

Congressional Record.

PROCEEDINGS AND DEBATES OF THE SIXTY-FIFTH CONGRESS FIRST SESSION.

SENATE.

TUESDAY, October 2, 1917.

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

Almighty God, we come to Thee at a time that is testing the foundations of our Christian civilization to seek Thy guidance and blessing. We know that there is no unity of counsel or of action except that which is found in the moral center of mankind. We pray that these Thy servants who must direct the great currents of thought and shape and mold the policy of the Nation may do so with a conscience void of offense toward God and man, and with the assurance that Thy blessing is resting upon them from day to day. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented petitions of sundry citizens of Fort Snelling and St. Paul, Minn.; of W. H. Carey, president of the Grand Rapids Chapter of the Wisconsin Loyalty Legion; and of the Chelan County, State of Washington, Council of Patriotic Service, relative to the public utterances of the Senator from Wisconsin [Mr. LA FOLLETTE], which were referred to the Committee on Privileges and Elections.

Mr. KELLOGG. I send to the desk certain petitions for reference to the Committee on Privileges and Elections.

The petitions were referred to the Committee on Privileges and Elections, as follows:

Petitions from sundry citizens of Duluth, Minn.; from C. E. Wallace, of Duluth, Minn.; from sundry citizens of St. Paul, Minn.; from the Otter Tail County Public Safety Association, of Fergus Falls, Minn.; from W. H. Woodbury and sundry other citizens of Duluth, Minn.; and from Henry I. Cohen, president of the Chamber of Commerce, of Brainerd, Minn.

Mr. STERLING. I send to the desk certain letters and a copy of a resolution adopted by the Aberdeen Rotary Club, of South Dakota. I move that they be referred to the Committee on Privileges and Elections.

The motion was agreed to.

Mr. OVERMAN presented a petition of the Caldwell County Council of Defense, of North Carolina, relative to the public utterances of the Senator from Wisconsin [Mr. LA FOLLETTE], which was referred to the Committee on Privileges and Elections.

Mr. KNOX presented a petition of sundry citizens of Coraopolis, Pa., praying for the enactment of legislation to prohibit polygamy, which was referred to the Committee on the Judiciary.

He also presented a petition of Local Branch No. 1, Glass Bottle Blowers' Association, of Pittsburgh, Pa., praying for the passage of the so-called soldiers and sailors' insurance bill, which was referred to the Committee on Finance.

He also presented petitions of sundry organizations in the State of Pennsylvania, praying for the enactment of legislation authorizing the drafting of aliens, except alien enemies, into the military service of the United States, which were ordered to lie on the table.

CONFEDERATE VETERANS' REUNION.

Mr. BANKHEAD. I present a copy of the proceedings of the Twenty-seventh Annual Reunion of the United Confederate Veterans, the Eighteenth Annual Convention of the Confederate Southern Memorial Association, and of the Twenty-second Annual Reunion of the Sons of Confederate Veterans, held in the city of Washington, D. C., June 4 to 7, 1917, which I ask to have referred to the Committee on Printing for action.

The VICE PRESIDENT. Without objection, that action will be taken.

MISSISSIPPI RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 5839) extending the time for the construction of a bridge across the Missis-

sippi River, in Aitkin County, Logan Township, State of Minnesota, and I submit a report (No. 140) thereon. I ask for the immediate consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXTENSION OF WORKMEN'S COMPENSATION LAWS.

Mr. ASHURST. From the Committee on the Judiciary I am authorized to report back favorably without amendment the bill (S. 2916) to amend sections 24 and 256 of the Judicial Code, relating to the jurisdiction of the district courts, so as to save to claimants the rights and remedies under the workmen's compensation law of any State, and I submit a report (No. 139) thereon.

Mr. CUMMINS. I ask unanimous consent for the immediate consideration of the bill just reported.

The VICE PRESIDENT. Is there any objection?

Mr. SMITH of Michigan. I should like to ask the Senator from Iowa if there is anything in the bill touching the question of the salaries of officers of courts of the United States?

Mr. CUMMINS. Oh, no. Mr. President, I can explain in a moment what the bill is, and I think I ought to do that before consent is granted.

The bill was introduced by the junior Senator from California [Mr. JOHNSON]. I present it in his behalf. It is intended to enable longshoremen, stevedores, and others who are engaged in maritime occupations to receive the benefit and advantage of the workmen's compensation laws of the various States.

Under the section of the Judicial Code, to which reference is made in the bill, exclusive jurisdiction over all matters pertaining to maritime relations is conferred upon the courts of the United States. There is in the Judicial Code this saving clause:

Saving to suitors in all cases the right of a common-law remedy where the common law is competent to give it.

In a case which arose in New York between the Southern Pacific Railroad Co. and a claimant under the workmen's compensation law the Supreme Court of the United States has held that the procedure under these compensatory laws is not a common-law procedure and does not give a common-law remedy, and that therefore the right of such compensation is not reserved in the code as it now is.

The entire change proposed is found in these words: After "saving to suitors in all cases the right of a common-law remedy where the common law is competent to give it," then there is inserted "and to claimants the rights and remedies under the workmen's compensation law of any State." That is the whole change made.

The bill was submitted to the Judiciary Committee and was unanimously approved by the committee. I think no one can even suggest any reason why a stevedore or a longshoreman who suffers an accident may not properly have the benefit of the workmen's compensation law of the State in which he lives and is working.

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

There being no objection, the bill was considered as in Committee of the Whole, and it was read as follows:

Be it enacted, etc., That clause 3 of section 24 of the Judicial Code is hereby amended to read as follows:

"Third. Of all civil causes of admiralty and maritime jurisdiction, saving to suitors in all cases the right of a common-law remedy where the common law is competent to give it, and to claimants the rights and remedies under the workman's compensation law of any State; of all seizures on land or waters not within admiralty and maritime jurisdiction; of all prizes brought into the United States; and of all proceedings for the condemnation of property taken as prize."

