 years. It would subject the country to the peril against which the people and their Government have been trying to protect the country.

The causes of these wretched conditions among the people in other lands are in the people themselves, not in the climate or soil or atmosphere of the countries from which they come. In importing such people in great numbers we are introducing into America the forces which have created confusion and unhappiness in the foreign lands from which they come. It would be more accurate still to say that we would be greatly augmenting those same forces of disorder and dissolution which already exist here to an alarming extent.

But it is claimed that the people from Greece and Turkish territories are especially desirable. They are not. Present keen distress is not limited to them. Their distressing conditions are not new.

Some Members of this House and people outside speak of the distress in the Near East as if it were new, creating an unusual, present, but temporary, emergency. Such conditions have been recurring in that region for 3,000 years. The story would be even older if history extended back far enough to record it.

Witnesses have testified before your committee that these Greeks are pure Ionian Greeks who have not been mongrelized by race mixture. To refute that, I quote a few bits of history which I have gathered from a vast mass to the same effect:

In racial characteristics the Greeks belong to the Mediterranean race and are akin to the Iberian of Spain and the Ligurian of Italy.

In recent times education, intermixture with other races, and commerce have to a great extent removed their distinctive peculiarities.

The life of the true Greece was obscured for several centuries, only appearing as the peninsula became the object of conquest or an arena of strife.

From the sixth to the eighth century Slavic peoples from the north crowded into the Balkan Peninsula. The invaders were merged to some extent with the ancient race and remained in occupancy of Illyria and Thrace, producing a mixture of nationalities which constitutes at the present day one of the chief elements of confusion in the puzzling problems of the Balkan Peninsula.

Of the present Greek Army it is said:

Fifteen per cent of the army recruits can only read, and 30 per cent are totally illiterate. (The New International Encyclopedia, volume 10, pages 292, 293, 297).

That emergencies similar to this have been arising for hundreds of years and that serious consequences may result to outside countries from dealing unwisely with them is shown by the following quotations from Gibbons's account of an occurrence in the third century:

But the attention of the emperor was most seriously engaged by the important intelligence which he received from the civil and military officers who were intrusted with the defense of the Danube. He was informed that the north was agitated by a furious tempest, that the irruption of the Huns, an unknown and monstrous race of savages, had subverted the power of the Goths; and that the suppliant multitudes of that warlike nation, whose pride was now humbled in the dust, covered a space of many miles along the banks of the river. With outstretched arms and pathetic lamentations, they loudly deplored their past misfortunes and their present danger; acknowledged that their only hope of safety was in the clemency of the Roman government; and most solemnly protested that if the gracious liberality of the emperor would permit them to cultivate the waste lands of

Thrace, they would ever hold themselves bound, by the strongest obligations of duty and gratitude, to obey the laws and to guard the limits of the republic. These assurances were confirmed by the ambassadors of the Goths, who impatiently expected from the mouth of Valens an answer that must finally determine the fate of their unhappy countrymen. The emperor of the East was no longer guided by the wisdom and authority of his elder brother, whose death happened toward the end of the preceding year; and as the distressful situation of the Goths required an instant and peremptory decision, he was deprived of the favorite resource of feeble and timid minds, who consider the use of dilatory and ambiguous measures as the most admirable efforts of consummate prudence.

When that important proposition, so essentially connected with the public safety, was referred to the ministers of Valens, they were perplexed and divided; but they soon acquiesced in the flattering sentiment which seemed the most favorable to the pride, the indolence, and the avarice of their sovereign. The slaves, who were decorated with the titles of prefects and generals, dissembled or disregarded the terrors of this national emigration; so extremely different from the partial and accidental colonies, which had been received on the extreme limits of the empire. But they applauded the liberality of fortune, which had conducted, from the most distant countries of the globe, a numerous and invincible army of strangers to defend the throne of Valens; who might now add to the royal treasures the immense sums of gold supplied by the provincials to compensate their annual proportion of recruits. The prayers of the Goths were granted and their service was accepted by the imperial court, and orders were immediately dispatched to the civil and military governors of the Thracian diocese to make the necessary preparations for the passage and subsistence of a great people, till a proper and sufficient territory could be allotted for their future residence.

It was thought expedient that an accurate account should be taken of their numbers, but the persons who were employed soon desisted, with amazement and dismay, from the prosecution of the endless and impracticable task; and the principal historian of the age most seriously affirms that the prodigious armies of Darius and Xerxes, which had so long been considered as the fables of vain and credulous antiquity, were now justified, in the eyes of mankind, by the evidence of fact and experience. A probable testimony has fixed the number of the Gothic warriors at 200,000 men; and if we can venture to add the just proportion of women, of children, and of slaves, the whole mass of people which composed this formidable emigration must have amounted to near a million of persons, of both sexes and all ages. (Gibbon's Decline and Fall of the Roman Empire, Vol. II, pp. 499-501.)

These immigrants soon became restless and lawless and arose in rebellion. They defeated the imperial army, slew the emperor, who had admitted them, and, being joined by masses of their kinspeople from the homeland, for a long time overran the country. They were never expelled. But they and other invading immigrants like them finally completely subverted the national life and almost destroyed the civilization of Rome and ushered in the long, dismal period of human history known as the Dark Ages.

The record of that transaction and of the period to which it belongs is found in Gibbon's Decline and Fall of the Roman Empire, in Myers Ancient History, West's Ancient World, and other authentic histories covering the period from A. D. 200 to 800.

That region was invaded and subjugated 1,300 years before Christ.

We know that at a very early date there was a vigorous race dwelling in central Europe, with the beginnings of a civilization and with some knowledge of the use of iron. Presumably about 1300 B. C., bands of these fair-haired, blue-eyed, ox-eating warriors from the north, drawn by the splendor and riches of the Mycenaean south, broke into Greece, as men of the north so many times since have broken into southern Europe. These mighty-limbed strangers, armed with long iron swords, easily established themselves among the short, dark, bronze-weaponed native, dwelt in their cities, became their chiefs, married their women, and possessed their wealth. (Ancient World, West, p. 86.)

What took place here in the Greek Peninsula a thousand years before our era has been likened to what took place in the Italian Peninsula in the fifth century after Christ, when the invading German tribes overwhelmed the civilization of Rome. (Myers Ancient History, p. 120.)

When the Turks captured Constantinople in 1453 there was a massacre of Greek people in which thousands were slain, thousands of women outraged, and tens of thousands of both sexes enslaved. The woeful story extends down to now. Practically every witness before your committee who answered inquiries on the point expressed the fear that things as bad or worse are ahead, and must continue indefinitely.

I call your attention to the population of all that vast region, consisting of scores of millions of antagonistic, intolerant races and religions, and remind you that no strong guardian appears to keep the peace among them. I see nothing to change the current of history as it has flowed through that part of the world for 3,000 years. You are not dealing with a problem of to-day merely but with a problem older than America and much older than modern Europe. It is folly to treat it as a temporary emergency.

America has sympathized with the Armenians because they are Christians. America now sympathizes with the Greeks because of their past history and present distress. These refugees came from both races. Their present plight is due to defeat and withdrawal of the armies of Greece. Greece cut a

queer figure in the recent World War. At first its German King sided with Germany. Later he was dethroned. Later still a German prince was called to rule over the Greeks. Now he has been banished. Greek officers conducted themselves so shamefully during the recent war with the Turks that they were executed.

They were either grossly guilty or the present Government of Greece is corrupt and cruel. Consul General Horton, stationed at Smyrna at the time of the recent horrible occurrences, testified before your committee that the Greek Army, in its retreat before the burning of Smyrna and the massacres there, had engaged in practices of a similar kind upon their retreat; that their general told him in advance that his army would have to engage in such practices. Nothing can excuse the horrible crimes committed by the Turks or equal them in enormity, but the Greeks, by similar practices just a few days before, had furnished them a horrible excuse which they probably did not need. You have race hatred against race hatred, religious intolerance against religious intolerance, burning against burning, murder against murder, cruelty against cruelty, following the precedents of thousands of years and with those who are worsted now clamoring to us for an asylum and for subsistence, just as the Goths clamored to the Romans 1,600 years ago.

In this connection I want to insist that whatever may have been the faults or mistakes in America's foreign policy, no mistake or weakness in our foreign policy makes us responsible for the woes of the foreign world to an extent which obligates us to take these unhappy thousands, scores of thousands, or millions, into our own borders to help reproduce here the conditions from which they flee. Some of the very gentlemen who were before your committee urging the admission of some thousands of these fugitives have based their demands for the admission of these people on a statement that America is responsible for their condition in part at least. If America is responsible at all, I am afraid the bloody blot can never be washed out, but I do not believe that our people should be made to atone for a mistake in foreign policy by their Government in the manner here proposed. I quote from the "News Bulletin of the Foreign Policy Association," dated November 17, 1922:

AMERICA WATCHES HERSELF.

The crisis in Constantinople continues desperately tense. It is fraught with possibilities of tragedy of incalculable proportions. America stands by helpless, watching intently and hoping almost against hope that peace may be maintained and the Christian populations saved from slaughter and the Turks from the inevitable bloody retaliation. Washington satisfies itself with "observing."

WHAT IS THE UNITED STATES DOING?

The United States does next to nothing. If a peaceful solution is found, this Government will deserve none of the credit. If the terrible calamity anticipated by many observers becomes a reality, the United States will inevitably be drawn in. If massacres were to follow the withdrawal of the allied contingents, it is doubtful if Washington could resist the imperative demand for action which, incited by the evangelical forces throughout the country, might sweep away all counsels of conciliation and restraint.

AMERICAN ISOLATION NONEXISTENT.

American isolation is a myth. The United States can not dissociate herself from a European question like the Near East. It touches too deeply many of the most cherished interests of millions of our citizens. The difficulty of the United States playing a successful rôle as mediator or the even more modest rôle of offering its good offices has been made much more difficult if not hopeless by the announcement of a policy of aloofness. No such announcement, even when phrased by a brilliant advocate like Secretary Hughes, can free Washington from its full measure of responsibility. Such a declaration can have one result: It prevents effectively this Government having an opportunity for constructive helpfulness before the crisis becomes insoluble.

Mr. B. P. Salmon, former president of the American Chamber of Commerce in Greece, appeared before your committee urging the passage of the bill introduced by the gentleman from Kansas [Mr. WHITE]. In the issue of the News Bulletin mentioned above Mr. Salmon has a signed article, from which I quote:

AMERICA'S RESPONSIBILITY.

Part of the responsibility for this situation (to-day in the Near East) is due to our own lack of a definite foreign policy at Washington, which in turn is due to the fact that the American people themselves have no well-defined ideas on foreign policies, and therefore the State Department has been content to do nothing in the Near East, thinking that this would be acceptable to the American people. The situation has become increasingly difficult and the need of urgent action in connection with the final settlement is increasingly apparent.

Another matter on which I believe American sentiment should be clearly defined is our responsibility toward Greece in connection with the so-called three-power loan of 1918. In this matter we have not only refused to pay the balance due under the loan agreement, but what is worse, we have held Greece to a clause of the agreement which provides that she shall not pledge security for further exterior loan until the so-called "three-power" loan has been liquidated. In other words, we have held the Greek security while we have only advanced

a third of the money for which the security was given. It is my personal belief that this loan agreement is a valid contract and that the United States is morally and legally bound to recognize it as such. If, on the other hand, the State Department can show that it is not either a legal or moral obligation, they should reach some agreement with Greece on the subject. The great problem which confronts Greece to-day is that of constructive relief which will enable them to place as rapidly as possible the hundreds of thousands of refugees pouring into the country into gainful occupations, turning them from a liability into an asset.

One of the first things that will have to be done will be to clear up the unfortunate situation created by the present status of the American loan to Greece.

B. P. SALMON.

If a mistake has been made in our foreign policy, it does not entail upon the people of the United States the obligation to provide a home for the people made unhappy and homeless by the racial and religious antipathies of the regions involved. The acceptance of such a consequence would bring upon us serious calamity, if not early ruin.

In an effort to persuade your committee to report favorably a measure providing for the admission of some thousands of these refugees, the number of which witnesses estimate at from 5,000 to 100,000, some have extolled the virtues of the Greeks as prospective citizens of the United States.

That the people of all that region are mongrels, mixed and intermixed from invading and near-by races from the north, from the brown people of the east, and the black people of the south is well known to every student. That they are incapable of working out the problems of government and protecting themselves against the destructive forces moving among them is made plain by their present plight and by conditions prevailing among them since antiquity and promising to continue forever. That the masses of such people will not contribute to what is best in the life of America is plain.

I call your attention to the fact that there is a vast system of peonage or slavery practiced by the Greek people in the United States now. I refer, gentlemen, to the extensive report made on this subject by the Immigration Commission, composed of such men as Senators Dillingham and Lodge, Hon. John L. Burnett, then of this House, and Prof. Jeremiah W. Jenks, which will be found on pages 391 to 408 of volume 2 of Abstracts of Reports of the Immigration Commission. I ask that the Clerk read these extracts from that report, which I am handing him:

The poorer classes in Greece, and particularly those of the Provinces from which bootblacks are drafted, have little ambition to educate their children, because they themselves are to a large degree ignorant and unable to appreciate the value of education.

The Greek peasant is therefore more concerned with the income he is able to derive by placing his children at work than with educating them.

In countries where the laboring classes are wholly under the control of their employers the term "padrone" is applied to the manager, superintendent, foreman, or proprietor of any mercantile establishment, and signifies that in the person designated as padrone absolute authority is vested to control employees. He has the right to prescribe the character of the work that each laborer shall perform, to increase or decrease at will the hours of work and the wages received, and to punish him physically at times.

Among the Greeks the padrone system is in operation in every city of the United States of over 10,000 population with few exceptions, and is confined in the main to shoe-shining establishments, although it is to a considerable extent prevalent among railroad laborers in the Western States, and among flower, fruit, and vegetable vendors in Chicago. The aliens utilized by the system in peddling and in shoe shining are, as a rule, from 12 to 17 years of age, while those employed on railroad work are generally adults.

There are several thousand shoe-shining places in the United States operated by Greeks, and with few exceptions they are under the padrone system.

The boys, in their helplessness, believe that were it not for the opportunity of employment offered them by padrones they would starve, because of their ignorance of the language and labor conditions in this country.

In some cases padrones utilize the following means to compel boys to remain in their employ: As they pay their help their wages at the end of each year, as a rule forwarding direct a draft to the boy's parents in Greece, they claim they are short of money and fall in arrears in such payments. As a result the boys remain in their service in the hope of receiving what is due them. On the other hand, the padrones avail themselves of all technicalities in law, secure numerous continuances, and, without exception, appeal all such cases. The young plaintiffs become gradually disheartened and abandon the suits, deeming such a course the least expensive and most logical, and convinced that there is no justice for the poor in this country.

Though the shoe-shining business is the main field of the system in the United States, quite a number of Greeks are brought here in violation of law and are placed at work on railroads in Western States under the padrone system.

He is generally brought here from Greece on an agreement, secured by a mortgage or a promissory note, to pay from \$130 to \$250 for his steamship passage and "show money." Upon reaching his destination

in the United States he is usually charged \$10 labor agent's fee for putting him to work; he is charged \$1 per month interpreter's fee, as it is commonly called, this being the monthly tribute of each laborer to the interpreter of the gang, notwithstanding the fact that he is a salaried employee of the railroad company. Every three months the laborer is told to contribute \$1 or more, intended as a present to the foreman or roadmaster, and every spring and fall he may be called upon for another \$10 by the labor agent, who promises to prevent his discharge from work through his influence with the roadmaster or those higher up.

The money for steamship tickets is often furnished by the padrone interpreters, who are in nearly all instances in partnership with their relatives in Greece—that is, they divide their profits.

It is, in my opinion, more humane and infinitely better for young Greeks to be refused admission into the United States than to be permitted to land if they are intended for such employment. (N. Salopoulos, Greek consul general, November 16, 1910.)

Several Greek physicians in Chicago, in a joint letter to the Immigration Commission, dated November 16, 1910, say, among other things, the following:

We deem this occupation highly injurious and destructive to the physique of young Greek boys, and believe that the United States Government would do better to deport them rather than to allow them to land if they are destined to this employment under existing conditions.

Without exception, all the Greek physicians of our large cities who were interviewed on this subject expressed substantially the same views as those embodied in the foregoing letters.

Not all of the immigrants from Greece and Turkey belong to the class mentioned or to other objectionable groups. But the simple truth is that they are very heavily represented among the undesirable kinds. For instance, the evidence submitted to your committee in its hearings upon this proposition shows that venereal and other dangerous diseases are widely prevalent among these refugees.

In the annual report of the Commissioner General of Immigration for 1914 will be found the report of a special investigation of immigration conditions in Eastern Europe and Asiatic Turkey, made by Mr. W. W. Husband to Hon. A. Caminetti, then Commissioner General of Immigration, which position Mr. Husband himself now holds. In that report Mr. Husband repeatedly states that diseases which bar immigrants from admission to the United States and Canada are widely prevalent in that region. The following are some of his remarks on that subject:

Diseases which bar immigrants from the United States and Canada are very prevalent in Turkey, but as a rule emigrants are not examined in this regard until arrival at some intermediate port. Although strongly opposed by the French Academy of Medicine, emigrants afflicted with trachoma and other diseases are freely admitted at Marseille.

It is said that in one quarter of Paris trachoma has become quite prevalent because of Syrian immigrants who have settled there.

Mr. Husband even suggested that because of the number of diseased immigrants coming from that region through France and England some agreement be made between the United States and England "under which better protection will be afforded the United States in that regard."

Mr. Chairman, every group which presses a demand for the admission of aliens to the United States claims that an emergency exists in their case. That was the claim made three years ago, when your committee was asked to report a bill authorizing the admission of 4,000,000 Russians and Italians and their families. When the committee was urged to report a bill providing for the admission of 40,000 Chinese coolies to Hawaii, it was claimed in support of the measure that a most acute emergency existed. In all of the numerous measures for the admission of the relatives of foreign-born people in the United States an effort is made to show a distressing emergency in each instance. On the two occasions when we have taken down the bars imposed by the 3 per cent restriction it has been done under the claim that an acute emergency existed. Here comes another emergency. Every case of hardship and distress presents an emergency to those concerned. There are enough such emergencies to absolutely overflow America with their victims and to create here an emergency—a tragedy—equal to the worst. When we have foolishly listened to a sufficient number of such appeals to fill America with the pandemonium and woe which now curse so many parts of the world, who will relieve our children from the distress which we are cooking up for them now?

THE SELECTION OF IMMIGRANTS AT FOREIGN PORTS AND THE REGULATION OF IMMIGRATION.

Mr. Speaker, I have heretofore addressed the House at some length on the subject of the selection of immigrants at foreign ports and the regulation of immigration by the treaty-making power as necessarily involved in the selection of immigrants abroad.