SEC. 2. That clause 3 of section 256 of the Judicial Code is hereby amended to read as follows:

"Third. Of all civil causes of admiralty and maritime jurisdiction, saving to suitors in all cases the right of a common-law remedy where the common law is competent to give it, and to claimants the rights and remedies under the workmen's compensation law of any State."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

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

By Mr. KENYON:

A bill (S. 2943) for the relief of John Crady; to the Committee on Military Affairs.

A bill (S. 2944) granting an increase of pension to Isaac N. Stotts (with accompanying papers); to the Committee on Pensions.

By Mr. McCUMBER:

A bill (S. 2945) for the relief of the heirs of the Eastern Cherokee Indians; to the Committee on Claims.

A bill (S. 2946) granting a pension to Elizabeth C. Curtis (with accompanying papers); to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 2947) granting the consent of Congress to the city of El Paso, Tex., to construct a bridge across the Rio Grande River within or near the city limits of El Paso, Tex., such construction to be made with the consent and cooperation of the Republic of Mexico; to the Committee on Commerce.

MANUFACTURE AND STORAGE OF EXPLOSIVES.

Mr. WALSH. I offer the following concurrent resolution and ask unanimous consent for its present consideration.

The concurrent resolution (S. Con. Res. 14) was read, considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (H. R. 3932) to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives, providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes, the Clerk of the House of Representatives be, and he is hereby, authorized and directed to insert in line 2 of section 20 of the conference report, as agreed to, after the word "occur," the words "or which since the commencement of the present war have occurred," and also in line 4 of said section, after "all," insert the word "other."

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had on this day approved and signed the following act:

S. 2156. An act to authorize exploration for and disposition of potassium.

PROMOTION OF EXPORT TRADE.

The VICE PRESIDENT. The morning business is closed, and the calendar, under Rule VIII, is in order.

The bill (S. 634) to promote export trade, and for other purposes, was announced as first in order on the calendar.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

| | | | |
|---------------|----------------|------------|--------------|
| Ashurst | Hale | New | Simmons |
| Bankhead | Harding | Newlands | Smith, Ariz. |
| Brady | Hardwick | Norris | Smith, Md. |
| Brandegee | Hollis | Overman | Smoot |
| Calder | James | Page | Sterling |
| Culberson | Jones, N. Mex. | Penrose | Stone |
| Cummins | Jones, Wash. | Pittman | Sutherland |
| Curtis | Kendrick | Poindexter | Swanson |
| Dillingham | Kenyon | Pomerene | Trammell |
| Fernald | King | Reed | Vardaman |
| Fletcher | Knox | Robinson | Wadsworth |
| France | La Follette | Saulsbury | Walsh |
| Frelinghuysen | McCumber | Shafroth | Weeks |
| Gerry | McKellar | Sheppard | Williams |
| Gore | McNary | Shields | Wolcott |

Mr. FRELINGHUYSEN. I wish to announce that my colleague [Mr. HUGHES] is detained from the Senate on account of illness. I ask that this announcement may stand for the day.

Mr. JAMES. I desire to announce that my colleague [Mr. BECKHAM] is detained from the Senate by reason of illness in his family. I will let this announcement stand for the day.

Mr. ROBINSON. My colleague [Mr. KIRBY] is unavoidably absent on account of illness in his family. I ask that this announcement may stand for the day.

Mr. McNARY. I desire to announce the absence of my colleague [Mr. CHAMBERLAIN] on account of illness. I will let this announcement stand for the day.

Mr. CURTIS. I wish to announce the absence of the senior Senator from New Hampshire [Mr. GALLINGER]. I will let this announcement stand for the present. He is unavoidably absent.

Mr. HARDWICK. I desire to announce that my colleague [Mr. SMITH of Georgia] is detained on account of illness in his family. This announcement may stand for the day.

Mr. SUTHERLAND. I announce the absence of my colleague [Mr. GOFF] on account of illness. I will let this announcement stand for the day.

Mr. SHAFROTH. I desire to announce the unavoidable absence of my colleague [Mr. THOMAS] on account of illness. I will state that he is paired with the senior Senator from North Dakota [Mr. McCUMBER]. I will let this announcement stand for the day.

The VICE PRESIDENT. Sixty Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4280) to provide revenue to defray war expenses, and for other purposes.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 2816. An act granting the consent of Congress to the Gainesville Red River Bridge Co. to construct a bridge across Red River; and

S. 2823. An act granting the consent of Congress to the city of Elgin, Ill., to construct, maintain, and operate a bridge across the Fox River at Elgin.

WAR REVENUE—CONFERENCE REPORT (S. DOC. NO. 115).

Mr. SIMMONS. Mr. President, I present the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to House bill 4280, known as the war-revenue bill.

The VICE PRESIDENT. Does the Senator desire to have the report read?

Mr. SIMMONS. I ask unanimous consent for the immediate consideration of the report.

Mr. LA FOLLETTE. Mr. President, I ask for the reading of the report.

The VICE PRESIDENT. The Secretary will read the report. The Secretary proceeded to read the conference report and read to the end of section 211.

Mr. LA FOLLETTE. Mr. President, the reading of the report down to section 211 includes that portion of the report which defines capital and the methods by which capital is to be ascertained. I asked for the reading of the report because I thought it would be of interest to the Senate; and as the portion of the report relating to capital is, in my view, perhaps the most important part of the report, so far as the changes that are made are concerned, and as the reading of the report does not appear to have held the attention of the Senate, many Senators having absented themselves, I will not ask to have the balance of the report read in the Senate Chamber, but will ask to have it printed in the RECORD.

The VICE PRESIDENT. If there is no further objection, the remainder of the report will not be read.

The conference report entire is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4280) to provide revenue to defray war expenses, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 3, 4, 36, 38, 43, 49, 65, 71, 77, 78, 80, 123, 126, 127, 128, 129, 131, 133, 135, 136, 137, 141, 149, 151, 168, 172, 188, 190, 193, 205, 206, 207, 208, 209, 210, 211, 256, 264, 271, 273, 288, 291, 292, 293, 294, 295, 296, 302, 315, 316, 317, 318, 319, and 321.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 41, 42, 47, 50, 52, 53, 54, 55, 57, 58, 61, 66, 72, 76, 83, 84, 85, 86, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 113, 114, 115, 116, 117, 118, 119, 120, 124, 125, 130, 132, 134, 138, 139, 140, 142, 143, 145, 148, 150, 152, 153, 154, 155, 156, 157, 158, 159, 160, 162, 163, 164, 166, 169, 174, 175, 176, 179, 180, 181, 182, 185, 189, 191, 194, 195, 196, 197, 198, 201, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 258, 259, 260, 261, 262, 263, 265, 266, 267, 268, 269, 270, 275, 283, 289, 290, and 298, and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and

agree to the same with an amendment as follows: In lieu of the word "Eight," inserted by said amendment, insert the words "Seven"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "and (c) the provisions of subdivision (c) of section 9 of such act, as amended by this act, requiring the normal tax of individuals on income derived from interest to be deducted and withheld at the source of the income shall not apply to the new 2 per cent normal tax prescribed in section 1 of this act until on and after January 1, 1918, and thereafter only one 2 per cent normal tax shall be deducted and withheld at the source under the provisions of such subdivision (c), and any further normal tax for which the recipient of such income is liable under this act or such act of September 8, 1916, as amended by this act, shall be paid by such recipient"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert on page 64 of the engrossed Senate amendments, after line 6, the following:

"(2) That section 5 of such act of September 8, 1916, is hereby amended by adding at the end of subdivision (a) a further paragraph, No. 9, to read as follows:

"9. Contributions or gifts actually made within the year to corporations or associations organized and operated exclusively for religious, charitable, scientific, or educational purposes, or to societies for the prevention of cruelty to children or animals, no part of the net income of which inures to the benefit of any private stockholder or individual, to an amount not in excess of 15 per cent of the taxpayer's taxable net income as computed without the benefit of this paragraph. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury."

And the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with amendments as follows: In lieu of the matter inserted by said amendment insert the following:

"Sec. 200. That when used in this title—

"The term 'corporation' includes joint-stock companies or associations and insurance companies;

"The term 'domestic' means created under the law of the United States, or of any State, Territory, or District thereof, and the term 'foreign' means created under the law of any other possession of the United States or of any foreign country or Government;

"The term 'United States' means only the States, the Territories of Alaska and Hawaii, and the District of Columbia;

"The term 'taxable year' means the 12 months ending December 31, excepting in the case of a corporation or partnership which has fixed its own fiscal year, in which case it means such fiscal year. The first taxable year shall be the year ending December 31, 1917, except that in the case of a corporation or partnership which has fixed its own fiscal year, it shall be the fiscal year ending during the calendar year 1917. If a corporation or partnership, prior to March 1, 1918, makes a return covering its own fiscal year, and includes therein the income received during that part of the fiscal year falling within the calendar year 1916, the tax for such taxable year shall be that proportion of the tax computed upon the net income during such full fiscal year which the time from January 1, 1917, to the end of such fiscal year bears to the full fiscal year; and

"The term 'prewar period' means the calendar years 1911, 1912, and 1913, or, if a corporation or partnership was not in existence or an individual was not engaged in a trade or business during the whole of such period, then as many of such years during the whole of which the corporation or partnership was in existence or the individual was engaged in the trade or business.

"The terms 'trade' and 'business' include professions and occupations.

"The term 'net income' means in the case of a foreign corporation or partnership or a nonresident alien individual, the net income received from sources within the United States.

"Sec. 201. That in addition to the taxes under existing law and under this act there shall be levied, assessed, collected, and paid for each taxable year upon the income of every corporation, partnership, or individual, a tax (hereinafter in this title

referred to as the tax) equal to the following percentages of the net income:

"Twenty per cent of the amount of the net income in excess of the deduction (determined as hereinafter provided) and not in excess of 15 per cent of the invested capital for the taxable year;

"Twenty-five per cent of the amount of the net income in excess of 15 per cent and not in excess of 20 per cent of such capital;

"Thirty-five per cent of the amount of the net income in excess of 20 per cent and not in excess of 25 per cent of such capital;

"Forty-five per cent of the amount of the net income in excess of 25 per cent and not in excess of 33 per cent of such capital; and

"Sixty per cent of the amount of the net income in excess of 33 per cent of such capital.

"For the purpose of this title every corporation or partnership not exempt under the provisions of this section shall be deemed to be engaged in business, and all the trades and businesses in which it is engaged shall be treated as a single trade or business, and all its income from whatever source derived shall be deemed to be received from such trade or business.

"This title shall apply to all trades or businesses of whatever description, whether continuously carried on or not, except—

"(a) In the case of officers and employees under the United States, or any State, Territory, or the District of Columbia, or any local subdivision thereof, the compensation or fees received by them as such officers or employees;

"(b) Corporations exempt from tax under the provisions of section 11 of Title I of such act of September 8, 1916, as amended by this act, and partnerships and individuals carrying on or doing the same business, or coming within the same description; and

"(c) Incomes derived from the business of life, health, and accident insurance combined in one policy issued on the weekly premium payment plan.

"Sec. 202. That the tax shall not be imposed in the case of the trade or business of a foreign corporation or partnership or a nonresident alien individual, the net income of which trade or business during the taxable year is less than \$3,000.

"Sec. 203. That for the purposes of this title the deduction shall be as follows, except as otherwise in this title provided—

"(a) In the case of a domestic corporation, the sum of (1) an amount equal to the same percentage of the invested capital for the taxable year which the average amount of the annual net income of the trade or business during the prewar period was of the invested capital for the prewar period (but not less than 7 or more than 9 per cent of the invested capital for the taxable year), and (2) \$3,000.