At the request of the chairman and some members of the House Committee on Immigration and Naturalization, I made a statement before that committee on January 22, 1923, as appears on pages 488 to 495, inclusive, of the hearings of the House committee on the subject of immigration and labor. For the purpose of helping, if I can, those who are interested in arriving at a correct understanding of what is involved in that proposition, I make this statement:

I have been surprised to hear intelligent business men, and others who are supposed to have reached conclusions concerning it based on information and consideration, criticize their Government for not having adopted a proposition which, according to the easy words of the critics, would be so "humane," "scientific," "simple," "practicable," and "easy" that any legislator, though a fool, could provide for it. Several gentlemen, who would not be expected to adopt or indorse any important business or legislative suggestion without information and consideration, have urged the adoption of this measure, and, when questioned, have frankly confessed that they have not inquired whether the Government has considered such a plan and found it unworkable, or whether other governments would permit us to maintain immigration inspection stations and forces in their countries. Such trivial questions as whether it could be done at all, or whether it would work, if foreign governments would permit it, are passed over as of no importance, while these gentlemen and ladies speak and widely print their criticisms of the Government of the United States for not having done this thing which they treat as simple and easy. Unfortunately, those who make or administer law have to deal with the facts as they are. Lecturers, speakers, and newspaper and magazine writers can either ignore or assume facts, as may be convenient, but facts bristle in the paths of those who have to do things rather than talk or write about them.

The Secretary of Labor, whose utterances show his lack of knowledge concerning it, has evidently, by advice based on lack of information, led the President into recommending that Congress do what his own Secretary of State, Mr. Hughes, knows can not be done under present conditions, as will be seen from documents herein submitted.

Even the First Assistant Secretary of Labor under Secretary of Labor Davis, Mr. Henning, having to deal with facts rather than words, knows something about this problem, as proven by a recent press statement widely published. By disregarding the headlines and reading what he says, we have such expressions as the following:

Foreign countries steadfastly have refused to allow the United States to examine immigrants at ports of departure on the ground that the exercise of that function by another nation would be an invasion of sovereignty. * * *

Attempts to extend these powers to include direct action in examination and selection of immigrants have been consistently objected to by France, Italy, and other foreign governments. A formal protest was made by the Italian Government to the State Department last year when bills were introduced, one in the Senate and two in the House, providing for such examination in United States consulates or elsewhere by United States medical and immigration officials.

To disregard the steadfast refusal of foreign governments to give us permission to build, acquire, or maintain such stations within their borders is manifestly impossible unless we enforce our desire with the Army or Navy or by retaliatory measures, which would violate our treaties with many countries and embroil us seriously and widely.

The Immigration Commission created by the act of Congress of February 20, 1907, consisting of nine members, three of whom were appointed by President Roosevelt, three by the Vice President, and three by the Speaker of the House of Representatives, were charged with the duty of making a full investigation of the whole subject of immigration. It was given full authority and provided ample means to travel either in the United States or in any foreign country and otherwise to carry on its investigation. Its membership consisted of such men as Senator DRILLINGHAM, Senator LODGE, Senator McLaurin, and Hon. John L. Burnett, Prof. Jeremiah W. Jenks, and other men of legislative experience, great learning, and familiarity with immigration problems and legislation.

Among the questions which it studied and upon which it reported was the one now under discussion. On pages 26 and 27 the commission discussed this problem:

It has been strongly urged by immigration officials and other students of the question that the embarkation at foreign ports of persons not admissible to the United States because of their physical condition would be more effectually prevented by a medical inspection by American officers at such ports. This plan was so strongly urged that this Government a few years ago made official inquiry respecting the probable attitude of European Governments toward it. At that time one or two governments expressed a willingness to permit such an inspection by American officials; others made indefinite replies to the inquiry, while others were positively opposed. No attempt was thereafter made to further the plan. After an investigation by the commission of the situation at all the principal ports of Europe it is clear that

even were its consummation possible such an arrangement would not materially improve conditions. * * *

It has been suggested that some system ought to be devised by which intending emigrants could be physically examined as to their admissibility to the United States before leaving their homes for ports of embarkation. While an effective arrangement of that nature would be of great benefit to the many thousands annually who are turned back at foreign ports of embarkation, it is a matter over which our Government has no jurisdiction. (Reports of the Immigration Commission, Vol. 1, pp. 26-27, presented Dec. 5, 1910.)

First, let us understand that the maintenance of embassies and consulates in foreign countries is a matter of diplomatic usage and treaty agreement. We could not maintain an ambassador, a consul, or any kind of an official representative in any foreign country without its agreement. Diplomatic usage sanctions the maintenance of embassies and consulates which promote ends desired by both parties to the arrangement. Their establishment and activities are wholly subject to treaty agreement with foreign powers, or their consent in some form. Their withdrawal may be demanded and enforced by such power at any time.

The scope of the activities of consuls, ministers, and ambassadors is fixed or limited by usage and agreement and can be extended only by such consent. The selection of would-be immigrants is not one of the usual functions performed by consuls or diplomatic representatives. The treaties under which such representatives are maintained do not authorize the establishment or maintenance of immigration stations of any kind, nor the performance of any of their functions, on foreign soil. Neither does diplomatic usage sanction it. These officers and the performance of these functions within the territory of a foreign sovereignty is not possible unless such countries would give their consent.

The motives which prompt them to consent to the establishment and maintenance of consulates and embassies is mutual commercial and diplomatic interest. But this mutuality of interest does not exist as to immigration. Japan, China, England, Spain, Italy, Poland, and other Old World countries usually want a place to which they can send their surplus or undesirable population. Our immigration laws are designed to prevent their unloading this surplus and burdensome population on us. We want to prevent the very thing they want to do. Instead of mutuality of interest there is conflict. Generally speaking, they will not go beyond the limits of diplomatic usage to agree with us upon our establishment upon their soil of agencies by which we can accomplish that which it is their desire to prevent. This is not merely natural and logical; it is actual.

The House Committee on Immigration and Naturalization has given much consideration to this subject, continuing its investigation and study from time to time. In its report to the Sixty-seventh Congress (No. 710), accompanying House Joint Resolution No. 268, the following appears:

OBJECTIONS TO EXAMINATIONS OVERSEAS.

The hearings of the committee have covered all phases of the subject. Considerable time was spent in attempting to develop a plan of examination of immigrants at ports of embarkation, but these efforts were met with a letter from the Secretary of State.

Some Members of the House and Senate had written bills which proposed to deal with this situation in the easy manner proposed. That gave rise to the writing of the letter from Secretary of State Hughes, which is as follows:

DEPARTMENT OF STATE,
Washington, December 28, 1921.

MY DEAR MR. JOHNSON: I inclose copy of a memorandum of September 15 from the chargé d'affaires ad interim of Italy, in which he discusses certain bills which have been introduced in Congress providing for the examination in American consulates of aliens desiring to emigrate to the United States.

Informal objections to the proposed legislation have been made by representatives of other countries, and I shall endeavor to keep you informed as to any further objections which may be received by this department from representatives of interested foreign countries.

As this matter touches upon the foreign relations of the United States, I would ask that you be so kind as to keep me informed concerning the progress of the proposed legislation.

I am, my dear Mr. JOHNSON, sincerely yours,
CHARLES E. HUGHES.

Among the things which made necessary the writing of the above letter by Secretary Hughes is the following:

MEMORANDUM FROM ROYAL ITALIAN EMBASSY.

The royal chargé d'affaires for Italy presents his compliments to his excellency the Secretary of State and has the honor of bringing the following to his attention:

During the special session of this Congress there have been presented bills—one in the Senate and two in the House of Representatives—by the terms of which, among other provisions, it is proposed to have United States medical and immigration officials in the United States consulates, or elsewhere, to exercise functions not purely informative in character but of direct action in the medical examination and definite selection of the emigrants, connecting such functions with that of the granting of the consular visé to passports.

Such action, even if exercised in the interior of the consulate offices, would go beyond the usual consular functions recognized by treaties and pertaining, as it does, to interests connected with emigration whose

regulation is reserved to the sovereignty of each State, could not be considered as conforming with either treaty or law on emigration in Italy.

It is true that this is a matter relating merely to proposed legislation; nevertheless, the intense desire to avoid later any possible motive for discussion between our two countries inspires the friendly intention of the present recommendation, especially since it has been stated to the Secretary of State that the Italian Government would be most willing to meet the wishes of the United States in conforming the action of its emigratory services so as to satisfy the reasonable requirements of the American regulations if both can be made the subject of a specific agreement beforehand, as already suggested.

The embassy would certainly have hesitated to approach the Secretary of State on this matter were it not that the Secretary of Labor, in recommending the above-quoted bills according to public press statements, had not made it felt that the measures before Congress probably expressed views not contradictory to those entertained by the United States Government, whereupon any assurance on the subject, if possible, on the part of the Department of State, so that in time it be forwarded to the Italian Government, would be highly appreciated by the Italian Embassy.

WASHINGTON, D. C., September 15, 1921.

The committee in this connection was reminded that the Immigration Commission of Congress, after exhaustive investigation, dropped the matter of inspection at foreign ports. (See p. 26, vol. 1, Abstracts and Reports of the Immigration Commission, 1911.)

It will be noted that Mr. Secretary Hughes, in the second paragraph of his letter to Chairman JOHNSON, informs him that "informal objections to the proposed legislation have been made by other countries," which is in line with the statement made by the Immigration Commission in the quotation given above. It must not be understood that Italy is the only country making these objections. The country which does not make them is an exception.

On June 2, 1922, while I was presenting this situation to the House of Representatives, I was interrupted by Chairman JOHNSON, of this committee, when the following colloquy occurred, as shown by the CONGRESSIONAL RECORD of that date:

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. Box. Yes.

Mr. JOHNSON of Washington. If the gentleman will permit me to say so, as chairman of the present House Committee on Immigration and Naturalization I congratulate the membership on the work the gentleman from Texas has done on the committee and the study which he has given to this particular phase of the matter. I would suggest that he do not omit from his present discussion the fact that other Governments are at this time making protests, quite similar to the one that he has just read from the Italian Government, against proposed provisions in the so-called shipping bill, clauses of which would authorize investigation overseas. I am told that these present protests against that new legislation, now being considered before another committee, are much stronger than have been made heretofore.

Mr. Box. I thank the gentleman for his suggestion, because it helps to present the problem which I want the House to see.

I was again interrupted by Mr. CONNALLY of Texas, a member of the Foreign Affairs Committee, when the following occurred:

Mr. CONNALLY of Texas. And, Mr. Chairman, if the gentleman will permit, in that connection I would say that, as I recall now our hearings on the passport control bill, it developed that practically all of the foreign countries objected to the setting up in their countries of agencies for the investigation and examination of immigrants.

Mr. Box. I thank the gentleman from Texas [Mr. CONNALLY]. The viewpoint of these people on our immigration policies is very different from ours.

Mr. CONNALLY's statement shows that the Committee on Foreign Affairs had met the same difficulty in dealing with one phase of this question.

Many of the immigrants which reach foreign seaports on their way to the United States have already left their homes and come great distances into other countries on their way to the United States. If these seaport countries should let us do our selecting and rejecting within their borders, they would have those rejected as undesirable thrown on the nations at whose ports they sought to embark. This is another substantial reason for their objecting to our sifting out the refuse and dumping it on them. Some countries have complained that they do not like to have such people as are coming to America even pass through the midst of their people. Would the United States want Canada or Mexico or Europe to select immigrants from other countries within our country and leave the refuse here?

America is the last country where there is room and opportunity. They nearly all want to get rid of their surplus population. That is and has been the cause of trouble. We have the land to which they want to come. Nations and races have struggled for a place in which to exist and enlarge since before the years covered by human history. We are trying to maintain a place here for us and our children to which the crowded-out, hungry, unhappy millions of the Old World are struggling to come. Our right to guard it must not be impaired. That would be perilous. It would be ruinous. If we make treaties at all we will have to make them on terms satisfactory to the people who want to unload their surplus population on America. The regulation and control of this world-

wide movement toward America must be retained unimpaired by Congress.

I invite special attention to the polite, diplomatic phraseology used by the representatives of the Italian Government, in which it says that the Government of Italy would be "most willing to meet the wishes of the United States in conforming the action of its emigratory services so as to satisfy the reasonable requirements of the American regulations if both can be made the subject of a specific agreement beforehand, as already suggested." Note the requirement that our regulations must be made the subject of a specific agreement with Italy beforehand. This makes it plain that any effort to bargain with foreign powers about foreign inspection and selection, if inaugurated, would at once place them in a position to claim a voice in the making of our immigration regulations. That is the very thing that America must not do. That is the very thing that the friends of restriction do not want. Even the opponents of restriction certainly would not favor the adoption of a policy by which we surrendered our right to deal with the subject in our own way. The right once lost would be hard to regain. The permanent loss of that right would be an irreparable calamity to America.

Very definite conclusions necessarily follow the existence of this situation. Since we can not maintain such agencies in foreign countries without their consent, and such consent has not been and probably can not be obtained, it is vain to depend upon foreign examinations.

If possible and desirable, such examinations would be impracticable because of the expense and other administrative difficulties attendant upon an effort to maintain immigration stations or an immigration inspection force at all the sources of immigration. The immigrants come from 10,000 places—throughout Mexico, Canada, and beyond, for myriads come from those countries and through them. Can we maintain immigration stations or agencies at the door of every would-be immigrant? Such a plan would be like the effort of a farmer, whose field was surrounded by an open range, trying to build inclosures around the live stock on all the range to avoid maintaining a fence around his own field. From Japan, China, India, much of Asia, much of Africa, and from all of Europe men are coming to Mexico and Canada for the purpose of gaining access to the United States. Where would you establish your stations and guard lines against them? At their homes? At a thousand places in Mexico and Canada?

Immigrants come to America on irregular and tramp ships from all the ports of the world. This, and their coming through Canada and Mexico, would force us to maintain our seaport and land frontier stations and to turn back many from them. Establishing foreign stations would merely add a great system of distant stations without eliminating home stations or avoiding the necessity of rejecting great numbers of immigrants at them. If foreign countries would permit it, which we have found they will not do, the plan is impossible. Of course, the only place for our stations and guards is at our own ports and on our own frontiers.

It is urged that if prospective immigrants were inspected and selected abroad, they would be protected from the hardship resulting from their selling their effects and breaking themselves loose from their homes and sources of livelihood, expecting to be admitted to the United States only to find themselves denied admission and be thrown adrift penniless, friendless, and far from home. Unless the stations were located, at prohibitive cost, in hundreds of places, the prospective immigrants could not be selected near their present homes. The establishment of immigration stations in a few great cities on the coasts in Europe, Asia, and Africa would not meet this difficulty. These seaports are hundreds of miles from the present homes of most of the immigrants and in countries foreign and strange to them. They would have to go in families hundreds of miles, often across national boundaries, necessitating passports, and a great part of the travel, expense, and difficulty which they now meet.

The average immigrant can not, without selling all, carry his family from the center of Europe to the seacoast for examination. If he could, he would not know how long it would require him to return to his home with his family to sell out and return to the immigration station on the coast. The uncertainty, delay, expense, and other difficulties of such a course would forbid its adoption by the immigrant, who usually has little or nothing. He sells all, and even under the proposed plan would sell all and break up completely, before leaving his old home to go to the place of inspection and embarkation. The risk and loss of this breaking up would have to be incurred under any system except one that sent the inspector to the prospective immigrant at or near his present home, which is manifestly impossible.

The steamship companies, relatives, and other opponents of restriction are all talking much of regulating immigration by treaty agreements. I have shown that this plan of foreign inspection depends upon treaty agreements. I suspect that their agitation for foreign inspection is prompted by the desire to have the control of immigration away from Congress and give it to the treaty-making power. It is certain that the adoption of the system of foreign inspection would have that very effect. Treaties establishing such a system, if made at all, could be made only upon such conditions as were satisfactory to foreign governments, so that the whole system of immigration control would pass to the treaty-making power. Treaties made on the subject would become the supreme law of the land. Immigration regulation would pass to the President as the treaty-making power, subject to the ratification or the rejection of the Senate. The House would lose all voice in this question of the greatest importance to the people, who are most directly and truly represented in the House, and whose desires on this subject they have so much more frequently and truly voiced.

I have stated other vital reasons why we must never let the control of immigration become a matter of treaty making. For that involves the surrender by us of our present sole right and power to regulate it. Confessedly, we now have this right and power regardless of the wishes of foreign countries. When immigration control is passed to the treaty-making power we will have surrendered this right and consented that we must consult foreign countries in fixing our immigration regulations. Foreign countries such as Germany, Japan, Italy, Poland, and Spain want to unload their unfortunate, starving surplus population on America. When through the surrender of our sovereign right to control it we agree to make it subject to the approval of foreign countries, they get the right to reject our plan for dealing with it. We will thereby become helpless to prevent their hungry and wretched millions from coming to America at will. Our complete and overwhelming ruin would follow inevitably and soon.

Moreover, our experience as to the attitude of our Presidents toward this problem should warn us of the great danger of passing absolute or chief control of it to him.

The President's constant contact with delicate and difficult questions of our foreign relations and the necessity of maintaining cordial diplomatic relations with foreign countries expose him and his advisers and agencies to the constant tendency toward too great liberality in immigration regulations.

Our own people now almost uniformly confess that we have in the past been liberal to the point of ruinous looseness in our immigration policies, but even such restrictive measures as have been adopted in the past have nearly all been enacted in the face of Executive opposition. Nearly every step forward in the policy of restriction has been taken by overstepping the President's veto of restrictive laws.

In 1879 President Hayes vetoed the first Chinese exclusion act (21 C. R. 580). In 1882 President Arthur vetoed an act suspending Chinese immigration for a period of 20 years (21 C. R. 581). On March 3, 1897, President Cleveland vetoed an immigration act excluding illiterates (21 C. R. 573). President Taft vetoed an immigration bill in 1913 containing a restriction against the admission of illiterates (p. 101, Rec., special sess., 59th Cong.). In 1917 President Wilson vetoed an act excluding illiterates, but Congress passed it over his veto.

In 1868 the Burlingame treaty between the United States and China declared it to be the inalienable right of men to migrate and emigrate at will. California had then been, for 15 years, alarmed and in trouble on account of the coming of great numbers of Chinese. The California Legislature had passed laws in efforts to protect the State. Pacific coast cities had passed ordinances for the same purpose. Congress itself, in 1862, had taken note of the degradation and slavery of Chinese coolie laborers, and had forbidden American ships to transport them. This was seven years before the Burlingame treaty was made by the President and ratified by the Senate, declaring the right of such people to migrate to the United States to be "inalienable." So aptly did the treaty-making power deal with the problem in that instance.

Conditions in California and on the Pacific coast were then and soon afterwards so bad that, in 1872, California was pleading with Congress for the exclusion of the Chinese; that is, for the deprivation of the "inalienable right" of Chinese to come to America in tens or even hundreds of millions.

A congressional committee was sent to California, where it found conditions very bad. In 1879 Congress passed what was practically a Chinese exclusion act and undertook to abrogate the obnoxious sections of the Burlingame treaty of 1868.

Here another unfortunate incident to immigration regulation by treaty developed.

President Hayes vetoed the exclusion act, giving as one reason his contention that Congress had no right to abrogate a treaty. His action illustrated the fact that the President can nullify an exclusion act of Congress and that Congress has no power to relieve the country of a treaty so dangerous as was that one by any majority less than two-thirds of both branches. President Hayes claimed that Congress had no power to abrogate a treaty at all.