"(b) In the case of a domestic partnership or of a citizen or resident of the United States, the sum of (1) an amount equal to the same percentage of the invested capital for the taxable year which the average amount of the annual net income of the trade or business during the prewar period was of the invested capital for the prewar period (but not less than 7 or more than 9 per cent of the invested capital for the taxable year), and (2) \$6,000.

"(c) In the case of a foreign corporation or partnership or of a nonresident alien individual, an amount ascertained in the same manner as provided in subdivisions (a) and (b), without any exemption of \$3,000 or \$6,000.

"(d) If the Secretary of the Treasury is unable satisfactorily to determine the average amount of the annual net income of the trade or business during the prewar period, the deduction shall be determined in the same manner as provided in section 205.

"Sec. 204. That if a corporation or partnership was not in existence, or an individual was not engaged in the trade or business, during the whole of any one calendar year during the prewar period, the deduction shall be an amount equal to 8 per cent of the invested capital for the taxable year, plus in the case of a domestic corporation \$3,000, and in the case of a domestic partnership or a citizen or resident of the United States \$6,000.

"A trade or business carried on by a corporation, partnership, or individual, although formally organized or reorganized on or after January 2, 1913, which is substantially a continuation of a trade or business carried on prior to that date, shall, for the purpose of this title, be deemed to have been in existence prior to that date, and the net income and invested capital of its predecessor prior to that date shall be deemed to have been its net income and invested capital.

"Sec. 205. (a) That if the Secretary of the Treasury, upon complaint finds either (1) that during the prewar period a domestic corporation or partnership, or a citizen or resident of the United States, had no net income from the trade or business, or (2) that during the prewar period the percentage, which the net income was of the invested capital, was low as compared with the percentage, which the net income during such period of representative corporations, partnerships, and individuals, engaged in a like or similar trade or business, was of their invested capital, then the deduction shall be the sum of (1) an amount equal to the same percentage of its invested capital for the taxable year which the average deduction (determined in the same manner as provided in section 203, without including the \$3,000 or \$6,000 therein referred to) for such year of representative corporations, partnerships, or individuals, engaged in a like or similar trade or business, is of their average invested capital for such year plus (2) in the case of a domestic corporation \$3,000, and in the case of a domestic partnership or a citizen or resident of the United States \$6,000.

"The percentage which the net income was of the invested capital in each trade or business shall be determined by the Commissioner of Internal Revenue, in accordance with regulations prescribed by him, with the approval of the Secretary of the Treasury. In the case of a corporation or partnership which has fixed its own fiscal year, the percentage determined by the calendar year ending during such fiscal year shall be used.

"(b) The tax shall be assessed upon the basis of the deduction determined as provided in section 203, but the taxpayer claiming the benefit of this section may at the time of making the return file a claim for abatement of the amount by which the tax so assessed exceeds a tax computed upon the basis of the deduction determined as provided in this section. In such event, collection of the part of the tax covered by such claim for abatement shall not be made until the claim is decided, but if in the judgment of the Commissioner of Internal Revenue, the interests of the United States would be jeopardized thereby he may require the claimant to give a bond in such amount and with such sureties as the commissioner may think wise to safeguard such interests, conditioned for the payment of any tax found to be due, with the interest thereon, and if such bond, satisfactory to the commissioner, is not given within such time as he prescribes, the full amount of tax assessed shall be collected and the amount overpaid, if any, shall upon final decision of the application be refunded as a tax erroneously or illegally collected.

"Sec. 206. That for the purposes of this title the net income of a corporation shall be ascertained and returned (a) for the calendar years 1911 and 1912 upon the same basis and in the same manner as provided in section 38 of the act entitled 'An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes,' approved August 5, 1909, except that income taxes paid by it within the year imposed by the authority of the United States shall be included; (b) for the calendar year 1913 upon the same basis and in the same manner as provided in Section II of the act entitled 'An act to reduce tariff duties and to provide revenue for the Government, and for other purposes,' approved October 3, 1913, except that income taxes paid by it within the year imposed by the authority of the United States shall be included, and except that the amounts received by it as dividends upon the stock or from the net earnings of other corporations, joint-stock companies or associations, or insurance companies, subject to the tax imposed by Section II of such act of October 3, 1913, shall be deducted; and (c) for the taxable year upon the same basis and in the same manner as provided in Title I of the act entitled 'An act to increase the revenue, and for other purposes,' approved September 8, 1916, as amended by this act, except that the amounts received by it as dividends upon the stock or from the net earnings of other corporations, joint-stock companies or associations, or insurance companies, subject to the tax imposed by Title I of such act of September 8, 1916, shall be deducted.

"The net income of a partnership or individual shall be ascertained and returned for the calendar years 1911, 1912, and 1913, and for the taxable year, upon the same basis and in the same manner as provided in Title I of such act of September 8, 1916, as amended by this act, except that the credit allowed by subdivision (b) of section 5 of such act shall be deducted. There shall be allowed (a) in the case of a domestic partnership the same deductions as allowed to individuals in subdivisions (a) of section 5 of such act of September 8, 1916, as amended by this act; and (b) in the case of a foreign partnership the same deductions as allowed to individuals in subdivision (a) of section 6 of such act as amended by this act.

"Sec. 207. That as used in this title, the term 'invested capital' for any year means the average invested capital for the year, as defined and limited in this title, averaged monthly.