The President can make such a treaty with the approval of two-thirds of one branch of Congress.

A new treaty was made by the United States and China in 1880, in which China succeeded in limiting the freedom of the United States to deal with Chinese immigration in its own way. This treaty stipulated that the United States might limit or suspend the coming of laborers only and prohibited the United States to forbid general Chinese immigration.

In 1880 Congress passed an act suspending Chinese immigration for 20 years. President Arthur vetoed the act, chiefly on the ground that a 20-year suspension of Chinese immigration was not "reasonable" within the meaning of that term in the clause of our treaty with China permitting the United States to limit or suspend the coming of laborers in such a manner and to such extent as "shall be reasonable."

It was soon found that this immigration treaty was unwise, and the United States asked China to agree to its abrogation. She objected and delayed until Congress passed a drastic Chinese exclusion law, from which the President withheld his approval until he became convinced that China would not enter a new treaty abrogating the treaty of 1880, of which the United States was now anxious to be rid.

President Roosevelt made an agreement, which he insisted on having treated as valid and binding, as being supreme law, without even consulting the Senate about it. He called it a "treaty."

I doubt, if I may be permitted to say so, whether the gentleman's agreement made by President Roosevelt, to which the gentleman evidently refers, has any force or has ever had any force that America ought to recognize. To say that the President can by some secret understanding hidden in his bosom or by some written memorandum hidden in the archives of the Department of State, never submitted to the Senate, establish a law, a supreme law of the land binding on the legislatures of States, binding on this body and the whole country would be most extraordinary. That is the construction given to the gentleman's agreement. President Roosevelt, who made it, based his action on the facts as he saw them then. He would unquestionably say now that it did not work properly.

ROOSEVELT ON THE GENTLEMEN'S AGREEMENT.

After a good deal of discussion, we came to an entirely satisfactory conclusion. The obnoxious school legislation was abandoned, and I secured an arrangement with Japan under which the Japanese themselves prevented any emigration to our country of their laboring people, it being distinctly understood that if there was such emigration the United States would at once pass an exclusion law. It was, of course, infinitely better that the Japanese should stop their own people from coming rather than we should have to stop them, but it was necessary for us to hold this power in reserve.

Unfortunately, after I left office, a most mistaken and ill-advised policy was pursued toward Japan, combining irritation and inefficiency, which culminated in a treaty under which we surrendered this important and necessary right. It was alleged in excuse that the treaty provided for its own abrogation; but, of course, it is infinitely better to have a treaty under which the power to exercise a necessary right is explicitly retained rather than a treaty so drawn that recourse must be had to the extreme step of abrogating it if ever becomes necessary to exercise the right in question. (Theodore Roosevelt; An Autobiography, p. 414.)

Immigration legislation should be handled by Congress through the agency of its appropriate committees, and by itself. It will be dangerous, indeed, to turn over this important subject to a committee not familiar with its difficult details and to the Shipping Board and others, whose knowledge of the subject is superficial and whose interests are divergent from the great public interest to be served by proper immigration legislation.

The statement made by the chairman of the House Committee on Immigration on the floor of the House, quoted above, to the effect that the provisions of the shipping bill relating to immigration have provoked emphatic protests from foreign Governments is not surprising. Orderly legislation can be obtained and the best public interest promoted by having immigration legislation reported by the proper committee. The policies behind it should be prompted by the public interest, and not by the financial gains of Shipping Board vessels or of subsidized American shipping.

Mr. Speaker, I insist that Congress must retain unimpaired its full power to deal with this great problem. It must not be admitted that foreign powers have any right to a voice in deal-

ing with it through a policy of treaty making. Foreign inspection necessarily involves that idea. This great question must not be, wholly or partly, passed to the Shipping Board or to subsidized American vessels to be handled for the purpose of money-making. The present and future welfare of American men and women, of this and future generations, must be the supreme consideration in the minds of all who deal with it. Congress must not lose its supreme control over it.

The foregoing documents and the facts stated in connection with them show that, under conditions now prevalent and likely to continue, the foreign selection of immigrants is impossible; that such a plan would be unworkable, and that it would be undesirable because it would involve the surrender of our present right to exercise exclusive control of our immigration policy and force us to consult other nations concerning it.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill just passed.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to extend his remarks on the bill just passed. Is there objection?

There was no objection.

RETIREMENT OF CIVIL-SERVICE EMPLOYEES.

Mr. A. P. NELSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting some information, facts, and figures in regard to the retirement fund of date January 24, and a very brief statement.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

There was no objection.

Mr. A. P. NELSON. Mr. Speaker, I wish to extend my remarks in the RECORD by giving the following information about the retirement law furnished to me by Robert H. Alcorn, chairman of the joint conference on the retirement, representing the civil-service employees of the United States. Mr. Alcorn has constantly been one of the great friends of the United States employees, and the beneficiaries of the retirement law owe him a debt of gratitude for his splendid services in their behalf before the committees on retirement in the two Houses of Congress.

The data which he has submitted to me, furnished by the Treasury Department, is as follows:

Number retired.	
Total number of employees retired up to Jan. 24, 1923.....	8,500
Average annual increase is about 30 per cent.	
There will be on the retired list on July 1, 1923 (approximately).....	9,000
Retirement for age.....	6,667
For disability, July, 1922.....	909
Male retired.....	7,071
Female retired.....	505

Retirement and disability fund.	
Contribution, Aug. 1, 1920, to Jan. 24, 1923:	
Contribution from employes salary.....	\$40,007,780.08
Profits and interest on investments.....	1,123,784.81
Total.....	41,147,264.89
Total amount of annuities paid out.....	14,131,514.89
Balance on hand, which has been invested in Government securities.....	26,984,250.00
Of this fund there is a temporary investment of.....	4,000,000.00

Supposing that the \$4,000,000 is temporary and that it can be drawn on to pay the annuities up to July 1, 1923, would leave a balance, on July 1, 1923, of \$22,984,250.

The oldest annuitant on the roll was born January 10, 1828, retired August 21, 1920, after nearly 72 years' continuous service. The youngest annuitant was born June 1, 1888, and was retired January 1, 1922, on account of disability.

EXTENSION OF REMARKS.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the pending immigration bill.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent to extend his remarks on the pending immigration bill. Is there objection?

Mr. STAFFORD. Reserving the right to object, I assume that they are the gentleman's own remarks?

Mr. RAKER. I am going to refer to some distinguished gentlemen who have taken the same view that I take on the subject. It will be interspersed with my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HILL. Mr. Speaker, I ask unanimous consent to extend my remarks on the proposed amendment to the Constitution on marriage and divorce laws.

The SPEAKER pro tempore. The gentleman from Maryland asks unanimous consent to extend his remarks on the subject indicated. Is there objection?

There was no objection.

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

The SPEAKER pro tempore. Will the gentleman withhold that for a moment?

Mr. STAFFORD. Yes.

PRESIDENT'S MESSAGE—AMERICAN RELIEF IN RUSSIA (S. DOC. NO. 307).

The SPEAKER pro tempore submitted the following message from the President of the United States, which was read, and with the accompanying report, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, a report by the American Relief Administration of the disposition made of certain medicines, medical, surgical, and hospital supplies, which were transferred to said American Relief Administration by virtue of the provisions of the act of Congress approved January 16, 1922, for the relief of the distressed and famine stricken people of Russia.

WARREN G. HARDING.

THE WHITE HOUSE, February 23, 1923.

ANNUAL REPORT OF GOVERNOR OF PORTO RICO (H. DOC. NO. 602).

The SPEAKER pro tempore also laid before the House the following message from the President of the United States, which, with the accompanying documents, was referred to the Committee on Insular Affairs and ordered printed:

To the Congress:

As required by section 12 of the act of Congress approved March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes," I transmit herewith for the information of the Congress the Twenty-second Annual Report of the Governor of Porto Rico, together with the reports of the heads of the several departments of the Porto Rican government for the fiscal year ended June 30, 1922.

I concur in the recommendation of the Secretary of War that this report be printed as a congressional document.

WARREN G. HARDING.

THE WHITE HOUSE, February 23, 1923.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. TUCKER, for to-day, on account of illness.

LEAVE TO EXTEND REMARKS.

Mr. LOWREY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing in 8-point type a very brief article from ex-Governor Taylor of Tennessee, appropos to the speech of the gentleman from North Carolina recently in relation to the monument to the colored mammies.

The SPEAKER pro tempore. The gentleman from Mississippi asks unanimous consent to extend his remarks in the RECORD in 8-point type for the purpose indicated. Is there objection?

There was no objection.

The article referred to is as follows:

"SWING LOW, SWEET CHARIOT."

Bob Taylor, in his published lectures, makes this beautiful and touching allusion to a former slave of his family: "Not long ago I buried one of the last of our old family darkies. He had been a preacher for 50 years. When I was a child he often led me, together with my brother, to his meetings. He had never learned the art of reading. But many a time have I seen him rise in the pulpit and say, 'My congergashun, you'll find my text somewhar 'twixt de lids of de Bible, whar it reads, "You must be born agan and agan." And then he would warm up to his theme until he plunged out far beyond the ratiocination of man. During the last 20 years of his life he made sight drafts upon my treasury and my wardrobe, just as thousands of old-time darkies still make drafts upon their former masters in the South, and they are always honored. When I was a candidate Uncle Rufus was a Democrat. When my brother was a candidate he was a Republican. When we were candidates against each other he was neutral. The old man came one evening and sat with me in the twilight under the trees, and our minds wandered back together to the happy days of the past when he was a slave and I was a barefooted boy. He reviewed many a ghost story he used to tell us in the firelight around the hearthstone of his cabin in the happy long ago. And there was many a joke and jest and merry peal of laughter. But as the shadows thickened around us the old darky grew serious. He spoke tenderly of my father and mother and his old wife and all the old folks who had gone before. With tearful eyes he left me. But he paused as he departed, and leaned upon his staff and said, 'You may not see me again. I has had two visions of de

chariot of de Lord descending from heaven to bear me away. The next time it comes your Uncle Rufus is a-gwyne home, and as he hobbled away in the darkness I thought I heard a song:

"Swing low, sweet chariot, coming for to carry me home,
Swing low, sweet chariot, coming for to carry me home."

"I never saw him again. Before a week had passed, the chariot had swung low; the faithful old servant stepped in and was caught up into heaven. As I looked upon him for the last time, with the dews of life's evening condensing on his brow and the shadows of death falling around him, his simple words of faith in God were more beautiful to me than the most impassioned eloquence that ever fell from the lips of the brilliant Ingersoll."—Alabama Baptist.

EXTENSION OF REMARKS.

Mr. LAYTON. Mr. Speaker, before leaving Congress I feel it to be an imperative personal duty again to lay before Congress and the public certain facts and observations regarding not only the Sterling-Towner bill, concerning which I have already spoken briefly, but what is known as the Fess amendment, the Fess general welfare bill, and what is ascribed to the President as a plan to create a department of general welfare "which," to use the language of one of its women advocates, "is to look after health, education, both physical and mental, and the things closest to human life." All of these measures are pernicious in character and if enacted into law will mark the decline and fall of constitutional government in the United States.

Insidiously and with relentless purpose many powerful elements in the country are combining in support of all of this legislation. They are not all of the same profession, nor animated by the same desires. We find in support of these measures the theoretical professorial class whose vanity is tickled by the assumption that it has discovered something new for the benefit of mankind. We have the self-interested classes who, without reflection or a care for consequences, seek only an enlargement of pay-roll opportunity. We have all of those socialistic, Bolshevistic, and paternalistic classes who favor any legislation that looks to the destruction of constitutional government. Added to these are the leaders of various so-called blocs, whether of labor or agriculture or of industry, whose measure of power depends upon the increased powers of Congress which they can bend to their will more easily than a supreme court created to preserve constitutional liberty. Finally, we have a large number of simple-minded, good-hearted people, to whom numerous idealistic and altruistic appeals are irresistible. Together they make a powerful force, and, judging from the past, will make an irresistible one unless the real substantial citizenship and productive forces of the country are organized against it.

Let me take up the Sterling-Towner bill, which proposes to nationalize education. Briefly this bill creates a new department of the Federal Government of equal authority, power, and prestige that the other departments of the Government possess. The secretary of education so created would have a seat in the President's Cabinet, becoming, therefore, one of the President's councilors upon all questions affecting the Nation. He would receive a salary of \$12,000 per annum, which is the same that the Secretaries of other departments now receive.

There would be an assistant secretary of education, whose salary would be later fixed by Congress, but which undoubtedly would be commensurate with the salaries of assistant secretaries of the other departments. There would also be of necessity a growing differentiation of the work of the department, which would result in the creation of many and varied bureaus, each one of them having a chief or a head, with salaries commensurate with their respective positions. Added to this would be a constantly increasing clerical force commensurate with the differentiations of the department. What I desire to impress upon you is the fact, with which you are already acquainted, that the creation of this department of the Government would inevitably follow the evolution and the growth witnessed in every other department of the Government since they were created. It is not too much to say that not only the possibilities but the probabilities of the growth of this one department, if created, would exceed that of any other under the Federal Government, because it would comprehend within its scope of facts not only every new development in the realm of knowledge but the administrative activities within every little school district in every State of the Federal Union as well. Especially will this be true if a department of public welfare be created according to the President's plan, which will include maternity, childhood, child labor, mothers' pensions, old-age pensions, old-age insurance, home economics, medicine, surgery, and, as I have already quoted, "all the

things closest to human life." There is no escape from this conclusion, unless the advocates of this measure assume that the inherent expansion of all other departments, bureaus, and commissions of the Federal Government will not attend upon this department.

This would mean, therefore, that for the department of education alone the first appropriation of \$100,000,000 would be increased inevitably year by year because of the expansion and growth inherent in the proposition, until national taxation for this purpose alone would run ultimately into billions of dollars. Add to this all of those things I have already mentioned, and which are proposed to be undertaken by the Federal Government by legislation already on the calendars of both Houses according to the reputed presidential plan of a general welfare department which shall take within its care "all the things closest to human life"—and you will see a people ultimately staggering under such taxation as to compel another revolution for adequate relief. The Revolution of 1776 was against an imbecile king. It is not certain that there will not have to be another revolution against a future imbecile Congress and President. The tyranny of a king is no more intolerable than the tyranny of a majority. This was plainly foreseen and feared and the endeavor made to provide against it by the framers of our Constitution. The pace, and a fast one, has already been set for this sort of legislation, gentlemen of the House, and if you keep it up you will either be displaced from your seats or an indignant people will have lost all the blessings of their birthright, and sooner or later will be compelled to overthrow a government which has become intolerable by senseless violations of the covenant of their union. If this legislation is enacted, and the measures proposed by the gentleman from Ohio [Mr. Fess], and that by the gentleman from Iowa [Mr. Towner], and other related schemes of the same bureaucratic character, the hopes of the citizen for lessened taxation and economical appropriation will forever go glimmering. To such an extent would Federal taxation expand and draw upon the resources of the taxables that sooner or later the peoples of the communities and of the States would find it impossible to meet these demands and at the same time retain the ability to levy taxes for their own community and State purposes.

What I wish to emphasize is that if this and other numerous forms of legislation of a bureaucratic and paternalistic character are to be accepted as the basis of a new policy for national government, the time will come, and it is not far distant, when the peoples of the various States and communities will have no money for their own expenditure, because the demands of the Federal Government will be all, if not more, than they can endure.

I do not mean to have it understood that I am opposed to education. It would be unfair and unjust to place me in such a position because I oppose the nationalization of education. It would be as absurd as to charge me with being an atheist because I was opposed to nationalizing religion. On the contrary, I am in favor of education, and believe that it should be the supreme purpose of every boy and girl in the land to secure an education, just as it should be a matter of pride and settled purpose for every man and woman to secure a home and the means of a comfortable living. What I do desire to have understood is that neither the State nor the Federal Government should be responsible any more for education than for food and clothing. Every State in the Union already provides not only food and clothing but shelter as well for the indigent and helpless—a humane and altogether proper provision.

I do not believe that the Federal Government has any right to interfere in what should be essentially and primarily the direct concern of the communities within the States. I go further and say that I believe that the respective States themselves should limit their State activities in this direction and place not only more responsibility directly upon the people but protect the people in the matter of taxation and expenditure for this and other State purposes which are essentially matters of community interest. In other words, I do not believe that the State itself has any duty to perform or should have any concern over the matter of education except to see to it that its future citizens are made sufficiently literate to fit themselves for the proper exercise of the right of suffrage. If it can be constitutionally upheld that the State should educate its children up to and including 12 grades of knowledge, why stop before the highest college course is reached? Further, if this principle be admitted, why should not the State tax its people to educate its ministers, its lawyers, its doctors, its scientific men in all employments, just as there seems to be a growing assumption that the State should give vocational training to all its boys and girls. How did the people of the

United States become what they are, not in aggregate but in distributed wealth, not alone in power but in diffused prosperity, and an unchallenged esteem throughout the whole world for the blessings enjoyed by our people? Is it possible that our institutions have been wrong; that our former government was founded upon false principles; that, like Topsy, we have "just growed"; that grapes have been growing from thorns and figs from thistles for more than 150 years?

Let us give a little serious reflection to the fact that without these new schemes of government with which we are being so afflicted we have become a Nation such as no other in the world exceeds. And right here let me emphasize another thought, that national control of education is not the cure for every national ill, nor is it necessarily a matter prerequisite to the preservation of American civilization. There is no dispute except by a Gompers, a Marx, or a Lenin that this Government has not had a marvelous record of human attainment for all purposes for which governments have been instituted. There is no questioning our prosperity, our greatly distributed power, nor the more important fact, our peace and happiness in a land where from the foundation of our Government there has been secured more safety to the individual, more peace to the home, and a greater protection to the life and the property of the individual than has been given by the most favored government hitherto throughout the ancient or modern world. Therefore, let me ask again, how is it that we have attained to and obtained all of these things if illiteracy was a menace to good government? *That illiteracy was not an obstacle to the foundation of our Government is very clear.* The illiteracy of the Colonies at the time they met the armed forces of the most powerful nation of the world was not less than 75 per cent of the three million and a half who were involved in that great struggle. At the time of the adoption of our present Constitution in 1789 the illiteracy of the country was hardly less than in the colonial period. I again ask you to remember that the greatest and the most beneficent government that the world has ever known was instituted on a 75 per cent illiteracy and decade by decade has expanded and preserved itself on a far greater illiteracy than now exists. Again I ask, can grapes grow from thorns or figs from thistles? Cold logic historically would seem to prove that an illiteracy of 75 per cent was beneficent rather than harmful.

Ever since time began the human race has been subject to periods of mental prepossession. The receding wave of Coueism is now visible. We had a Perkins in the eighteenth century. It was the fashion at one time, especially for fashionable people, to have appendixes removed whether there was anything the matter with them or not. There are constantly changing fashions in dress and customs. There are temporary prepossessions in medicine and even in religion. Just now we are in the throes of violent spasms over education throughout the whole country, intensified and propagated chiefly by those who are self-interested—by the thoughtless and conscienceless politician—abetted by the dreamers and altruists, who fondly think that they are engaged in a great, noble, and necessary propaganda which will have for its results a real millennium; but chiefly by professorial educators and teachers seeking an enlarged opportunity under a Government pay roll.

Gentlemen of the House, let me remind you of two established facts: First, you can not educate every child alike nor to the same degree. Cold scientific ascertainment shows a biological inability to be highly educated on the part of a large proportion of the youth of the land. Second, no greater disaster could fall upon this country than to have every boy and girl possessed of a Harvard diploma, assuming that they were able to secure the same. This is a world, my friends, that you and I did not make. The Creator made the world and all that therein is. He made it according to *His* plan; and as far as *His* fundamental laws are concerned, you and I are powerless to change them. *He did not make all men free and equal*, although that beautiful euphuism appears in our Declaration of Independence.

The weakling is not equal physically to him who is strong. The lame, the halt, and the blind are not equal, either in fact or in their power to seize upon opportunity, to the individual who can run and who can see. The vicious born is not equal spiritually to him who is congenitally good. The idiot, the moron, the mentally defective is not equal to him who is endowed with congenital intelligence. All that that beautiful sentiment means is that under our institutions and laws everyone shall be equal in sharing their beneficence—the guaranties which they give for the protection of life, for the preservation of liberty, for the unimpeded pursuit of happiness, and for that chance of opportunity commensurate with the individual capacity. For years the world was under the delusion of the

fallacy promulgated by Lamarck, whose biological theory was that education would produce intelligence. The Socratic method, thousands of years old, is now known to have been established on a scientifically sound basis. It is now an established fact coming from physiological, sociological, psychological, and biological sources that education is one thing and intelligence quite another; that education can progress exactly and only in proportion to the *congenital capacity* of the individual to acquire education; that intelligence is born within the individual and can not be acquired by any process of culture, education, or by any environment whatsoever, any more than by any process of training, of feeding, or of culture whatsoever you could convert the finest beagle hound into a blue ribbon Irish setter.

I say this is an accepted scientific truth, and I only mention it in order to show not only the futility of hope and desire entertained by a large number of our educators who seem to think that by education you can increase the Aristotles, the Platos, the Ciceros, the Bacons, the Shakespeares, the Humboldts, the Lincolns, and the Roosevelts of the world, but also to show the waste of the taxables' money that is created by attempting to do impossible things. The great men whom I have just mentioned were born, not made. Their respective opportunities for culture and for knowledge only added to their greatness. Their greatness was inherent and could come from no other source than their congenital inheritance.

Addressing myself again to the Sterling-Towner bill in particular, let me speak more plainly of a matter which the proponents of the bill claim robs it of all undesirability and all harm. I refer to the claim made that under the provisions of this bill the rights of the communities and the States are specifically safeguarded. I desire to be perfectly frank and admit that the bill does so provide in more than one section as far as words go. I desire, however, to declare also that every such apparent prohibition against national interference in the matter of community and State education contained in this bill is a gross deception and altogether impudent when carefully looked at with the eyes of experience. Let us consider this matter with the clear eyes of common sense. Let us not be deluded or confused by words.

The plain facts are that if this bill becomes a law the secretary of education will necessarily be a man not only of educational fitness but a man of marked individual character, a man of strong will, a man of defined and resolute purposes, who will at once begin to carry out his ideas in respect to everything comprehended within the great word called education, and therefore will endeavor to establish his unrestricted influence within the sphere of his activities. Let me call your attention to the influence of a President upon Congress, owing to the patronage and other favors at his disposal. As men of experience recall the power of a governor within a State and his influence by reason of that power. There is not a human activity that does not have attached to it the power of influence. How many of the superintendents of education in the various States of the Union would resist the blandishments, the cajolements, and the opportunities enticingly displayed for elevation to some high position under a department where many such positions would be at the disposal of a secretary of a great and constantly growing department? Superintendents of public schools, whether State or county, are human, and a secretary of education, without coercion, without seeming interference on his part, would be able to establish any policy he saw fit. He could institute textbooks for the inculcation of any principle of political economy, of history, or of anything within the scope of a school curriculum, and thus secure control over education generally without seeming to have interfered to any degree whatever.

If every line of the bill was a prohibition against interference with the communities and the States, the practical control of a hundred millions of dollars to begin with, the great number of appointments at his disposal, together with the high prestige he would enjoy as a Cabinet officer, would inevitably make a secretary of education supreme by every rule of experience and common sense. There is not a small bureau established under the Federal Government that has not gradually expanded its power beyond the limitations of the act which created it, and which has not gradually encroached upon the individual rights that were specifically safeguarded therein. Let me give you an instance which I know to be fresh in your minds in respect to the statement which I have just made.

In 1913 the Child's Welfare Bureau was created, chiefly through the propaganda of Madam Kollantai, a grossly corrupt and profligate Russian Bolshevik now enjoying the connubial bliss of an eighth husband. While she was in this country

acting in cooperation with various men and women whose interest in and admiration for foreign persons and ideas are distinguishing characteristics, the establishment of this bureau was consummated. When Mrs. Julia Lathrop, Miss Alice Paul, Miss Grace Abbott, and numerous other women of genius omne, and some men of the same genus, appeared before the committee that had such matters in charge they positively declared—the printed hearings will prove it—that they wanted only to establish a little bureau for the statistical purposes of childhood and motherhood; that all they desired was an appropriation of \$25,000 a year, and that this \$25,000 a year would be all they would ever require for such a purpose.

This was in 1913. After eight years only, this same crowd of people, augmented by thousands of others who saw a way to get upon the Federal pay roll, and so secure a Federal livelihood, came before Congress and asked for \$150,000,000 under the guise of a maternity bill, and tried to convince the committee before whom they appeared that there was such an alarming mortality affecting the expectant mother and the new-born babe, that if not checked by the enactment of the law which they demanded, the extinction of the human race, in the United States at least, was a matter of serious apprehension. All this was put forth impudently in the face of the knowledge possessed even by fools that motherhood and childhood were at that very moment attended by less mortality, were better safeguarded by scientific discoveries in sanitation, dietetics, and medicine, through the individual efforts of the great medical profession throughout the world, than in any other period hitherto in human history. They did not hesitate, in fact, to falsify statistics bearing upon the subject, and in some cases actually to conceal them so as to better forward their desires. In eight years the demands for a \$25,000 bureau per annum expanded into a \$150,000,000 proposition per annum. The Congress, playing its usual game of politics, granted a million and half of dollars as a complacent compromise between their consciences and the fear of club-women voters.

In answer to the claims made by some of the proponents of this measure that there is no desire to curtail or interfere in the slightest degree with the power of the community or State in educational matters, I desire to say that it is unfortunate for those proponents who took this position that they should not have conspired together more intimately and learned to speak phonographically the same piece. When this educational bill first came to my attention I sent out nearly 2,000 questionnaires for the purpose of ascertaining the sentiment of the public. A questionnaire was sent to the president of every American college, to the editor of every daily newspaper, to the governor of every State, and to every State superintendent of public schools. In reply to this questionnaire there were numerous advocates of the absolute control of education by the Federal Government as against the rights of the community and the State. Let me quote a few of them.

L. B. Powers, president Kansas Wesley University, says: "I am in hearty sympathy with the main tenets of the Smith-Towner bill and other proposed legislation looking toward the nationalization of education," because, among other reasons, he says, "a much more complete standardization of schools could be achieved."

F. G. Coffin, president Cornell College, Mount Vernon, Iowa, says: "Upon the general subject I may say that the central government might well have a place in relationship to our States and have a joint authority or an associate authority * * * greatly to their advantage. State rights have almost entirely disappeared in almost every department of our national life, and it is an anachronism to have it prevailing in educational circles." * * *

Howard A. N. Briggs, Strait College, New Orleans, says: "I favor placing education under a central authority of the Government, taking it out of the hands of the communities and the States."

W. H. Black, president Missouri Valley College, Marshall, Mo., says: " * * * I have no hesitation in approving the nationalization of education. * * * It seems to me that * * * there should be national standards for courses of study, for teacher qualifications and certifications, and also standards of salaries and pensions."

J. N. Tilden, president Lombard College, Galesburg, Ill., says: "In reply to your circular letter of December 9, I am pleased to state that I am unalterably in favor of the nationalization of education."

R. M. Montgomery, president Parsons College, Iowa, says: "It properly relates the great subject to the administration of our Government."

R. T. Camel, president Sterling College, Kans., says: "The nationalization of education, in my judgment, would be a great help to our educational institutions."

John W. Hoffman, president Wesley University, Delaware, Ohio, says: "I am certainly in favor of the nationalization of education. * * * I am thoroughly committed to the idea of centralization in this respect."

A. E. Turner, president Lincoln College, Lincoln, Ill., says: "Referring to your inquiry of December 9, I beg to say that it is the feeling of this institution to place education under a central authority of the Government."

U. S. Smith, president Iowa Wesley College, says: "Suffice to say that I am in sympathy with the bill and believe that a nationalization of our educational system would be in keeping with the advancement of the age."

Frederick Lent, president Elmira College, New York, says: "I am in favor of the nationalization of education." * * *

To these frank expressions I could add largely, but I have not the space in this address.

When the proponents themselves are divided upon the question and some of them frankly avow their purpose to nationalize education, openly advocating the placing of education under the control of national authority, distinctly demanding that all community and State activity be eliminated in order that principles and policies, textbooks and salaries, certifications and pensions may be standardized, and taxation and expenditure be placed entirely in the hands of a majority of Congress, it behooves every intelligent man and woman to consider whether this Prussianizing of education in the United States is desirable; and if not, to organize against it. Personally, I deny the right of the professional educator, whether of high or low degree, to dictate a policy the burdens of which the taxpayer will have to bear, especially when that policy must necessarily result in widespread and deteriorating effects upon the individual character of the American citizen. In concluding this part of my remarks let me say that an analysis of the opinions of the presidents of colleges shows a marked opposition to this bill on the part of the great colleges of the country, such as those of Harvard, Yale, Princeton, Columbia, and Williams, with a lessening opposition as you go down the scale of institutional importance.

I received also a large number of replies from presidents of colleges who favored the nationalization of education but who, fatuously, did not believe that this would interfere in the slightest degree with the liberty of the communities and of the States—a reductio ad absurdum.

Of the replies I received from the daily newspapers of the United States a large majority were opposed to the measure. Of the governors, so far as answers were received, a majority did not favor the proposition. Finally, of the superintendents of education of the several States an overwhelming majority of them favored the bill. A scrutiny of these replies revealed the fact that those who were looking after jobs were overwhelmingly behind the legislation, while those who were looking after consequences were opposed to it. It might just as well be said now, so that the general public may know it, that all the 4,000 counties of the United States are being organized by their respective superintendents of education and their assistants in order to secure the passage of this bill, making it, beyond all question, a professional propaganda. This is not only dangerous, but it does not in any way determine the will of the taxpayer. Take as an illustration any town or community, and the entire profession of teachers will not comprehend more than one-half of 1 per cent of the tax-paying community. It is proposed that this one-half of 1 per cent shall determine the passage of a law affecting the rest of a community. And yet, notwithstanding its absurdity, this is likely to be effected unless the taxpayers themselves rise up and by equal organization defeat the passage of such legislation, the burdens of which, if consummated, they themselves will have to bear, leaving out of the discussion any comment upon the disastrous effects of such a national policy.

Having inserted letters and quotations from those in favor of nationalizing education, I think it proper to insert here a few letters and quotations from distinguished educators and journalists who oppose the creation of a department of education, in order that their views may be given through the means of the CONGRESSIONAL RECORD to the people of the entire country, and provoke, if possible, universal thought and discussion for the salvation of our constitutional citizenship.

Nicholas Murray Butler, president of Columbia University, in his annual report of that institution last January put himself on record as follows: The plan to nationalize education "is to bureaucratize and bring into uniformity the educational system of the whole United States while making the most solemn assurances that nothing of the kind is intended." He says further, "The free and natural system of education that has grown up among us should be continued," for, "the glory and successes of education in the United States are due to

its reflection to the needs and ambitions and capacities of local communities, and to its being kept in close and constant touch with the people themselves."

HARVARD UNIVERSITY,
PRESIDENT'S OFFICE,
Cambridge, December 12, 1921.

HON. CALEB R. LAYTON,
Congress of the United States,
House of Representatives, Washington, D. C.

DEAR MR. LAYTON: Your letter about the Smith-Towner bill has come. I do not believe in the provision in that bill to create a Department of Education, with a member of the Cabinet at its head. I believe that would be simply putting education into politics; nor am I yet convinced of the wisdom of a national appropriation for education on the lines laid down in that bill.

Very truly yours, A. LAWRENCE LOWELL.

PRINCETON UNIVERSITY,
PRESIDENT'S ROOM,
Princeton, N. J., December 10, 1921.

HON. CALEB R. LAYTON,
House of Representatives, Washington, D. C.

MY DEAR MR. LAYTON: I have just received your letter, and am glad to give you the following statement concerning the Smith-Towner bill:

I have expressed myself as opposed to this bill because, in my opinion, a centralized bureau having supervision of the education of the country would be always subject to political interests and ultimately to political control. The result for America would be, in all probability, similar to that in Germany.

The German system of centralized educational control is, of course, carried to the extreme, but it shows the tendency of such an organization. In Germany the results have proved disastrous not only to education but to the general spirit and morale of the German people. As a particular instance, I would cite the letter which the 93 professors of various German universities sent out to the so-called intellectual world at the beginning of the war—a letter they were all compelled to sign by a central educational authority. While we might not have the same disastrous experience in America, the Smith-Towner bill opens up possibilities in this direction.

Sincerely yours,

JOHN GRIER HIBBEN.

THE UNIVERSITY OF CHICAGO,
OFFICE OF THE PRESIDENT,
Chicago, Ill., December 12, 1921.

MR. CALEB R. LAYTON,
House of Representatives, Washington, D. C.

DEAR SIR: Your favor of the 9th instant is received. I am not in favor of transferring the control of education from the States to the Federal Government. Neither am I in favor of the principle of Federal subsidies to the States for educational or other purposes. Education, it seems to me, is far more effective when controlled and financed by the communities immediately concerned. The steady drift toward remote control of local affairs from Washington is wrong in principle and injurious in practice. It is contrary, I believe, to the fundamental principle of our Constitution, which implies local self-government and not Prussian centralization. The injurious effect of subsidies is so obvious and has so many implications that I need not discuss it here. It seems to me that the Federal Government should confine itself to those vital necessities which concern it alone and leave as much as possible to the States and to local initiative.

Very truly yours,

HARRY PRATT JUDSON.

MUHLENBERG COLLEGE,
Allentown, Pa., December 12, 1921.

HON. CALEB P. LAYTON,
House of Representatives, Washington, D. C.

DEAR SIR: In replying to your letter I would say that I am at present in a position to know the general sentiment of the colleges of Pennsylvania, as I happen to be for this year president of the College Presidents' Association of Pennsylvania.

Our opinion is that while certain advantages may seem to be derived from the Smith-Towner and similar bills in unifying the education of our country, and in helping us to greater common standards, nevertheless we believe that there is a great danger in the present strong movements toward taking away from States and communities many of the privileges which they have hitherto exercised.

The reason is that a people should be allowed as much local freedom as possible in developing our American educational system. It is the close touch with educational problems, with educational problems which touch every sphere of education, that insures those rights which we as American people possess in education as a part of our democracy.

It is our opinion in Pennsylvania that there are too many movements that look toward strong paternalization and toward an oversocialization of our modern life. We see in all of these movements in education the approach to a situation which shall rob us of our personal freedom.

It must be remembered that there are many private institutions of learning which are supported by the gifts of many people, and which form a real contribution to American education without imposing general taxation. Is it right that a central government shall pass laws which will affect at least indirectly the life of these institutions?

While the Smith-Towner bill guarantees local State rights in education, yet the effect of central appropriation of money will after all make State authorities quite willing to follow the indications of the Federal Commissioner of Education.

Furthermore, if the Federal Government will appropriate moneys to States without control it is not a fair procedure, for the money will be expended and given to the States to do with as they please. However, the Smith-Towner bill does not provide for such freedom at all. There will come about through these new plans a double taxation of the people for the same cause, which is always unfortunate.

We hold in Pennsylvania that common standards can best be arrived at through free conferences rather than through pressure from above. We are already being overregulated by numbers of societies and standard-fixing agencies outside of our own States, and we feel that any kind of additional Federal control will add further confusion and difficulty.

Yours very sincerely,

JOHN A. W. HAAS, President.

WILLIAMS COLLEGE,
OFFICE OF THE PRESIDENT,
Williamstown, Mass., March 4, 1922.

HON. CALEB R. LAYTON,
Representative from Delaware,
House of Representatives, Washington, D. C.

DEAR SIR: During my absence abroad you made inquiry of me concerning the Smith-Towner bill and other bills of a similar character now on the congressional calendar. Possibly it is too late to reply, but the subject is of first-rate importance, and therefore I send you the following brief comment in answer to your specific question whether or not I favor placing education under a central authority of the Government and taking it out of the hands of the communities and the States.

There is a place for both the private and the State university. While I am aware that the advocates of the Smith-Towner bill deny any purpose to interfere with the educational policies now laid down by the States, my judgment is that if that or any similar bill is passed the advisory attitude will in course of time give way to supervision, and that our State universities will therefore be compelled to conform to a general educational policy rather than to the policies suited to the needs of the several States. We are too vast a territory to make it reasonable to impose a uniform educational system upon the schools and colleges of all sections of our country. With even more force this observation would apply to privately endowed colleges and universities.

Granted the value of a state educational system among the European States, it by no means follows that such a system would be applicable here. To make the comparison one would have to consider the effect of a proposal to impose a single educational system upon all of western Europe, while, of course, admitting that the differences there are greater than with us. But my chief objection lies in a different direction.

Since the war we have heard much comment upon Americanization. What does it mean? It may have a very good meaning or a very sinister one. Washington, the Adams family, and Lincoln were products of uncontaminated Americanism. Suppose they had been trained under a single, central policy, formulated by a group of officials entertaining their own particular notions of Americanization. It seems clear to me that under those circumstances those three types could not have been produced. A centralized uniform system means a centralized policy. A centralized educational policy will stunt our best growths and destroy the variety making for the richness as well as the strength of American life. We need more Lincolns, but we also need more Washingtons and Adamses.

We can carry to every section of our country necessary financial support and what is of even greater importance, the influence and training of the best which each section affords without the menace of a centralized educational system. In my judgment we are throwing away part of our birthright if we adopt such a policy. The Bureau of Education as a central, advisory body, organized as at present, is doing valuable service on right lines and within proper limits.

Sincerely yours,

H. A. GARFIELD.

THE JOHNS HOPKINS UNIVERSITY,
PRESIDENT'S OFFICE,
Baltimore, Md., December 10, 1921.

HON. CALEB R. LAYTON,
House of Representatives, Washington, D. C.

DEAR SIR: I have your letter of December 8 asking my opinion with regard to the nationalization of education as expressed in the Smith-Towner bill and other bills of similar character now on the congressional calendar.

I am personally opposed to the proposal. In the first place, there will be a necessity for a further centralization of our Government in the hands of the Washington authorities along other lines, such as transportation and perhaps public health. I feel that the centralization which will necessarily take place will put upon the Federal Government all the burden which it should be expected to bear.