"As used in this title 'invested capital' does not include stocks, bonds (other than obligations of the United States), or other assets, the income from which is not subject to the tax imposed by this title, nor money or other property borrowed, and means, subject to the above limitations:

"(a) In the case of a corporation or partnership: (1) Actual cash paid in, (2) the actual cash value of tangible property paid in other than cash, for stock or shares in such corporation or partnership, at the time of such payment (but in case such tangible property was paid in prior to January 1, 1914, the actual cash value of such property as of January 1, 1914, but in no case to exceed the par value of the original stock or shares specifically issued therefor), and (3) paid in or earned surplus and undivided profits used or employed in the business, exclusive of undivided profits earned during the taxable year: *Provided*, That (a) the actual cash value of patents and copyrights paid in for stock or shares in such corporation or partnership, at the time of such payment, shall be included as invested capital, but not to exceed the par value of such stock or shares at the time of such payment, and (b) the good will, trade-marks, trade brands, the franchise of a corporation or partnership, or other intangible property, shall be included as invested capital if the corporation or partnership made payment bona fide therefor specifically as such in cash or tangible property, the value of such good will, trade-marks, trade brand, franchise, or intangible property, not to exceed the actual cash or actual cash value of the tangible property paid therefor at the time of such payment; but good will, trade-marks, trade brands, franchise of a corporation or partnership, or other intangible property, bona fide purchased, prior to March 3, 1917, for and with interests or shares in a partnership or for and with shares in the capital stock of a corporation (issued prior to March 3, 1917), in an amount not to exceed, on March 3, 1917, 20 per cent of the total interests or shares in the partnership or of the total shares of the capital stock of the corporation, shall be included in invested capital at a value not to exceed the actual cash value at the time of such purchase, and in case of issue of stock therefor not to exceed the par value of such stock;

"(b) in the case of an individual, (1) actual cash paid into the trade or business, and (2) the actual cash value of tangible property paid into the trade or business, other than cash, at the time of such payment (but in case such tangible property was paid in prior to January 1, 1914, the actual cash value of such property as of January 1, 1914, and (3) the actual cash value of patents, copyrights, good will, trade-marks, trade brands, franchises, or other intangible property, paid into the trade or business, at the time of such payment, if payment was made therefor specifically as such in cash or tangible property, not to exceed the actual cash or actual cash value of the tangible property bona fide paid therefor at the time of such payment.

"In the case of a foreign corporation or partnership or of a nonresident alien individual the term 'invested capital' means that proportion of the entire invested capital, as defined and limited in this title, which the net income from sources within the United States bears to the entire net income.

"Sec. 208. That in case of the reorganization, consolidation, or change of ownership of a trade or business after March 3, 1917, if an interest or control in such trade or business of 50 per cent or more remains in control of the same persons, corporations, associations, partnerships, or any of them, then in ascertaining the invested capital of the trade or business no asset transferred or received from the prior trade or business shall be allowed a greater value than would have been allowed under this title in computing the invested capital of such prior trade or business if such asset had not been so transferred or received, unless such asset was paid for specifically as such, in cash or tangible property, and then not to exceed the actual cash or actual cash value of the tangible property paid therefor at the time of such payment.

"Sec. 209. That in the case of a trade or business having no invested capital or not more than a nominal capital there shall be levied, assessed, collected, and paid, in addition to the taxes under existing law and under this act, in lieu of the tax imposed by section 201, a tax equivalent to 8 per cent of the net income of such trade or business in excess of the following deductions: In the case of a domestic corporation, \$3,000, and in the case of a domestic partnership or a citizen or resident of the United States \$6,000; in the case of all other trades or business, no deduction.

"Sec. 210. That if the Secretary of the Treasury is unable in any case satisfactorily to determine the invested capital, the amount of the deduction shall be the sum of (1) an amount

equal to the same proportion of the net income of the trade or business received during the taxable year as the proportion which the average deduction (determined in the same manner as provided in section 203, without including the \$3,000 or \$6,000 therein referred to) for the same calendar year of representative corporations, partnerships, and individuals, engaged in a like or similar trade or business, bears to the total net income of the trade or business received by such corporations, partnerships, and individuals, plus (2) in the case of a domestic corporation \$3,000, and in the case of a domestic partnership or a citizen or resident of the United States \$6,000.

"For the purpose of this section the proportion between the deduction and the net income in each trade or business shall be determined by the Commissioner of Internal Revenue in accordance with regulations prescribed by him, with the approval of the Secretary of the Treasury. In the case of a corporation or partnership which has fixed its own fiscal year, the proportion determined for the calendar year ending during such fiscal year shall be used.

"Sec. 211. That every foreign partnership having a net income of \$3,000 or more for the taxable year, and every domestic partnership having a net income of \$6,000 or more for the taxable year, shall render a correct return of the income of the trade or business for the taxable year, setting forth specifically the gross income for such year, and the deductions allowed in this title. Such returns shall be rendered at the same time and in the same manner as is prescribed for income-tax returns under Title I of such act of September 8, 1916, as amended by this act.

"Sec. 212. That all administrative, special, and general provisions of law, including the laws in relation to the assessment, remission, collection, and refund of internal-revenue taxes not heretofore specifically repealed, and not inconsistent with the provisions of this title, are hereby extended and made applicable to all the provisions of this title and to the tax herein imposed, and all provisions of Title I of such act of September 8, 1916, as amended by this act, relating to returns and payment of the tax therein imposed, including penalties, are hereby made applicable to the tax imposed by this title.

"Sec. 213. That the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall make all necessary regulations for carrying out the provisions of this title, and may require any corporation, partnership, or individual, subject to the provisions of this title, to furnish him with such facts, data, and information as in his judgment are necessary to collect the tax imposed by this title.

"Sec. 214. That Title II (sections 200 to 207, inclusive) of the act entitled 'An act to provide increased revenue to defray the expenses of the increased appropriations for the Army and Navy, and the extensions of fortifications, and for other purposes,' approved March 3, 1917, is hereby repealed.

"Any amount heretofore or hereafter paid on account of the tax imposed by such Title II, shall be credited toward the payment of the tax imposed by this title, and if the amount so paid exceeds the amount of such tax the excess shall be refunded as a tax erroneously or illegally collected.

"Subdivision (1) of section 301 of such act of September 8, 1916, is hereby amended so that the rate of tax for the taxable year 1917 shall be 10 per cent instead of 12½ per cent, as therein provided.

"Subdivision (2) of such section is hereby amended to read as follows:

"(2) This section shall cease to be of effect on and after January 1, 1918."