I do not believe that centralization of the educational system is necessary nor at the present time desirable. I further feel that it is very unwise to carry this centralization any further than is absolutely necessary, and that, owing to the present conditions of the finances of the United States Government, it should not assume any further burdens than it is absolutely necessary that it should assume.

I am, yours very truly,

FRANK J. GOODNOW.

CONCORDIA COLLEGE,
Fort Wayne, Ind., December 20, 1921.

HON. CALEB LAYTON,
House of Representatives, Washington, D. C.

SIR: In a recent letter you asked the opinion of Prof. M. Luecke, president of Concordia College, on the Smith-Towner bill.

We are opposed to the Smith-Towner bill, which "places education under a central authority of the Government and takes it out of the hands of communities and States," because a subsidy of the Federal Government to the States would empower the former to specify the conditions on which their financial assistance would be contingent. But the same conditions do not obtain in all counties and States, and the vital interests of certain communities and States might be affected adversely by the official action of a central authority in education, which must necessarily apply equally to all communities and States.

On behalf of the faculty of Concordia College,

Very respectfully yours,

[SEAL.]

M. LUECKE, President.

SIMMONS COLLEGE,
OFFICE OF THE PRESIDENT,
Boston, Mass., December 12, 1921.

HON. CALEB R. LAYTON,
House of Representatives, Washington, D. C.

MY DEAR SIR: In reply to the question in your letter of December 9, I would say that I am entirely opposed to the transfer of educational responsibility from the State and its communities to a Federal authority. * * * Any further transfer of responsibility and control to an authority outside of the State would, in my mind, be a very great misfortune, because I believe that the responsibility of the community for the training of its children is one of the best elements in promoting true citizenship. I hope that the States are not to be bribed to surrender their present control of this important function.

Yours truly,

HENRY LEFAVOUR.

OKLAHOMA AGRICULTURAL AND MECHANICAL COLLEGE,
OFFICE OF THE PRESIDENT,
Stillwater, December 16, 1921.

HON. CALEB R. LAYTON,
House of Representatives, Washington, D. C.

MY DEAR SIR: Your letter to hand regarding the Smith-Towner bills and other bills of similar character now on the congressional calendar, and in reply will say that I am absolutely opposed to any form of legislation which places education

under central authority of the Government and takes it out of the hands of the communities and the States.

I regard it as one of the most dangerous tendencies in our modern educational policies. As to my reasons against such legislation, it seems to me that the stating of the objection carries the reason therefor, and that is: Communities and States should be allowed to direct their educational policies, whether they have much money or little money. I for one prefer to have no money and local and State autonomy to a large budget, the control thereof centralized at Washington, or any other place, for that matter.

Furthermore, my own feeling is that should the time come when the United States Government can control one type of education it will control another, and the step to the control of it all will soon be accomplished. When that is done, in my judgment it means the fading away of the Republic and the bringing in of the empire. We have had a sample, to the sorrow of the world, of centrally controlled education, such as was developed in Germany, and it seems to me that a little reflection upon the disastrous effects of such a policy would be enough to cause educators, legislators, and all friends of freedom to stop and think. These and other reasons might be assigned, but I am sure you understand what I mean.

Thanking you for having written me, and with my best wishes, I am,

Cordially and sincerely,

J. B. ESKRIDGE, President.

FORDHAM UNIVERSITY,
PRESIDENT'S OFFICE,
Fordham, N. Y., December 12, 1921.

HON. CALEB R. LAYTON,
House of Representatives, Washington, D. C.

DEAR SIR: I am decidedly opposed to the plan of centering the educational power of the country at Washington.

The plan is unnecessary. Local control is much better because the appreciation of the local needs will be much keener on the part of those concerned than would be the case if there were a central board of control located at Washington. You will appreciate this from your own legislative experience.

The plan is dangerous. It savors too much of the Bismarckian scheme which placed the German Nation where we find it to-day.

Uniformity in the system of education is bad for any country and the result of this plan must be a uniform system of education.

The appropriation is inadequate for the purposes specified. Even the present figures impose an unnecessary burden of taxation.

Education is thus brought into the realm of national politics, a circumstance which we would certainly have speedy reason to deplore.

When our desire now is to teach the growing generation what the real American should be, it seems sad that our legislators even consent to discuss a plan which is so thoroughly un-American.

My personal opinion in this matter is vastly strengthened by the fact that so many of the real educators of the country, not those who exploit education for their own selfish ends, are thoroughly opposed to the spirit and principle of the bill. Such men, in constant touch with the problems of education, are much better qualified to pass judgment on such a matter than are they who are members of various associations who discuss without proper knowledge the serious questions involved in this branch of the national welfare.

Finally, it behoves us to see to it that no further inroads be made on the Constitution of the United States. If we continue to pass such measures as the Sheppard-Towner maternity bill and the Towner-Sterling bill, we might as well fling the Constitution to the winds and devise some other scheme of government.

Trusting that the above will be of some assistance to you in opposing, as I feel you will, what every true American ought to oppose, I am,

Very sincerely yours, E. P. TIVNAN, Jr., President.

GUILFORD COLLEGE,
OFFICE OF THE PRESIDENT,
Guilford College, N. C., December 12, 1921.

HON. C. R. LAYTON,
Representative to Congress from Delaware,
House of Representatives, Washington, D. C.

DEAR SIR: I have your letter of December 9 inquiring concerning my opinion on national or central authority or control of education.

In reply I wish to say that I am emphatically opposed to it. Germany gives us a fine illustration of the evils of national control in education. Whenever a group of Government officers can dictate to the public how they shall spend their money for education and the things that they shall teach, democracy is doomed. I am not opposed to strong centralization of control of our industries, transportation, etc., but when it comes to religion and education the people must be free to conduct it in a way that most strongly realizes their highest ideals. In education more than in religion diversity of instruction and purpose is essential to the development of a free-thinking people.

Very sincerely yours,

RAYMOND BINFORD.

—
WHITMAN COLLEGE,
OFFICE OF THE PRESIDENT,
Walla Walla, Wash., December 14, 1921.

HON. CALEB R. LAYTON,
House of Representatives Building,
Washington, D. C.

DEAR SIR: I am glad to receive your letter of December 9 asking my opinion concerning the Smith-Towner bill. I am heartily opposed to that bill and to the nationalization of education which it provides. Inclosed is a letter which I have addressed to members of the Educational Committees of the House and Senate.

With high regards, I am, very truly yours,

STEPHEN B. L. PENROSE.

—
WHITMAN COLLEGE,
OFFICE OF THE PRESIDENT,
Walla Walla, Wash., December 2, 1921.

DEAR SIR: I have recently received a copy of a bill known as the Towner-Sterling bill, and also a pamphlet entitled "Facts about the educational bill," prepared in Boston, Mass., by a "National Committee for a Department of Education." I have long been familiar with the movement to create a department of education, with a secretary in the President's Cabinet, and am strongly opposed to it. Will you allow me to present some of the reasons for my opposition?

For 27 years I have been president of Whitman College, a nonsectarian but Christian institution of higher education. During this time I have taught the history and principles of education and have studied education broadly and minutely, both in the Northwest and in the country at large. I am by birth and upbringing a Pennsylvania Republican, born in Philadelphia, and therefore I might be expected to favor the centralization of power in the hands of the Government; nevertheless, I believe that the Towner-Sterling bill is inexpedient, unnecessary, and prejudicial to the best interest of education and the Nation.

First. It is inexpedient. The bill proposes the annual expenditure, for an indefinite time, of \$100,500,000. This expenditure is not for one year or for a term of years, but runs on without limitation as a permanent feature of our national life. It seems to me that, in the present juncture of immense national indebtedness and extraordinary taxation necessary for carrying our war debt and the increased cost of Government, it is unwise to burden the Nation with such an expenditure unless it can be proven to be absolutely necessary.

Second. The proposed expenditure is unnecessary.

From the beginning of our history education has been a function first of the locality and then of the State. The advocates of the bill assume that all functions of the national life, including education, must be directed by the National Government from Washington, and that a Government department of education is necessary to create a proper interest in education. But education has been a primary interest of the American people from the earliest days, and has not waited for the National Government to call it into being. The interest of the people has been widespread and generous to an unparalleled degree. The burden of proof must rest upon supporters of the bill.

It is true that several educational activities, chiefly of research, are carried on at present by several departments of the Federal Government, and that wasteful overlapping is a result. But it is not necessary to organize a department of education in order to unify these activities. Let the disposition to unify such activities appear, and the problem can be solved economically and effectively.

Third. The proposed bill is dangerous in its tendencies.

(a) Local initiative has heretofore characterized education in the United States. This bill will teach the States and their normal schools to look to the National Government for yearly support. It will stimulate a feeling of dependence rather than

of independence and thus tend to pauperize the people of the weaker States.

(b) It places the responsibility for educational development upon the wrong shoulders. Make the people of each district and of each State feel that they must manage their own affairs as best they can and they will manage them better than if they expect continual relief from a benevolent and paternal Government.

(c) The independence of the States is undermined by the proposed measure. Money in large amounts is offered to them for unnecessary objects. Their normal schools need no aid from the United States Government. The problem of illiteracy should be met at its source; namely, Ellis Island and the gates which admit immigrants, rather than thus tardily. "An ounce of prevention is worth a pound of cure." Moreover, the present efforts of the States to Americanize their foreign element do not require the vast scheme of aid proposed in this bill.

Arouse the States to the problems which are involved by the presence of an ignorant body of foreigners within their borders; when they realize their danger, they will find adequate means to overcome it. At present they are often unaware of the economic and moral loss which they sustain by the presence of this unassimilated element. They need enlightenment rather than Government bounty. Unnecessary and lavish expenditure on the part of the General Government is a danger to the Republic.

For these reasons I earnestly hope that you will oppose the passage of any bill to establish a national department of education.

STEPHEN B. L. PENROSE, *President.*

—
HOPE COLLEGE,
OFFICE OF THE PRESIDENT,
Holland, Mich.

MY DEAR SIR: In reply to your letter of the 9th instant, I am glad to give a brief statement of my personal attitude in the matter.

1. I am opposed to "nationalization of education" because each community faces conditions peculiar to itself and must be allowed to develop itself in detail to suit these conditions. A few general broad principles might be enunciated from time to time by a conference board which could guide but should have no legislative or executive power. Nationalization means bureaucracy and a scaling down of standards rather than a free scope for higher—and perhaps newer—ideas and ideals in education.

2. Nationalization means standardization. Standardization may be desirable in machinery, but men and women are individuals, and above all human individuals for whom standardization would be fatal. Any real "educator" is wary of "methods" because they produce types rather than men. Again, a properly constituted board could suggest models which might be of assistance in many quarters, e. g., "standard buildings," but there should be no constraint. If a California community wished to adapt its whole educational scheme to its out-door possibilities, it should be free to do so. If a Chicago board desired to stress "vocationalism" to the elimination of everything else it should have the privilege, while a farming community might wish to develop the purely agricultural aspect.

3. The taxing power should remain local, unaided by Federal grants, for in this way any community can get just what it wants and what is fitted for it. A large increase of expenditures upon some rural communities would be sheer waste of Federal funds. The national experience in "pork-barrel" politics should give instances enough of this phase of the question.

4. Carried to its limit the idea of Federal control will work out into a low-grade mass of teachers safeguarded by a minimum wage, carried along by a pensioner's hope, and operated by a time clock's "off-and-on" movement, which must be destructive of real personal power.

Paternalism is fatal to real democracy, and in education more than anywhere else it will eat at the very root of our national spirit and reduce us to a group without individualism or initiative. Better an inadequate building with real "American" boys and girls than a "standard school" with truancy laws and every boy outwitting the truant officer; better a teacher with real love for his work and interest in boys and girls than a "trained expert" and cut-and-dried methods guaranteed to turn out "graduates" (mostly famed for batting averages or beauty-contest votes); better a community idea in education, even though it fall a little below up-to-the-minute tests, than a servile or snobbish aping of metropolitan "ideals."

5. "Nationalistic" ideas are not less subject to error than local ones; and their worst aspect is that if they do err,

their harm is so much greater in that they have had the wider application. And they are less easily corrected because they must of necessity go through a formal routine of change, whereas when a fault has been detected in a small and a local unit the correction is a matter of little expense and trouble and time.

Finally, in constructive matters, such as education and religion and art, there is little need of control such as there must be in destructive elements. Dynamite must be surrounded with all sorts of precautionary measures, because it is latently harmful. Bread does not need such laws. So industry may need safeguarding because of inherent dangers; but education is constructive, and, unless it partakes of theories inimical to our national genius, it can always take care of itself. It should be free—free even from being fostered by public grants if the local community prefers its own method of development.

These are the notions of a "common citizen" whose business is education. They are no better and perhaps no worse than any others; they are, it is believed, calculated for use in America.

Very truly yours,

EDWARD D. DIMNENT.

The honorable the MEMBER OF CONGRESS FROM DELAWARE,
Washington, D. C., December 19, 1921.

OFFICE OF THE PRESIDENT, JAMESTOWN COLLEGE,
Jamestown, N. Dak., December 16, 1921.

HON. C. R. LAYTON,

Member of Congress from Delaware, Washington, D. C.

MY DEAR SIR: The chief fear I have is the possibility of political manipulation in education, such as we have discovered in Germany. It would be better to have progress a little slower than ultimate Federal domination. The States of the Union have articulated beautifully and their responsibility must be carefully guarded. Too much centralization may prove expensive and disastrous, especially where a dominant spirit is at the helm. Our State has been going through too much centralization under a socialistic organization, and people are too ready to think that all their ills can be solved by Federal or centralized processes.

Very truly yours,

B. H. KROEZE, *President.*

NORTHWESTERN COLLEGE,
OFFICE OF THE PRESIDENT,
Watertown, Wis., December 14, 1921.

HON. CALEB R. LAYTON,

Member of Congress from Delaware.

DEAR SIR: I have your letter of inquiry regarding the Smith-Towner bill and other bills of similar character. I sincerely hope that any bill placing education under a central authority of the Government or creating a department of education will be rejected by Congress. I am opposed to such bills for the following reasons:

1. They would give a central authority the power to direct the energies of the schools into such channels as that authority should choose, to mold the policies of the schools, and to determine their character.

2. The education of the child should be left in the hands and under the direct control of the parent of the child. The child belongs to the parent and not to the State. The establishment of a central authority, however, would have the effect of removing the control of the education of the child one more step away from the parent. The tendency is already too much toward bureaucratic control and away from parental control.

3. It is the nature of a department to multiply its functions, broaden its powers, and strengthen its authority in order to prove its usefulness and justify its existence. If a department of education did not completely control the education of the Nation in the first few years of its existence, it would do so in less than a decade after its establishment.

4. The effect of the proposed laws would be to deprive the States and communities of initiative in matters regarding education. The loss of the freedom to make their own decisions would entail the further loss of the feeling of direct responsibility for the effective education of their children and for the moral and financial support of education.

5. The establishment of a Department of Education would not solve the problem of financing education. If the schools can ever be adequately financed under central Federal control, they can be financed under the present system, for eventually the money comes from identical sources. The Department of Education would have no source of revenue that is not already open to the schools. It would be more likely to lose the best and most ready source—the personal interest and feeling of

responsibility of the parent for the education of the child. Moreover, a great part of the increased expenditure under the new system would not inure directly or indirectly to the benefit of the schools but would be used to support another army of clerks at Washington.

6. Central control of education is undemocratic. It gives a central authority the power to dictate what the Nation shall think, what its ideals shall be or not be, how it may vote and not vote. The history of the schools in Germany, Poland, and other European countries, which for many years have had central control of education, shows how completely the thought of a nation can be controlled by the power that controls the schools. The clamor for central control seems to show that we are in a fair way to adopt the autocratic principles and methods of European governments which but a year or two ago were anathema.

I gather from your letter that you are not now in favor of the pending education bills establishing control. If such is the case I congratulate you, for I am convinced that you are right, that you are upholding the cause of democracy, and that you are doing a service to every father and mother in the land who wants his children educated, not merely sent to school.

Respectfully yours,

E. E. KOEVALKE.

BOWDOIN COLLEGE,
OFFICE OF THE PRESIDENT,
Brunswick, Me., December 12, 1921.

MY DEAR SIR: I do not favor placing education under a central authority of the Government any more than is done now. I believe strongly in local responsibility for our schools. For that reason I have always opposed the Smith-Towner bill, and shall continue to oppose bills of that type. My reasons are as follows:

1. It means inevitably the bringing of politics into our school system. A secretary of education in the President's Cabinet must necessarily be of the same political party as the President, and there will be all sorts of pressure brought to bear on this appointment. It does not seem to me that there is any analogy between a secretary of education and a secretary of agriculture. From the very nature of the case proclamations, suggestions, and advice from the secretary of education would be carried into every public school in the country, and there would be an inevitable bearing toward a bureaucratic system of education. The argument that the office would not have a political color seems to me without weight when one considers the way in which our Government works. I have seen enough of political influence in State governments to be afraid of the same thing being introduced into any Federal system of education.

2. I believe that education should be looked after by the different States. This country is so large and the population is so great that to centralize in Washington authority and control over its school system would be to complicate matters unduly. I think, also, that by having the Government at Washington subsidize the States, if the secretary of education approved of the policies of the different State superintendents, would be to take away responsibility from the State and at the same time build up a great deal of centralized power in Washington.

There are other features of the bill to which I object; for example, the sum of one hundred millions is pure hit or miss, and a portion of the bill is very badly drawn, so as to give the secretary of education very great power; but perhaps this will at least start some discussion.

I am well aware that the bill is heartily favored by many people who know much more about education than I do; but in closing I desire to state that the bill was carefully studied by the members of our faculty last fall, arguments for and against the bill were considered, and the faculty by a tremendous majority registered its disapproval of the bill.

Yours very truly,

KENNETH C. M. SILLS.

HON. CALEB R. LAYTON,
House of Representatives, Washington.

UNIVERSITY OF MICHIGAN,
PRESIDENT'S OFFICE,
Ann Arbor, December 12, 1921.

HON. CALEB R. LAYTON,
Member of Congress from Delaware,
House of Representatives, Washington, D. C.

MY DEAR MR. LAYTON: President Burton asks me to say in answer to your letter of December 9 that in his opinion

it would be unfortunate to take the control of educational matters of the separate States and communities out of the hands of these States and communities and place them under the central authority of the Government. It would be, for example, undesirable that the central control should have the authority to dictate to any State or community the subjects or the methods to be followed in the educating of the citizens of that community.

Yours very sincerely,

FRANK E. ROBBINS,
Assistant to the President.

UNIVERSITY OF SANTA CLARA,
PRESIDENT'S OFFICE,
Santa Clara, Calif., December 16, 1921.

HON. CALEB LAYTON,
House of Representatives, Washington, D. C.

MY DEAR MR. LAYTON: I thank you for giving me the opportunity of expressing my opinion on the Sterling-Towner bill.

I am opposed to it for many reasons:

1. I consider it an ill-timed and gigantic piece of extravagance. Any proposition, no matter how innocuous in itself, which proposes to bleed the people for an extra \$100,500,000 and more annually in these days of unrest and distrust between class and class, and of high cost of the necessities of life, and of high taxes, and of so much unemployment, is ill timed, is unwise.

2. I am opposed to it also because it is against the spirit of our system of government. The Federal Government is encroaching upon the government of the States. This is fatal. Our Government will soon bring upon the people all the evils of centralization.

I consider it a matter of the highest patriotism to oppose all those bills that tend to amplify the power of the Federal Government over the States, even though they disguise their purpose by the words "to aid the States."

The burden of proof must be against all extension whatever in any direction of all Federal invasion into the rights of the individual State. Many ignorant, though well-meaning upholders of these bills seem to think just the opposite, that you have to show cause why the States should not be interfered with.

John Fiske well said: "The progressive political career of the American people will have come to an end on the day when the people of the different parts of the country shall allow their local affairs to be administered by prefects sent from Washington."

3. I am opposed to it, also, because the Federal Government is not successful or efficient in many of its newly acquired or usurped functions. It is a bungler in these matters. Why does it not take care of its soldiers? They belong to it. The post office is not such a wonderful success, neither did it manage the railroads so wonderfully well.

4. I am opposed to it not because I do not esteem education, but because I do value education and love it so much. And therefore education is not to be Prussianized, it must not be throttled, it must not be put into the clutches of some dictator in Washington, using his power for political propaganda. If this is to be a free country, the Sterling-Towner bill and others of that brood must be defeated.

Sincerely yours,

Z. J. MAHER.

WILSON COLLEGE,
OFFICE OF THE PRESIDENT,
Chambersburg, Pa., December 19, 1921.

HON. CALEB R. LAYTON,
House of Representatives, Washington, D. C.

MY DEAR MR. LAYTON: Your letter was duly received, and I am answering on a separate sheet your inquiry.

I am strongly opposed to the Smith-Towner bill and other bills of a similar character. I am obliged to you for giving me an opportunity of expressing my opinion on what I believe to be a very important subject.

I have done some speaking during the last year on this matter, and in preparing for such work I have been particularly impressed by the statement of Dr. Arthur T. Hadley, former president of Yale University, which I did not see until I had fully formed my own opinion. I am sure that I can add nothing to what he has written. I feel sure his letter is in your file.

Yours very truly,

E. D. WARFIELD.

THE SMITH-TOWNER (TOWNER-STERLING) BILL.

I am opposed to this bill and to all similar bills for several reasons which are entirely distinct but which have a cumulative effect. Either of these reasons might not be sufficient to counterbalance the advantages which are claimed for the proposed legislation if it were free from the other objections. Taken together they constitute an argument the weight of which I am confident if carefully considered will be seen to be sufficient to make this legislation seem both unwise and untimely.

1. The first objection to the Smith-Towner bill that occurred to me was not at all with reference to its relation to education but with reference to its undesirability. At a time when the country is carrying an enormous burden of taxation anything that unnecessarily adds to the expenditures of government and the burden of taxation is certainly unwise. This bill proposes to appropriate an enormous sum of money for the creation of a department of education with a very extensive administrative staff, and provides Federal aid for education throughout the country. It is proposed to spend \$100,000,000 a year. Of this great sum one-half is definitely assigned to four purposes but without any definite indication that the amounts appropriated are needed or related to any known needs.

Fifty million dollars in the broadest and most general terms are assigned for the purpose of equalizing education throughout the States. The vagueness of the appropriations of the first half of the great sum of \$100,000,000 is more than reproduced here. All that can be said for it is, give us \$50,000,000 and we will find some way of spending it.

An official argument in favor of this expenditure is to the effect that "Congress now appropriates to the States about \$100,000,000 a year to promote the building of roads." It is easy to prepare on the basis of such argument an unlimited schedule of expenditure.

Has not the time come for retrenchment and reduction of needless expenditure and excessive taxation?

2. The second question that suggests itself is, Is there any real need of a department of education with a secretary in the President's Cabinet? The Cabinet was originally planned as a body of executive heads, under the immediate direction of the President, embracing only a few major departments of government. Subsequently the Cabinet became, as in all great States, a body of statesmen advising with the President on the major matters of government and directing, through experts in their respective departments, the growing business of government. A government needs a small body of highly competent statesmen to direct its policy and to provide for the public welfare. The qualifications of such men are not the same as those required for bureau chiefs. The multiplication of members in all cases has made cabinet government extremely difficult, and in a country like ours, where the Government is directed by the President without a responsible Cabinet, it is particularly desirable that the Cabinet advisers should not be so numerous as to obstruct the business of government by lack of cooperation. Large cabinets tend to break up into cliques, which foster jealousies and impede the administration of public affairs.

In recent years the number of Cabinet officers has been materially increased. It is certainly not desirable to continue this increase indefinitely. It is especially unfortunate that the Department of the Interior has been successively relieved of important departments, diminishing the dignity of the Secretary, who was intended to be of the same rank as in foreign cabinets attaches to the secretary of state for home affairs.

It is especially to be noted that the head of the department of education should rather be an expert chief of a bureau than an adviser on the great matters of state.

3. The educational argument against the bill centers in the fact that it represents what must ever be repugnant to a free people occupying a vast territory—the concentration of educational influence and authority in a central government. It is alleged that this bill provides Federal aid but prohibits Federal control, but it specifically provides for the distribution of \$50,000,000 among the States under certain conditions, of which the new department is to be the judge. The power of the purse has everywhere succeeded to the power of the sword. The beginning represented by this bill, great as it is, is no measure of the end. We have escaped from a great experiment in government which would have brought all the world in subjection to "a beneficent autocrat." There survives to-day in the educational world many tendencies that were created by the dominance of the Prussian idea of education. Nothing can be more perilous to the free development of American education and scholarship than the dominance of a bureau.

It is not too much to say that every experiment hitherto made in the centralizing of education has resulted in injury to popular education. It is easy to point out achievements which are notable in the Prussian system. It is just as easy to point out injuries that have been far more extensive and ultimately fatal to that freedom of thought, action, and faith which are so dear to our great tradition. Germany was content to think what Berlin thought. May America never learn its lessons of life from any official source!

4. The technical educational problem turns on the removal of the center of authority from the State government to the National Government. This is greatly to be deplored. The States are aroused as never before to meet the problems which were set by the Great War. There is no State in the Union which is incapable of solving these problems. The particular problem that is most often pressed is that of illiteracy. Where it exists it is not for lack of ability to solve it but for the will to take it seriously in hand. Expenditures have been unwisely scaled. Insufficient expenditure has been made on primary education. The weakness of the secondary school lies in the failure of the primary school to do its work thoroughly.

One of the purposes most vaguely conceived in this legislation is physical education. The revelation of the physical deficiencies of American youth made by the Great War is not so much a criticism of the educational work of the school as of the general intelligence of many communities. Formal education will not correct this error until the public, especially the medical public, has come to understand the obligation of proper medical inspection and local support is given those who are seeking to improve public health.

5. The real issue in this bill is between those who advocate the requirement of education by government according to a single standard and those who prefer to cultivate in many independent centers a vigorous and varied educational activity. Uniformity is set against vital unity in the pursuit of a common goal.

Communities will not criticize educational work imposed upon them from above with that intelligence which they will bestow upon work done by themselves for their own advancement. A great national educational department will only reproduce on a much larger scale the weakness of many State organizations by creating a large body of officials out of touch with the people and the pupils of the country. The encouragement of an educational spirit which will find expression in local pride and local performance is far more needed to-day than any top-heavy body of highly paid officials, remote in place and still more in understanding from the great body of boys and girls who need to be inspired, instructed, and trained to meet the varied requirements of a highly complex civilization.

ST. JOHN'S UNIVERSITY,
Collegeville, Minn., December 23, 1921.

HON. CALEB R. LAYTON,
House Member from Delaware, Washington, D. C.

HONORABLE AND DEAR SIR: Your letter regarding nationalization of education was handed to me for answer. I am distinctly opposed to nationalization of education, as expressed in the various bills under consideration, for the following reasons:

I. It increases taxation as a burden. The money for education would flow through a central channel. The purpose of the taxation producing it would be lost sight of and thus increase the general discontent over taxation. Local taxation for direct application to local needs would not have that result.

II. It works for centralization and increases possibilities of Federal inefficiency needlessly:

(a) Nationalization of education is contrary to our principles of States rights and States activities. The diminishing of State jurisdictions has already gone too far, with the resultant loss of active and sincere public interest in governmental actions and legislation. Washington is too far away to be the one center of public interest in a democratic people as large as ours.

(b) It will increase the possibilities of playing politics in the sphere of education, and that with much less chance of speedy redress or change than when that occurs in local communities. It increases red tape, possibilities of money grafting, etc., with greater chance of immunity.

(c) It increases the complexity of centralized bureaucratic government, with resultant greater inefficiency in a large country and possibilities of a blundering that is far-reaching in its results.

III. Nationalization of education destroys proper spirit and initiative in the people at large and rests on a vicious motive of appeal.

(a) Backward countries are seemingly rewarded for their inertia; while others suffer proportionately for their progres-

siveness. There is no proportion between merit and reward, between effort and result.

(b) The remoter connection between education and taxation—complete taxation—makes education look too gratuitous. It can be had without any effort—in reality, of course, this is not so—to all appearances and will not be properly appreciated. The value of education will come home to the people only if they must consciously exert themselves in some way to achieve the possibility of education.

(c) Educational institutions and systems springing up from the soil and by local effort are a source of just local pride and a strong community bond. This is not so if initiative and effort or indirect compulsion come from the Federal Government.

(d) The method of fostering education appeals to the money sense of the backward people or to any other people wishing to promote education. It appeals distinctly to the material in order to work up a sense of spiritual or intellectual need. It is like educating children by holding candy and fruits before them continuously; a most pernicious educational principle.

Sir, by all means let us spend more money on education. But let us look for a close connection in place and time between the money raised for that purpose and the results to be gained from such money.

I am, yours very sincerely, VIRGIL G. MICHEL.

GEORGETOWN UNIVERSITY,
OFFICE OF THE PRESIDENT,
Washington, D. C., December 13, 1921.

The Hon. CALEB R. LAYTON,
House Office Building, Washington, D. C.

MY DEAR MR. LAYTON: In reply to your communication of December 9, I beg to say that I am opposed to the Smith-Towner bill and to other bills of similar character on the congressional calendar.

The main reason for my opposition is that there is no provision in the Constitution for placing in the Central Government the control of education, and I think it is unwise to establish such a monopoly. I shall have sent to you in a day or two a pamphlet which contains more at length my views on the subject.

Respectfully yours, J. B. CREEDEN.

CARSON AND NEWMAN COLLEGE,
OFFICE OF PRESIDENT,
Jefferson City, Tenn., December 13, 1921.

Mr. CALEB H. CLAYTON, M. C.,
Washington, D. C.

DEAR SIR: Your favor of December 9th to hand, and I am frank to say that I am not in favor of placing education under a central authority of the Government. * * *

* * * To my mind, the downfall of Germany and the great World War can be traced to the fact that the entire school system was under the control of the State. An institution, as well as an individual, does not feel free to criticize the hand that feeds it. The German critics were given great liberty in the field of theology, but had to be "mum" on the question of education. To my mind, America comes nearer having the ideal school plan of any nation, the private and public schools being complementary of each other. * * *

Yours very truly, OSCAR E. SAMS, President.

THE COLLEGE OF THE CITY OF NEW YORK,
OFFICE OF THE PRESIDENT,
December 12, 1921.

HON. CALEB R. LAYTON,
House of Representatives, Washington, D. C.

DEAR SIR: Answering the specific question in your letter of December 9, I will say that I am not in favor of placing education under the central authority of the Federal Government, but that I believe it should continue to be administered and in the main supported by the States and local communities within them. * * *

The statement of these views almost carries with it the reasons for them. A too highly centralized system of education becomes remote from the people and can not engage their interest as can a system which involves their cooperation in the thousands of localities throughout the Nation. The very process of securing support and a proper organization of education from the people themselves is educative and of the highest value. Moreover, it is impossible for the Government at Washington to adjust any educational scheme to the varying needs

of our many local communities. Furthermore, our system, everything considered, is probably at least as wholesome, I believe myself far more wholesome, than any other in operation in any other nation, and certainly has borne fruits in an intelligent and informed citizenship unsurpassed elsewhere. With this record there is no good reason for departing from past practice.

Very truly yours,

SIDNEY EDWARD MEZES,
President.

STATE OF SOUTH CAROLINA,
DEPARTMENT OF EDUCATION,
Columbia, December 13, 1921.

HON. C. R. LAYTON,
House of Representatives, Washington, D. C.

DEAR SIR: Any tendency or influence which removes Government from local responsibility and accountability is dangerous. Centralization has already gone too far at Washington and ought to be stopped. * * *

Yours respectfully,

J. E. SWEARINGEN,
State Superintendent of Education.

STATE OF FLORIDA,
DEPARTMENT OF PUBLIC INSTRUCTION,
Tallahassee, December 14, 1921.

HON. CALEB R. LAYTON,
*Member of Congress from Delaware,
Washington, D. C.*

MY DEAR SIR: Your letter of December 9 received.

I confess to you that I stand almost alone among the State superintendents of public instruction in the United States (the only other exception that I know of being Superintendent Harris, of Louisiana) in not being enthusiastic over the passage of the Smith-Townner bill and kindred educational measures pending before Congress. Though I stood entirely alone, I would be false to myself unless I represented my own convictions.

I will state that I am opposed to placing public education under the direction and control of the Federal Government. I know it is disclaimed that there is any intention in pending legislation to take education from under the control of State and local authorities, but it has been the history of the General Government in the past that wherever it places a dollar, it provides some authority to look after the disposition of that dollar and to seek to control its disposition. I believe it is honestly the intention right now to make an appropriation for education in the States and to leave it to the direction of the States, but I confidently expect, as time moves on, to see a gradually continuous encroachment on the State authorities until, within less than half a century, the General Government will be directing public education in this Republic just as in the limited monarchies of Europe and elsewhere.

I have a fixed fear that party necessities will, sooner or later, if the General Government takes over public education, demand that no distinction be made in each individual school-house on account of race, color, or previous condition. This would mean absolute injury to the colored race and absolutely destroy the efficiency of the public schools in many of the States of this Union. The people of the South just will not mix with the Negro race. If forced to do so, the schools will not prosper. I surmise that the same conditions will obtain in an increasingly larger degree in many of the Western States.

Finally, public education has always been under the control of the individual States and the United States has prospered under this system, and I believe it would be best and safest to let it remain under such control; I further believe that each State is absolutely able to take care of public education within its own bounds, and that public sentiment is intensifying in behalf of greater support of public education in every State. Each one is now vying with the other in trying to develop the best educational status possible. The money to support the public schools originally comes from the pockets of the people, and if collected and used in the States, it will save the cost of much overhead Federal Government supervision. Hence, I believe that a less per cent of the money actually contributed to the support of public education in the United States will go directly to the support of the schools under Federal collection than if the funds were raised in each State and applied to its own educational system.

The above are my honest convictions.

Yours very truly,

W. N. SHEATS,
State Superintendent.

STATE OF KANSAS,
DEPARTMENT OF EDUCATION,
Topeka, January 3, 1922.

HON. CALEB R. LAYTON,
House Office Building, Washington, D. C.

DEAR MR. LAYTON: Yours of December 9 reached my desk a few days ago, seemingly having been delayed some place along the line. I thank you for your letter and for the interest which you are taking in educational and other national matters. I wish I might talk to you regarding these matters instead of writing you, as it would take too lengthy a letter to give you a proper idea of my view on the matter. After the little effort Representative ALICE M. ROBERTSON made in the House of Representatives that the people might have control of their own health regulations in their own communities, I wrote Miss ROBERTSON on November 28, and as your question covers something similar, I am inclosing to you a copy of the letter which I wrote Miss ROBERTSON.

To your specific question, I do not believe in placing education under a central authority of the Government and taking it out of the hands of the communities and the States. I do not believe it is legal under the Constitution. It is not in keeping with our form of government.

If any more of the States' activities are taken over by the Government and managed by various boards and commissions, the United States will soon be in as deplorable a condition as Rome was at the time of its downfall. The people are not benefited by centralized authority, but are hampered in every way as a result of centralized authority; their taxes will increase and their burdens become greater and greater. If we can judge the future by the history of the past, such has been the downfall of the nations in the past. I do not believe the United States should change its constitutional policy and at this late day pattern after nations whose downfall was caused by such methods in government.

The only persons who seem to be benefited by centralized government are the persons who administer that government and their traveling boards, commissions, inspectors, and supervisors, all of which increase the burden upon the people, who must earn the wherewithal to pay for such a form of government.

I will be in Washington, D. C., some time during the second week of January and I shall be very glad to call upon you at a time when we may have a little talk regarding these educational matters and other such measures along the same line that are now being presented to Congress. The secretary of the National Educational Association has called a meeting for Washington, D. C., on January 7. This meeting conflicts with the National Vocational Association, which meets in Kansas City, Mo., on January 5, 6, and 7, which association I wish to attend and am a directing member of its activities. I have asked Mr. Magill to change the date of the Washington meeting until January 10 or 11. However, if he does not do so I will be in Washington, D. C., as soon as I can reach there after caring for my duties in Kansas City.

Appreciating your interest in these matters, I am, with best wishes,

Sincerely,
LORRAINE ELIZABETH WOOSTER,
State Superintendent.

STATE OF KANSAS,
DEPARTMENT OF EDUCATION,
Topeka, November 28, 1921.

HON. MISS ALICE ROBERTSON,
House Office Building, Washington, D. C.

MY DEAR COUSIN: I wish to congratulate you upon your efforts to save the various States from having put upon them a trust as it were and a board to look after maternity affairs. Some women were very active in Kansas during the last legislature in behalf of a nurse bill. They secured the passage of the measure, and later on found they had just completed a nurses' trust by getting their bill passed.

Seward County, the home of Mrs. Minnie J. Grinstead, the State representative who worked the hardest for this nurse bill and whose county employed a county nurse, secured their own unpleasant lesson first hand. They went to the expense of sending their county nurse to St. Louis for the short course in training for nurses, and the body of nurses who had the course in charge would not receive the little Kansas lady from Seward County. She didn't quite meet their rules and regulations and as the rules and regulations in their own opinion could not be changed, the little lady had all the expense of going to St. Louis and returning to Seward County without even a peep at the august body who were giving nurse instruction. I give you this as it is just one little sample of what these Federal boards do

to the various States as soon as they have secured the power for these boards.

I had my experience first hand immediately upon coming into this office. Kansas, as you know, is an agricultural State, and the Federal Government gave us the Smith-Hughes Federal Vocational Act. Kansas was receiving aid for but 26 schools when I came into office, because the rules and regulations of the Federal board would not permit other schools to receive this aid, although they were doing their best to comply with the Federal board's rules and regulations. After some time we did get changes in these rules and regulations, and the next year I secured aid for 44 schools. This year I hope to secure aid for 75 schools.

I regret very much that the Federal Government is taking friendly attitude toward these various State-aid measures. It does not mean betterment for the States, in my opinion, but does mean inefficient management. It means Federal positions for many more people for every Federal board that they create to take charge of measures in the various States. It means that these Federal boards will have their traveling propagandists going out about the various States telling them what they can do and what they can not do in order to get Federal aid to match their own home State appropriations.