And on page 83 of the engrossed Senate amendments, line 7, strike out the word "five" and insert the word "six," and on page 86 of said engrossed amendments, after line 8, insert the following as a separate paragraph:

"Sec. 32. That premiums paid on life insurance policies covering the lives of officers, employees, or those financially interested in any trade or business conducted by an individual, partnership, corporation, joint-stock company or association, or insurance company, shall not be deducted in computing the net income of such individual, corporation, joint-stock company or association, or insurance company, or in computing the profits of such partnership for the purposes of subdivision (e) of section 9."

And the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: In lieu of the word "four" inserted by said amendment insert the word "three"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: After the

word "purposes" and before the comma insert the following: "or for use in the manufacture or production of any article used or intended for use as a beverage"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with amendments as follows: In line 1 of said amendment strike out the figures "302" and insert the figures "301"; in line 2 of said amendment strike out the word "enactment" and insert the word "passage"; in the last line of said amendment strike out the words "beverage purposes" and insert the following: "(1) beverage purposes or (2) use in the manufacture or production of any article used or intended for use as a beverage"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: In line 1 of said amendment strike out the figures "303" and insert the figures "302"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In the fifth line of the matter inserted by said amendment strike out the words "use of the United States or for denaturation" and insert: "other than (1) beverage purposes or (2) use in the manufacture or production of any article used or intended for use as a beverage"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the figures "304" inserted by said amendment, insert the figures "303"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In line 2 of said amendment, after the word "purposes" and before the comma, insert the following: "or for use in the manufacture or production of any article used or intended for use as a beverage"; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the figures "305" inserted by said amendment insert the figures "304"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: Strike out the word "enacted" in the first line of the Senate amendment and insert the word "passed"; and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: On page 13, line 21 of the bill, strike out the words "less than" and in the matter inserted by said amendment strike out the words and figures "\$250 and not"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In line 1 of the matter inserted by said amendment change the figures "306" to the figures "305"; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: In line 1 of the matter inserted by said amendment change the figures "307" to the figures "306"; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the figures "308" inserted by said amendment insert the figures "307"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with amendments as follows: In line 1 of the matter inserted by said amendment strike out the figures "309" and insert the figures "308," and in the same line of said amendment strike out the word "enactment" and insert the word "passage"; also in line 7 of said amendment strike out the words "not to exceed" and insert the words "less than"; and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Sec. 309. That upon all still wines, including vermouth, and upon all champagne and other sparkling wines, liqueurs, cor-

dials, artificial or imitation wines or compounds sold as wine, produced in or imported into the United States, and hereafter removed from the customhouse, place of manufacture, or from bonded premises for sale or consumption, there shall be levied and collected, in addition to the tax now imposed by law upon such articles, a tax equal to such tax, to be levied, collected, and paid under the provisions of existing law."

And the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In lieu of the figures "311" inserted by said amendment insert the figures "310"; and the Senate agree to the same.

Amendment numbered 70: That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment as follows: In lieu of the word "ten" inserted by said amendment insert the word "nine"; and the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: In lieu of the figures "312" inserted by said amendment insert the figures "311"; and the Senate agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the words "equal to double such tax"; and the Senate agree to the same.

Amendment numbered 75: That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment as follows: In lieu of the figures "313" inserted by said amendment insert the figures "312"; and the Senate agree to the same.

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the figure "\$1" inserted by said amendment insert the following: "20 cents"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the figures "314" inserted by said amendment insert the figures "313"; and the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"If so sold for not more than \$1.30 per gallon, a tax of 5 cents per gallon; if so sold for more than \$1.30 and not more than \$2 per gallon, a tax of 8 cents per gallon; if so sold for more than \$2 and not more than \$3 per gallon, a tax of 10 cents per gallon; if so sold for more than \$3 and not more than \$4 per gallon, a tax of 15 cents per gallon; and if so sold for more than \$4 per gallon, a tax of 20 cents per gallon."

And the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of the figures "315" inserted by said amendment insert the figures "314"; and the Senate agree to the same.

Amendment numbered 88: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In line 1 of the matter inserted by said amendment strike out the figures "316" and insert the figures "315"; and the Senate agree to the same.

Amendment numbered 112: That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with an amendment as follows: In lieu of the figures "75" inserted by said amendment insert the figures "80"; and the Senate agree to the same.

Amendment numbered 121: That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment as follows: In lieu of the figure "4" inserted by said amendment insert the figure "5"; and the Senate agree to the same.

Amendment numbered 122: That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert:

"Sec. 402. That sections 400, 401, and 404, shall take effect 30 days after the passage of this act: *Provided*, That after the passage of this act and before the expiration of the aforesaid 30 days, cigarettes and manufactured tobacco and snuff may be

put up in the packages now provided for by law or in the packages provided for in sections 400 and 401."

And the Senate agree to the same.

Amendment numbered 144: That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In the second line of the matter inserted by said amendment, strike out the figures "25" and insert the figures "20"; and the Senate agree to the same.

Amendment numbered 146: That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In lieu of the word "five" inserted by said amendment insert the word "eight"; and the Senate agree to the same.

Amendment numbered 147: That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "or by any form of mechanical motor power on a regular established line when in competition with carriers by rail or water" and a comma; and the Senate agree to the same.

Amendment numbered 161: That the House recede from its disagreement to the amendment of the Senate numbered 161, and agree to the same with an amendment as follows: In lieu of the word "the" inserted by said amendment insert the word "such"; and the Senate agree to the same.

Amendment numbered 165: That the House recede from its disagreement to the amendment of the Senate numbered 165, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "or has been so used; or (b) upon the transportation of company material transported by one carrier, which constitutes a part of a railroad system, for another carrier which is also a part of the same system"; and the Senate agree to the same.

Amendment numbered 167: That the House recede from its disagreement to the amendment of the Senate numbered 167, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, substituting the word "November" for the word "June," in line 11, page 25, of the bill; and the Senate agree to the same.