It looks to me just about as sensible as for a man who has seven children and has the sense to earn the money to buy the clothes for his seven children but not the sense to buy the clothes, but would be willing to send the \$40, if that were the sum, to some man a hundred miles away and have this man buy the clothes for his children without really any knowledge of the children or the needs of the children, and he might wish for his children two dresses for a pair of twins and a pair of boots for his boy, and he might receive in return from this far-off purchasing agent two pairs of boots for his twins and a party dress for his boy, and with a string tied to both stating to him that these children might wear these clothes only under certain circumstances and after certain acts had been performed by the father, and then only at certain times of the year, etc. That is just about the way the various States are served by these Federal boards.

I wish we had a Senate and House full of Miss ROBERTSONS in Washington, D. C., with voices that could extend to the various States and educate these innocent persons who are willing to support and who do frantically support bills for Federal aid, to be matched by State funds, thinking that they are going to get something for nothing for the States, when in fact every dollar that the Federal Government has has to be earned and produced in the States and then sent to Washington, D. C., and when it comes back to us through a Federal board it comes back not as much as we have sent, but less, and with a string tied to it, and the States are not being benefited but are imposing an unnecessary tax upon themselves, from which they are becoming poorer instead of richer. To centralize government and activity means narrowness and poverty and is un-American. I do not believe it is lawful according to the United States Constitution for the Government to enter into any activity in competition with the States or its citizens.

I hope you will keep up your good fight to enlighten the public and educate as many of your colleagues as possible. When I can be of any aid to you please call upon me and I shall be glad to send you data from Kansas at any time I can help you in any way.

With love and best wishes, sincerely,
LORRAINE E. WOOSTER,
State Superintendent.

STATE OF WEST VIRGINIA,
DEPARTMENT OF EDUCATION,
Charleston, December 15, 1921.

HON. CALEB R. LAYTON,
Member of Congress, Washington, D. C.

DEAR SIR: I have your letter dated December 9, requesting my opinion in regard to the nationalization of education as expressed in the Smith-Towner bill and other bills of similar character now on the congressional calendar.

You state that the specific question you desire to have answered is "Whether or not you favor placing education under a central authority of the Government and taking it out of the hands of the communities and the States."

In replying to this permit me to state that I have not taken the time to make a careful study of the various bills prepared and presented to Congress relative to the creation of the office of secretary of education and national aid for education in the States.

As the matter has been explained to me by the friends of this movement, the intention is to secure aid for the States, a

secretary of education who shall collect the facts regarding education in the States, and transmit this information to superintendents of public instruction in the various States. The friends of these measures are very insistent and very plausible.

As an old-fashioned American citizen, and one who has descended from long lines of men, all of whom have been loyal to the National Government, and who have supported it in every war that has been fought, from and including the French and Indian War, on down to the present time, I wish to say that I have not been favorably impressed by these proposals. I am thoroughly in favor of the strong central Government endowed with a sufficient power to conduct the national affairs of these great United States.

I am not a State rights man in the sense of the Civil War definition of that term. But I do believe very strongly that the States will have reserved to them many and peculiar rights which the National Government has no authority under the Constitution to infringe upon.

I also believe that it is quite necessary that the local affairs of the people shall be left in the hands of the people of the locality which has the greatest interest in these local affairs, and that the tendency to extend the authority of the United States Government by stretching the powers given it under the Constitution is dangerous to the peace of this country and to the perpetuity of our Government.

The history of this country shows that whenever Congress has extended the authority of Federal officials they very quickly begin to usurp the authority of local officials, and that the General Government never has surrendered any power which it has taken unto itself.

The education of the children is a peculiarly local affair. Harmless as the proposition to create a secretary of education appears upon its face, it is very clear to my mind that once the position of secretary of education has been established, and the policy of granting national aid under his supervision has been entered upon, his office will immediately insist upon an extension of powers, and will secure such extension from year to year until it has usurped complete authority over the administration of education in the States.

Much as I should like to see the General Government of the United States make a grant of money to the various States by means of which educational opportunities as between the various States might be equalized in a measure, I would not be content to accept such assistance from the United States Government were it coupled by Federal control of the educational system in my State.

As an illustration of what I mean by Federal interference in local affairs I refer you to title 12 of the revenue act of 1918. Section 1200 of that act proposes a tax upon employers of boys and girls beneath a certain age. Section 1203 provides that exemption from tax shall be secured by the holding of a certificate of age from the United States Government, providing that the United States Government may accept the certificate of the local State authorities.

There has just been in my office a representative from the Treasury Department by the name of Miss Barbour, who has been making an inspection of the State of West Virginia relative to the enforcement of this act, and who took it upon herself to visit our commissioner of labor and my office and proceed to instruct us as to the manner in which we, as elected and appointed officers of the State of West Virginia, should carry into effect the local laws of the State of West Virginia. If this is done in a matter of comparatively small importance, how much greater would it be done in a matter of so great importance as the education of the entire body of children of the United States.

At the risk of repetition, I wish to say again that I believe it to be the part of a patriotic citizen to resist the undue extension of Federal control of local affairs to the utmost limit consistent with a view observant of the laws of the country. You may record me as opposed to the creation of the office of the secretary of education under any of the plans so far proposed and, furthermore, as being opposed to the idea in all its essential elements.

I am, very truly yours,

GEORGE M. FORD.

At this point I will insert a few letters from journalists who oppose the creation of a department of education:

THE GULFPORT-BILOXI DAILY HERALD,
Biloxi, Miss., December 12, 1921.

HON. CALEB R. LAYTON, M. C.,
House of Representatives, Washington.

DEAR SIR: Answering your inquiry of the 9th instant as to whether I favor "placing education under a central authority,

of the Government" and "taking it out of the hands of the communities and the States." I have no hesitation in saying no. My reasons are that such a proposal, as well as all the bills heretofore aimed at it, and the legislation thus far, are an encroachment of the Federal Government on the constitutional jurisdiction of the States. * * *

Yours very truly,

GEO. P. MONEY,
Editor the Daily Herald.

OFFICE OF THE NEW HAVEN JOURNAL-COURIER,
New Haven, Conn., December 13, 1921.

HON. CALEB R. LAYTON,
House of Representatives, Washington, D. C.

DEAR SIR: I have your letter of December 9 asking me whether I am in favor of placing the education of the country under a central authority of the Government and taking it out of the hands of the community and States.

I may answer most emphatically that I am opposed to any such proposition, on two grounds in particular: First, that the various States and communities are better able to judge of their needs than a bureau at Washington, and, second, because the idea is thoroughly Prussian in spirit, if not in origin. * * *

Very truly yours,

N. G. OSBORN.

THE EVANSVILLE JOURNAL,
December 12, 1921.

HON. CALEB RODNEY LAYTON, M. C.,
House of Representatives, Washington, D. C.

DEAR SIR: Answering your letter of December 9 relating to the Smith-Towner bill and other measures of similar character now pending in Congress.

Any bill of sweeping powers with reference to the supervision and financing of education, such as are ascribed to the Smith-Towner bill, is open to serious question, however. There is already too much of a tendency toward paternalism in this country fostered by professional groups whose selfish interest or unbalanced enthusiasm leads them astray.

Every step toward the retention of paternalistic enterprises fathered and supported by the National Government tends to rob States and local communities of much of their self-reliance.

Education should be as free from official and governmental restraint as religion is, and in any proposal for the centralization of educational authority, with a consequent unification of ideas and methods for the whole country, the dangers might outweigh any possible benefits.

Very truly yours,

EARL MUSHLITZ,
Editor and General Manager.

THE SUMMIT HERALD,
Summit, N. J., December 12, 1921.

HON. CALEB R. LAYTON,
House of Representatives, Washington, D. C.

DEAR SIR: In reply to your inquiry of the 9th instant would say that * * * in addition to unnecessary interference with community and State affairs it would result in largely increased Government expenses in order to provide jobs for a coterie of office seekers who, many believe, are advocates of the bills for this particular purpose, rather than for the good which might possibly accrue to the communities affected.

Very respectfully yours,

JOHN W. CLIFT.

McKENDREE MOVEMENT,
Lebanon, Ill., December 22, 1921.

Representative CALEB R. LAYTON,
Washington, D. C.

DEAR SIR: Replying to your inquiry relative to my opinion in regard to the Smith-Towner bill, I would say that in the first place I think it is a dangerous thing to center practically entire control of all education in one man at Washington, especially since the position would be a political one, subject to the appointing powers of the President. * * *

Yours truly,

G. E. McCAMMON, President.

RENO EVENING GAZETTE,
Reno, Nev., December 15, 1921.

HON. CALEB R. LAYTON,
Member of Congress, Washington, D. C.

DEAR SIR: Replying to your inquiry of the 9th instant, we advise you that in the opinion of this newspaper it would be contrary to the principles of this Government to place "edu-

cation under a central authority" and take "it out of the hands of the communities and of the States," where it properly belongs. * * *

Truly yours,

GRAHAM SANFORD, Manager.

THE NEW ORLEANS ITEM,
New Orleans, December 13, 1921.

MR. CALEB R. LAYTON, M. C.,
United States House of Representatives,
Washington, D. C.

DEAR SIR: This is an answer to your inquiry of December 9. You ask specifically whether or not I favor placing education under the central authority of the Government and taking it out of the hands of communities and States. I do not favor taking education out of the hands of communities and of the States to place it under the authority of the Government. * * *

With best wishes, very sincerely,

MARSHALL BALLARD.

THE SACRAMENTO BEE,
Sacramento, Calif., December 22, 1921.

HON. CALEB R. LAYTON,
House of Representatives, Washington, D. C.

DEAR SIR: In answer to your request of November 9: The Bee is strongly opposed to placing education under a central authority of the Government. Editorially it has taken its stand against the Smith-Towner bill in education, and the Sheppard-Towner, or similarly named measures, in regard to maternity.

The Bee holds that such matters are solely for State control and not for centralized bureaucracy, which can know nothing of local problems.

The financing scheme for these measures seems silly, for the money paid out of the Federal Treasury to the respective States is distributed as if it were coined out of nothing, whereas it can only be raised in the various States through that much increased taxation. The result, therefore, is only that States, through increased Federal taxation, send their money to Washington, where it is filtered through various bureaus with a loss proportionate to the number of heads and subheads and employees, and then handed back to the respective States without the Federal Government having contributed a single benefit that each State itself could not have done as well.

The fundamental objection against such a scheme is that it overturns our whole theory of government, which reserves to the States control over education and similar matters. I believe that the State Board of Education in California can handle our school system in this State far better on its own authority than under the suggestions and orders of a bureau in Washington, which is too far away for intelligent understanding and certain to become so filled with red tape and useless officials that it will be a sad drag rather than a help. * * *

Yours very truly,

CARLOS K. McCLATBY.

THE DAY,
New London, Conn., December 12, 1921.

MR. CALEB R. LAYTON,
House of Representatives, Washington, D. C.

DEAR SIR: Replying to your inquiry of December 9, I am not in favor of the nationalization of education, as expressed in the Smith-Towner bill and other bills of similar character now before Congress.

Respectfully,

THEODORE BODENWEIN.

NEVADA PRINTING CO.,
Carson City, Nev., December 15, 1921.

HON. C. R. LAYTON,
Washington, D. C.

DEAR SIR: In reply to the specific question propounded in your letter of December 9, "whether or not you favor placing education under a central authority of the Government," permit me to say that I am unalterably opposed to it. I believe that it is a matter for communities—the States—to decide. They understand the conditions and know how to handle them in a practical and not an academic way, as has the Government in so many instances.

In my humble opinion there has already been too much centralization, and if it continues, well, we can go back to history to appreciate the results.

Very truly yours,

T. D. VAN DEVORT.

MILWAUKEE HEROLD,
Milwaukee, December 15, 1921.

HON. CALEB LAYTON,
House of Representatives, Washington, D. C.

DEAR SIR: In reply to your inquiry of December 9 relative to our sentiments in regard to the Smith-Towner bill and similar proposals we beg to submit the following:

From the excellent means of information which a newspaper such as the Milwaukee Herold affords we are convinced that a large majority of the people of this section are distinctly opposed to the principle of "placing education under a central authority of the Government and taking it out of the hands of the communities and States."

Respectfully,

GUSTAV HAAS.

BANGOR PUBLISHING CO.,
Bangor, Me., December 12, 1921.

HON. CALEB R. LAYTON,
House of Representatives, Washington, D. C.

DEAR SIR: Your favor of December 9 received. I do not approve of the Smith-Towner bill and other bills of similar nature.

Yours truly,

BANGOR PUBLISHING CO.,
J. N. TOWLE, *Managing Editor*.

THE SOUTH BEND TRIBUNE,
South Bend, Ind., December 12, 1921.

HON. CALEB LAYTON,
House of Representatives, Washington, D. C.

DEAR SIR: We have your circular letter of December 9 regarding the Smith-Towner bill. In reply will say that a long time ago the Tribune took a position against this bill, believing it much better for education to be vested in the States.

Very sincerely yours,

SOUTH BEND TRIBUNE,
F. A. M.

THE NEWS LEADER,
Richmond, Va., December 13, 1921.

HON. CALEB R. LAYTON,
House of Representatives, Washington, D. C.

DEAR SIR: Replying to your inquiry of December 9, I beg to say that this newspaper does not "favor placing education under a central authority of the Government and taking it out of the hands of the communities and the States." Altogether apart from the disastrous effect of such a measure upon the fabric of the American Constitution, it would, in operation, destroy those distinctive features of education in the different States that are now most useful in the development of a diversified culture.

Very truly yours,

D. T. FREEMAN, *Editor*.

THE COURIER,
Connellsville, Pa., December 13, 1921.

HON. CALEB R. LAYTON,
Washington, D. C.

DEAR SIR: The very fact that the Smith-Towner bill, if enacted, would result in further centralization of governmental authority is, in my judgment, sufficient reason why it should be defeated. Applied to education, such centralization would assume its most objectionable form.

The principle of "home rule" should be preserved as the right of communities just as sacredly as the same principle applied to religion.

Very truly yours,

JOHN L. GANS,
Managing Editor.

THE CHICAGO DAILY JOURNAL,
December 31, 1921.

HON. CALEB R. LAYTON,
House of Representatives, Washington, D. C.

DEAR SIR: Replying to your inquiry of December 9, which should have received attention some time ago, I desire to say that the Journal is definitely opposed to "placing education under a central authority of the Government and taking it out of the hands of communities and States." The National Government is trying to do too many things now. For that reason most of them are badly done.

Yours very truly,

JOHN C. EASTMAN.

YOUNGSTOWN TELEGRAM,
Youngstown, Ohio, December 12, 1921.

HON. C. R. LAYTON,
House of Representatives, Washington, D. C.

DEAR SIR: Replying to your circular letter of December 9, would say that we are firmly of the opinion that the nationalization of education, as contemplated in the Smith-Towner bill, would be a serious mistake. There is too much centralized authority now and not enough of that policy which develops individual initiative and self-dependence in the communities.

Very truly yours,

THE YOUNGSTOWN TELEGRAM,
SAMUEL G. MCCLURE,
Publisher.

THE ROCHESTER HERALD,
December 14, 1921.

HON. CALEB R. LAYTON,
House of Representatives, Washington, D. C.

DEAR SIR: Replying to your circular letter of December 9, inquiring whether I favor placing education under the central authority of the Federal Government and taking it out of the hands of the communities and States, I am not in favor of such action and should regard it as subversive of one of the fundamental intents of the founders of our Government and a dangerous infringement upon the rights and proper responsibilities of local communities.

Yours very truly,

LOUIS M. ANTISDALE.

OFFICE OF THE POTTSVILLE DAILY REPUBLICAN,
Pottsville, Pa., December 15, 1921.

CALEB R. LAYTON,
Member of Congress from Delaware,
Washington, D. C.

MY DEAR CONGRESSMAN: Replying to yours of December 9, I wish to place myself on record as opposed to centralizing the administration in the National Government. I am opposed to taking the educational authority out of the hands of the communities and the States. This country is getting too much paternalism, which makes the administration of the Government too unwieldy, too costly, and too ineffective, and to put the control of education in the hands of the National Government it would mean that it would be more dominated by politics than at present.

Very truly yours,

J. H. ZERBEY.

THE DAILY BULLETIN,
Bloomington, Ill., December 13, 1921.

HON. CALEB LAYTON,
Washington, D. C.

MY DEAR MR. LAYTON: Our schools are an institution closest to the hearts of the people, for they deal with the young of the land. For that reason they should be as closely identified with the people's management as possible.

I am inclined to think that it is the consensus of opinion out here that the schools be left as they are and not given that long-distance direction that must result under the central authority of the Government.

I thank you for the letter.

Cordially,

JAMES F. O'DONNELL.

THE CHICAGO DAILY NEWS,
December 13, 1921.

MR. CALEB R. LAYTON,
House of Representatives, Washington, D. C.

DEAR SIR: Replying to your letter of December 9, permit me to say that the Daily News does not believe in placing education under a central authority of the Federal Government and taking it out of the hands of the States and the different communities in those States. It particularly dislikes the policy of entering upon a varied program of expense, which the taxpayers have to foot, in order that the different States may be led into levying taxation with which to match their respective shares in these varied appropriations. The whole system, to my thinking, is loose and unscientific and calculated to pile up heavy cost for special educational features that do not go to the heart of the country's actual educational needs. This sort of congressional gift enterprise for the use and enjoyment of State officials, to my thinking, should be entered upon, if at all, only after the most thorough investigation by educational experts and others specially equipped to count the cost.

Very truly yours,

C. H. DENNIS, *Managing Editor*.

THE JOURNAL PRINTING CO.,
Racine, Wis., December 13, 1921.

CALEB LAYTON,
Member of Congress, Washington, D. C.

DEAR SIR: Answering yours of the 9th, we believe the matter of education should not be centralized under the Government.
Yours truly,

THE JOURNAL PRINTING CO.,
F. R. STARBUCK,
Secretary and Treasurer.

AMERICAN, LEADING BOHEMIAN DAILY,
Cleveland, Ohio, December 15, 1921.

CALEB R. LAYTON,
Member of Congress, Washington, D. C.

HONORABLE SIR: In reply to your inquiry of recent date, I wish to herewith express my sentiment on the particular Smith-Towner bill on nationalization of education.

It is our candid opinion that the said matter of education should be left entirely under the jurisdiction of the State, in order that less politics be played with this particular legislation.
Respectfully yours,

FRANK J. SVOBODY.

EDITORIAL ROOMS, NASHVILLE BANNER,
Nashville, Tenn., December 15, 1921.

Mr. CALEB LAYTON,
Member of Congress, Washington, D. C.

DEAR MR. LAYTON: The Banner would oppose policy of public education under centralized Government authority. It is hardly necessary to be specific.
Yours truly,

RICHARD H. YANCEY.

LAFAYETTE JOURNAL AND COURIER,
Lafayette, Ind., December 21, 1921.

Mr. CALEB R. LAYTON,
Member of Congress from Delaware,
House of Representatives, Washington, D. C.

DEAR SIR: Replying to your letter of December 9 regarding the nationalization of education as expressed in the Smith-Towner bill and other bills of similar character now on the congressional calendar, wish to submit the following:

Our national stability and progress will be better safeguarded by a great variety of educational institutions than by a standardized form of education. Education should be developed to suit the needs of our different communities and groups of people. This can not be accomplished when our educational system is administered by distant control. Distant control has had very harmful effects upon the morale of the worker in industry. Will the worker in the idealistic profession of teaching do his or her best under a centralized and distant supervision which of necessity must be machinelike and inflexible? Unless our teachers are given intellectual freedom and opportunity to work under the most favorable circumstances, our schools will turn out men and women who lack breadth of vision, thinking powers, and self-reliance.

As a matter of fact, even our present system of public education has too much organization, centralization, and standardization. The factory system of education discourages the development of initiative on the part of teachers and students, emphasizes methods of instruction which follow a beaten path, and results in training very few men and women who are self-directed and independent thinkers. Standardization of education results in too much textbook instruction and does not aid in discovering and in developing the talents of the learner. Our schools and colleges are now too nearly of the same type, are usually too inflexible, are teaching too nearly the same subjects, have the same standards of rating which are not based upon the actual achievement of the learner, and are not fully serving the infinite talents of the American child and youth. * * *

Very truly yours,

HENRY W. MARSHALL,
Editor and Publisher.

In conclusion permit me to epitomize the reasons why the Sterling-Towner bill should not become a law—reasons which in the main are substantial for all of the legislation enacted, and for all of the legislation proposed, having a cognate bureaucratic and paternalistic character:

First. There is no necessity for this legislation, inasmuch as illiteracy is declining and not increasing in the United States. This is being achieved gradually and satisfactorily by commu-

nity and State efforts alone. The census of 1920 puts the average illiteracy in the United States at 6 per cent. It must not be forgotten that this is maintained in spite of the constant inflow of ignorant and foreign population.

Second. The bill is unnecessary because the people of the various States and communities expend now a sufficiently enormous sum upon education for all rational purposes. It is not true that education must be nationalized in order to compel the taxpayer to raise sufficient money for the purposes of education. The State which I have the honor to represent has a per capita tax of \$7.50 and expends more than 60 per cent of her entire revenue for educational purposes. Massachusetts, a State distinguished for its interest in education, has a per capita tax of \$10.61 only, notwithstanding the large yearly increase in her foreign population.

Third. The bill would destroy local control of education, and therefore individual interest in school matters. Sooner or later Federal control would encroach upon the power of the people, and exactly in proportion to this encroachment their own initiative in school matters and their sense of personal responsibility would decline, while their feeling of powerlessness to contend against the national power would create such a condition of ultimate indifference as to radically affect the character of American citizenship. The framers of our Constitution sought zealously to impose upon the individual a clear sense of his responsibility for taxation and for expenditure as well, because they knew that upon these two things hung all the peace, the liberty, and the prosperity of a people. Those great builders of the past endeavored in every way to inculcate in the minds of the whole people a profound sense of individual responsibility in all matters affecting the home, the community, and the Commonwealth, in order to produce from these schools citizens fit for national citizenship, and therefore fit to possess and to govern the Government, in order to avoid having the Government to possess and govern them.

Fourth. The plan would rob the people of the various States of their control over the amount of taxation, as well as deprive them of the power to expend it. This is very evident because it can be seen at a glance that the people of the State of Delaware having only one Representative out of 435 in the House, where all revenue measures are inaugurated, a combination of States sufficient to constitute a bare majority could impose, without their consent, a per capita tax, a real estate tax, a graduated income tax, or a graduated inheritance tax upon the Delaware taxpayer without the Delaware taxpayer having any means of protection whatever, except an appeal to the Supreme Court of the United States, where decisions are apt to run to popular favor rather than to a strict conservation of the constitutional compact.

Let me make a precise analysis of this bill as far as its effects upon the State of Delaware are concerned. Starting with an initial tax of \$100,000,000, this bill levies upon the State of Delaware \$391,448. Out of this sum Delaware would get back only \$193,838.46, thus losing \$199,709.54. This loss to Delaware would go to educate the children of other States, for which in my judgment there is no authority under the covenant of the Constitution. Nor would this allotment to other States necessarily go to educate the children of poor States, because under the provisions of the bill Iowa, the richest State in the Union per capita, and I may say the home State of Representative TOWNER, the author of this bill in the House, would get \$2,273,214.16 more than Iowa would contribute to this \$100,000,000 appropriation. Let it not be forgotten in this connection that every Federal allotment out of this \$100,000,000 must be matched by an equal amount raised by State taxation, thus doubling in every case taxation under the bill.

Fifth. Even if the bill is to become a law, the appropriation of \$100,000,000 would be wholly inadequate, making hardly a drop in the bucket for putting such a scheme into proper operation, seeing that the entire country spends billions for this purpose now. Let me emphasize again the argument of the propagandist of this measure who would lead you to believe that the communities and the States do not now, and will not, raise sufficient money for educational purposes. The truth is the contrary. In all the States and communities as much money for educational purposes is now being raised as the taxpayers can afford to pay. It is a question if too much money is not being spent for so-called educational purposes now, seeing how it is spent. Let us not indulge in the fond delusion that the happiest people is one back-broken by taxation, or that inordinate taxation and expenditure are fair measures of national prosperity and progress.

Sixth. This and similar legislation is wholly inopportune because of the burdens of taxation which the late war has imposed.

Seventh. The plan would produce uniformity in education, which some think to be beautifully desirable. This is another of the foolish ideas of people who do not think but simply dream. In all of *His* grand planning of creation the Great Maker of all things reveals everywhere *His* splendid purpose of diversification. He made the United States partly tropical, partly polar, partly temperate. He made it also of valleys and wide and endless plains; of mountains and hills; He made it of rivers and of great lakes and surging oceans. He made the very fruits and plants that grow to accord in character with their environment. This idea of uniformity is the dream of the man and the woman who falls down and worships the Prussian idea of discipline and education, which would take out of the hearts and the souls of the citizens of the country that fine spirit of diversified interest, of diversified visions, of diversified purposes which constitute the charm and strength of our national character. The inspiration of such people—unfortunately in our midst—is due to a lack of confidence in representative democracy. They do not believe that the people are fit to be trusted with their own affairs. Gentlemen of the House, we want no Germanism in the United States to make automata of our citizenry. We want no Madam Kollontais to Bolshevise American womanhood. We want no Marxian philosophies to supplant our American Constitution by socialism and communism. Without, however, an eternal vigilance all these things will shortly subvert and supplant our present inestimable institutions.

Eighth. The plan would inevitably lead to political involvement. The secretary of education would necessarily be a political appointee. The office would be subject to the same political influences of party, of faction, of class, of race, and of religion to a far greater degree than any other Cabinet appointment. The school-teachers of the land would sooner or later constitute a political bloc, just as you see the organized labor bloc, the agricultural bloc, the soldiers' bonus bloc, the maternity bloc, and a multitude of other blocs, all tending to destroy the spirit of our fine nationality.

Ninth. The plan would invite, and undoubtedly provoke, a religious controversy by interfering with the parochial schools of various religious faiths, against the very provisions of the Constitution which guarantee the freedom of religious faith and worship.

Tenth. The plan is undemocratic. It is essentially bureaucratic, not to say paternalistic, and purely communistic, in that it assumes the right to tax the taxpayer of one State for the community and State purposes of other States. The plan is not drawn from American thought or American necessity, nor from the purposes of the founders of this Government so plainly revealed in the compact of the Federal Constitution of 1789. It is borrowed from Bismarck of Germany and those who succeeded him, whose purpose was to put the heart and the soul, stamping them with the same stamp, molding them in jackets, stamping them with the same stamp, molding them in the same mold, so that the junker element might the more easily prosecute their scheme of world-wide dominion by using people *taught to obey, and not to think*. We do not want in this country every boy and girl from Maine to Florida and from Texas to Alaska branded like a Uneeda biscuit. We want the free thought of Maine, and the free thought of Florida, in fact, the free thought of the whole country according to the environment of the various States. We got the "flu" from Europe that destroyed our bodies. In the name of sound wisdom and good sense, let us avoid intellectual contaminations from the same source—contaminations far more deadly because they would destroy the soul of America, whereas the "flu" destroyed only a few thousand bodies.

Education in a country like ours, based as it is upon constitutional representative democracy, is essentially and inseparably a home and a community matter, wherein the children belong to the parents and not to the State, much less to the Government of the United States. This ownership of children by the State, this State wardship over them, is essentially and eminently a socialistic and Bolshevistic doctrine. It should have no place in the creed of American citizenship. To admit such a proposition is to destroy the very foundation of all that is the finest in our civilization. To take away the feeling of responsibility for the child on the part of its father and mother and transfer that responsibility to a Government bureau in Washington, operating through a paid Government agent, would demoralize the people by destroying the very bonds of fatherhood and motherhood, and therefore destroy the home upon which essentially this Government is founded. I say it would be far better to have the children of the United States untaught and illiterate rather than to have the child belong to the State and

the mother under official control, because, while you would have more illiterate men and women, you would still have free men and women, and you would have the home, which is the sanctuary of them both.

Eleventh. The plan is plainly unconstitutional and in clear conflict with the reserved rights of the States under our national organic law. If put into effect it will destroy the liberty of the people, their self-dependence, their sense of initiative and personal responsibility for self-government, and transform them more and more into dependents upon the Federal Government, thus killing the spirit of democracy.

Twelfth. The provisions of the bill and the proposed allotment to the States is not only unfair but the whole plan is uneconomical, wasteful, and extravagant. Inevitably *collections* of taxes for the purposes of the bill would be made by Federal agents; the *amount* would be determined by a Congress in which any State may be at the mercy of a majority of Congress, rather than safeguarded by the constitutional covenant; and, finally, there would be no voice but a Federal voice in the *expenditure* of the people's money. All of these facts are inconsistent with constitutional liberty.

Mr. Speaker and gentlemen of the House, permit me to add a last word of warning. In the light of your oaths of office consider what has been done in the way of plain assaults upon constitutional government within the short period of 10 years. Illuminated by such a reflection, let me beg you to consider the future. Having viewed carefully the socialistic legislation already enacted, take the two calendars of Congress and observe what is proposed for the future in order to extend and complete the socialistic legislation already enacted.

If you will do this you can not escape the conclusion that a vast, comprehensive, and insidious scheme for the nationalization of all the activities of American citizenship is contemplated. The purpose is not only the *nationalization of education but of medicine*, so that a department of public welfare shall control not only the mental but the physical being of our people—supervising and controlling the expectant mother, the new-born babe, the youth in school and upon the playground, even old age itself—a Federal control from birth to death. All of this is purposed by those who distrust the ability of the people to govern themselves, and who believe in this widespread scheme to secure habits of obedience among the people through the discipline of Federal supervision.

Gentlemen, the moment such a plan is put into practice our Government is doomed, and civilization in the United States will be in the throes of utter chaos.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 5 o'clock and 32 minutes p. m.) the House adjourned until Saturday, February 24, 1923, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1019. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Treasury Department for the fiscal year ending June 30, 1923, to provide for the erection of additional suitable and necessary buildings for the National Leper Home at Carville, La., as authorized by the act approved February 20, 1923 (Public, No. 430), \$650,000 (H. Doc. No. 599); to the Committee on Appropriations and ordered to be printed.

1020. 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 reclamation investigations, \$275,000 (H. Doc. No. 600); to the Committee on Appropriations and ordered to be printed.

1021. A letter from the Secretary of the Treasury, transmitting a list of 30 marine hospitals and quarantine stations requiring additional facilities, new construction, or improvements; to the Committee on Public Buildings and Grounds.

1022. A communication from the President of the United States, transmitting a supplemental estimate of appropriations to provide additional compensation for certain civilian employees of the Governments of the United States and the District of Columbia during the fiscal year ending June 30, 1924, \$38,421,993 (H. Doc. No. 601); 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. BOIES: Committee on the Judiciary. H. R. 14272. A bill to amend section 81 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; without amendment (Rept. No. 1692). Referred to the House Calendar.

Mr. DEMPSEY: Committee on Rivers and Harbors. S. 3968. An act to improve the navigability of waters of the United States by preventing oil pollution thereof; with an amendment (Rept. No. 1693). Referred to the House Calendar.

Mr. FOSTER: Committee on the Judiciary. H. J. Res. 458. A joint resolution proposing an amendment to the Constitution of the United States; without amendment (Rept. No. 1694). Referred to the House Calendar.

Mr. FESS: Committee on the Library. S. J. Res. 240. A joint resolution authorizing the erection, on public grounds, of a memorial to the late Joseph J. Darlington; without amendment (Rept. No. 1695). Referred to the Committee of the Whole House on the state of the Union.

Mr. ZIHLMAN: Committee on the District of Columbia. H. R. 14372. A bill providing for charges against the general fund standing to the credit of the District of Columbia in the Federal Treasury; without amendment (Rept. No. 1696). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MCKENZIE: A bill (H. R. 14416) to provide for the return to the States of Georgia and Tennessee of the approach roads in the said States leading to the Chickamauga and Chattanooga National Military Park, and for other purposes; to the Committee on Military Affairs.

By Mr. SCHALL: A bill (H. R. 14417) to assist by loans any person holding an honorable discharge from the military forces of the United States of America during the World War;

By Mr. CHINDBLOM: A bill (H. R. 14418) declaring a portion of the west fork of the South Branch of the Chicago River in Cook County, Ill., to be a nonnavigable stream; to the Committee on Interstate and Foreign Commerce.

By Mr. STEENERSON: A resolution (H. Res. 555) of inquiry regarding Galena, Ill., plus freight charges on butter tubs; to the Committee on Interstate and Foreign Commerce.

By Mr. BROWNE of Wisconsin: Memorial of the Legislature of the State of Wisconsin petitioning Congress to enact legislation relating to forest products; to the Committee on Agriculture.

By Mr. CULLEN: Memorial of the Legislature of the State of Oregon, petitioning the Senate and House of Representatives of the United States to so amend the Federal grain standards act that the Bureau of Markets shall have the authority to prescribe discounts of differentials similar to those prescribed in section 12 of the Oregon grain inspection law; to the Committee on Agriculture.

By Mr. HAWLEY: Memorial of the Legislature of the State of Oregon, urging Congress to amend the Federal grain standards act; to the Committee on Agriculture.

By the SPEAKER (by request): Memorial of the Legislature of the State of Wisconsin, urging Congress to enact such legislation as may be necessary to provide a vigorous and complete forest policy; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. FOCHT: A bill (H. R. 14419) for the relief of Arthur Cowsill, administrator; to the Committee on Claims.

By Mr. SNELL: A bill (H. R. 14420) granting a pension to Elizabeth Gonier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14421) granting a pension to Addie Gratton; to the Committee on Invalid Pensions.

By Mr. TEN WYCK: A bill (H. R. 14422) authorizing the accounting officers of the General Accounting Office to settle the accounts of C. M. Omohundro; to the Committee on Claims.

PETITIONS, ETC.

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

7399. By the SPEAKER (by request): Petition of American Association of Engineers, Chicago, Ill., urging immediate trial

of men indicted for defrauding the Government; to the Committee on the Judiciary.

7400. Also (by request), petition of Round Valley Chamber of Commerce, Springerville, Ariz., indorsing Senate memorial No. 1 of the State Legislature of Arizona; to the Committee on Indian Affairs.

7401. Also (by request), petition of South Side Ebell Club, Los Angeles, Calif., expressing regret over the conditions that have been brought to bear upon the Volcan Indians of California; to the Committee on Indian Affairs.

7402. By Mr. ANSORGE: Petition of the Woman's Republican Club, New York City, urging an amendment to the Constitution prohibiting the labor of children; to the Committee on the Judiciary.

7403. By Mr. BRIGGS: Petition of Mr. D. K. Smith, Crockett, Tex., and other signers, in support of the Norris-Sinclair bill; to the Committee on Agriculture.

7405. By Mr. CAREW: Petition of Alfred E. Smith, Governor of New York, urging that the national banking act be amended; to the Committee on Banking and Currency.

7406. By Mr. CULLEN: Petition of Gov. Alfred E. Smith, of New York, urging Congress to permit the State to validate prior taxes on national-bank shares; to the Committee on Banking and Currency.

7407. By Mr. HOGAN: Petition of United Singers, of Brooklyn, N. Y., condemning any act menacing peace and causing economic disturbances, and asking Congress to condemn acts of France in invading Germany; to the Committee on Foreign Affairs.

7408. By Mr. KISSEL: Petition of General Lafayette Police Post, No. 460, American Legion, New York City, favoring the enactment of Senate bill 1565 providing for the retirement of disabled emergency officers; to the Committee on Military Affairs.

7409. Also, petition of the Merchants' Association of New York, N. Y., favoring negotiations with foreign governments in order to bring about reciprocal modifications of existing passport regulations and fees; to the Committee on Foreign Affairs.

7410. Also, petition of Alfred E. Smith, Governor of the State of New York, favoring an amendment to the national banking act; to the Committee on Banking and Currency.

7411. By Mr. LINTHICUM: Petition of Brotherhood of Railway and Steamship Clerks, of Baltimore, asking for proper prosecution of mob outrages in Harrison, Ark.; to the Committee on the Judiciary.

7412. Also, petition of Burt Manufacturing Co., of Baltimore, favoring Sterling-Lehbach bill on salaries for Patent Office; to the Committee on Patents.

7413. Also, petition of Gans Bros., Baltimore, favoring the Swing-Johnson bill; to the Committee on Flood Control.

7414. Also, petition of Gilbert Bros. & Co., of Baltimore, protesting against the Wood-Ernst bill; to the Committee on the Judiciary.

7415. Also, petition of the Merchants and Manufacturers' Association of Baltimore, favoring Senate bill 4399, fixing standards for hampers, round stave baskets, etc.; to the Committee on Coinage, Weights, and Measures.

7416. Also, petition of F. Nollenberger, secretary Schley Unit, No. 37, of Baltimore, favoring resolution of Mr. Newton of Minnesota to relieve famine districts of Europe; to the Committee on Foreign Affairs.

7417. By Mr. PATTERSON of New Jersey: Petition of Pride of Diamond Council, No. 114, Sons and Daughters of Liberty, Swedesboro, N. J., indorsing restricted immigration; to the Committee on Immigration and Naturalization.

7418. By Mr. RIORDAN: Petition of Gov. Alfred E. Smith, of New York, recommending that the national banking act be amended; to the Committee on Banking and Currency.

7419. By Mr. ROSSDALE: Petition of citizens of New York, indorsing resolution purporting to extend immediate aid to the people of the German and Austrian Republics; to the Committee on Foreign Affairs.

7420. By Mr. ROUSE: Petition of 261 citizens of Campbell County, Ky., protesting against the enactment of any legislation toward the change of the present immigration laws that will permit admission of aliens other than provided by present law; to the Committee on Immigration and Naturalization.

7421. By Mr. STEENERSON: Petition of C. G. Mattson et al., Thief River Falls, Minn., to abolish discriminatory tax on small-arms ammunition and firearms; to the Committee on Ways and Means.

7422. Also, petition of Clarence F. Wallin et al., Argyle, Minn., to abolish discriminatory tax on small-arms ammunition and firearms; to the Committee on Ways and Means.