Amendment numbered 170: That the House recede from its disagreement to the amendment of the Senate numbered 170, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That there shall be levied, assessed, collected, and paid—

"(a) Upon all automobiles, automobile trucks, automobile wagons, and motorcycles, sold by the manufacturer, producer, or importer, a tax equivalent to 3 per cent of the price for which so sold; and."

And the Senate agree to the same.

Amendment numbered 171: That the House recede from its disagreement to the amendment of the Senate numbered 171, and agree to the same with amendments as follows: In lieu of the matter inserted by said amendment insert the following:

"(b) Upon all piano players, graphophones, phonographs, talking machines, and records used in connection with any musical instrument, piano player, graphophone, phonograph, or talking machine, sold by the manufacturer, producer, or importer, a tax equivalent to 3 per cent of the price for which so sold; and

"(c) Upon all moving-picture films (which have not been exposed) sold by the manufacturer or importer, a tax equivalent to one-fourth of 1 cent per linear foot; and

"(d) Upon all positive moving-picture films (containing a picture ready for projection) sold or leased by the manufacturer, producer, or importer, a tax equivalent to one-half of 1 cent per linear foot; and

"(e) Upon any article commonly or commercially known as jewelry, whether real or imitation, sold by the manufacturer, producer, or importer thereof, a tax equivalent to 3 per cent of the price for which so sold; and."

Also insert, on page 31 of the bill, after line 25, the following:

"Sec. 603. That on the day this act takes effect, and thereafter on July 1 in each year, and also at the time of the original purchase of a new boat by a user, if on any other date than July 1, there shall be levied, assessed, collected, and paid, upon the use of yachts, pleasure boats, power boats, and sailing boats, of over 5 net tons, and motor boats with fixed engines, not used exclusively for trade or national defense, or not built according to plans and specifications approved by the Navy Department, an excise tax to be based on each yacht or boat, at rates as follows: Yachts, pleasure boats, power boats, motor boats with fixed engines, and sailing boats, of over 5 net tons, length not over 50 feet, 50 cents for each foot; length over 50 feet and not over 100 feet, \$1 for each foot; length over 100 feet, \$2 for each foot; motor boats of not over 5 net tons with fixed engines, \$5,

"In determining the length of such yachts, pleasure boats, power boats, motor boats with fixed engines, and sailing boats, the measurement of over-all length shall govern.

"In the case of a tax imposed at the time of the original purchase of a new boat on any other date than July 1, the amount to be paid shall be the same number of twelfths of the amount of the tax as the number of calendar months, including the month of sale, remaining prior to the following July 1."

And the Senate agree to the same.

Amendment numbered 173: That the House recede from its disagreement to the amendment of the Senate numbered 173, and agree to the same with an amendment as follows: In lieu of the letter "a" inserted by said amendment insert the letter "f"; and the Senate agree to the same.

Amendment numbered 177: That the House recede from its disagreement to the amendment of the Senate numbered 177, and agree to the same with amendments as follows: In lieu of the word "two" inserted by said amendment insert the word "three," and on page 29 of the bill, line 10, strike out the period and insert a semicolon and the word "and"; and the Senate agree to the same.

Amendment numbered 178: That the House recede from its disagreement to the amendment of the Senate numbered 178, and agree to the same with an amendment as follows: In lieu of the letter "b" inserted by said amendment insert the letter "g"; and the Senate agree to the same.

Amendment numbered 183: That the House recede from its disagreement to the amendment of the Senate numbered 183, and agree to the same with an amendment as follows: In lieu of the letter "c" inserted by said amendment insert the letter "h"; and the Senate agree to the same.

Amendment numbered 184: That the House recede from its disagreement to the amendment of the Senate numbered 184, and agree to the same with an amendment as follows: In lieu of the word "fourteen" inserted by said amendment insert the word "thirteen"; and the Senate agree to the same.

Amendment numbered 186: That the House recede from its disagreement to the amendment of the Senate numbered 186, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following:

"(i) Upon all chewing gum or substitute thereof sold by the manufacturer, producer, or importer, a tax equivalent to 2 per cent of the price for which so sold; and"

And the Senate agree to the same.

Amendment numbered 187: That the House recede from its disagreement to the amendment of the Senate numbered 187, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"(j) Upon all cameras sold by the manufacturer, producer, or importer, a tax equivalent to 3 per cent of the price for which so sold."

And the Senate agree to the same.

Amendment numbered 192: That the House recede from its disagreement to the amendment of the Senate numbered 192, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following:

"Sec. 602. That upon all articles enumerated in subdivisions (a), (b), (e), (f), (g), (h), (i), or (j) of section 600, which on the day this act is passed are held and intended for sale by any person, corporation, partnership, or association, other than (1) a retailer who is not also a wholesaler, or (2) the manufacturer, producer, or importer thereof, there shall be levied, assessed, collected, and paid a tax equivalent to one-half the tax imposed by each such subdivision upon the sale of the articles therein enumerated. This tax shall be paid by the person, corporation, partnership, or association so holding such articles.

"The taxes imposed by this section shall be assessed, collected, and paid in the same manner as provided in section 1002 in the case of additional taxes upon articles upon which the tax imposed by existing law has been paid.

"Nothing in this section shall be construed to impose a tax upon articles sold and delivered prior to May 9, 1917, where the title is reserved in the vendor as security for the payment of the purchase money."

And the Senate agree to the same.

Amendment numbered 199: That the House recede from its disagreement to the amendment of the Senate numbered 199, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "paying for such admission: *Provided*, That the tax on admission of children under 12 years of age where an admission

charge for such children is made shall in every case be 1 cent" and a semicolon; and the Senate agree to the same.

Amendment numbered 200: That the House recede from its disagreement to the amendment of the Senate numbered 200, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert: "and (b) in the case of persons (except bona fide employees, municipal officers on official business, and children under 12 years of age) admitted free to any place at a time when and under circumstances under which an admission charge is made to other persons of the same class, a tax of 1 cent for each 10 cents or fraction thereof of the price so charged to such other persons for the same or similar accommodations, to be paid by the person so admitted; and (c) a tax of 1 cent for each 10 cents or fraction thereof paid for admission to any public performance for profit at any cabaret or other similar entertainment to which the charge for admission is wholly or in part included in the price paid for refreshment, service, or merchandise; the amount paid for such admission to be computed under rules prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, such tax to be paid by the person paying for such refreshment, service, or merchandise"; and the Senate agree to the same.

Amendment numbered 202: That the House recede from its disagreement to the amendment of the Senate numbered 202, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "cents, or in the case of shows, rides, and other amusements (the maximum charge for admission to which is 10 cents), within outdoor general amusement parks, or in the case of admissions to such parks"; and the Senate agree to the same.

Amendment numbered 203: That the House recede from its disagreement to the amendment of the Senate numbered 203, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "none of the profits of which are distributed to stockholders or members of the association conducting the same"; and the Senate agree to the same.

Amendment numbered 204: That the House recede from its disagreement to the amendment of the Senate numbered 204, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following:

"SEC. 701. That from and after the 1st day of November, 1917, there shall be levied, assessed, collected, and paid, a tax equivalent to 10 per cent of any amount paid as dues or membership fees (including initiation fees), to any social, athletic, or sporting club or organization, where such dues or fees are in excess of \$12 per year; such taxes to be paid by the person paying such dues or fees: *Provided*, That there shall be exempted from the provisions of this section all amounts paid as dues or fees to a fraternal beneficiary society, order, or association, operating under the lodge system or for the exclusive benefit of the members of a fraternity itself operating under the lodge system, and providing for the payment of life, sick, accident, or other benefits to the members of such society, order, or association or their dependents."

And the Senate agree to the same.

Amendment numbered 212: That the House recede from its disagreement to the amendment of the Senate numbered 212, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment strike out the word "November" and insert "December"; and the Senate agree to the same.

Amendment numbered 234: That the House recede from its disagreement to the amendment of the Senate numbered 234, and agree to the same with an amendment as follows: On page 37, line 5, of the bill strike out the word "Is" and insert the word "is"; and the Senate agree to the same.

Amendment numbered 255: That the House recede from its disagreement to the amendment of the Senate numbered 255, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment strike out the word "November" and insert "December"; and the Senate agree to the same.

Amendment numbered 257: That the House recede from its disagreement to the amendment of the Senate numbered 257, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert, on page 48, after line 10 of the bill, the following:

"14. Parcel-post packages: Upon every parcel or package transported from one point in the United States to another by parcel post on which the postage amounts to 25 cents or more, a tax of 1 cent for each 25 cents or fractional part thereof charged for such transportation, to be paid by the consignor.

"No such parcel or package shall be transported until a stamp or stamps representing the tax due shall have been affixed thereto."

And the Senate agree to the same.

Amendment numbered 272: That the House recede from its disagreement to the amendment of the Senate numbered 272, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment strike out, on line 9, page 48, of the bill the figure "8" and insert in lieu thereof the figure "5"; and the Senate agree to the same.

Amendment numbered 274: That the House recede from its disagreement to the amendment of the Senate numbered 274, and agree to the same with amendments as follows: Restore all the matter stricken out by said amendment, with the following amendments:

On page 49 of the bill, in line 3, after the word "which," insert "such."

On page 49 of the bill, in line 23, strike out the figures "\$11,000,000" and insert "\$10,000,000; and."

On the same page of the bill, in line 25, after the word "exceeds," strike out the remainder of the line and insert "\$10,000,000."

On page 50 of the bill strike out lines 1 to 10, inclusive.

On page 50 of the bill, after line 10, insert the following:

"Sec. 901. That the tax imposed by this title shall not apply to the transfer of the net estate of any decedent dying while serving in the military or naval forces of the United States, during the continuance of the war in which the United States is now engaged, or if death results from injuries received or disease contracted in such service, within one year after the termination of such war. For the purposes of this section the termination of the war shall be evidenced by the proclamation of the President."

And the Senate agree to the same.

Amendment numbered 276: That the House recede from its disagreement to the amendment of the Senate numbered 276, and agree to the same with an amendment as follows: In lieu of the figures "IX" inserted by said amendment insert the figure "X"; and the Senate agree to the same.

Amendment numbered 277: That the House recede from its disagreement to the amendment of the Senate numbered 277, and agree to the same with an amendment as follows: In lieu of the figures "900" inserted by said amendment insert the figures "1000"; and the Senate agree to the same.

Amendment numbered 278: That the House recede from its disagreement to the amendment of the Senate numbered 278, and agree to the same with an amendment as follows: In lieu of the figures "901" inserted by said amendment insert the figures "1001"; and the Senate agree to the same.

Amendment numbered 279: That the House recede from its disagreement to the amendment of the Senate numbered 279, and agree to the same with an amendment as follows: In lieu of the figures "902" inserted by said amendment insert the figures "1002"; and the Senate agree to the same.

Amendment numbered 280: That the House recede from its disagreement to the amendment of the Senate numbered 280, and agree to the same with an amendment as follows: In lieu of the word "enactment" inserted by said amendment insert the word "passage"; and the Senate agree to the same.

Amendment numbered 281: That the House recede from its disagreement to the amendment of the Senate numbered 281, and agree to the same with an amendment as follows: In lieu of the word "six," in line 3 of the matter inserted by said amendment, insert the word "seven," and in the same line strike out the word "enactment" and insert the word "passage"; and the Senate agree to the same.

Amendment numbered 282: That the House recede from its disagreement to the amendment of the Senate numbered 282, and agree to the same with an amendment as follows: In lieu of the figures "903" inserted by said amendment insert the figures "1003"; and the Senate agree to the same.

Amendment numbered 284: That the House recede from its disagreement to the amendment of the Senate numbered 284, and agree to the same with an amendment as follows: In lieu of the figures "904" inserted by said amendment insert the figures "1004"; and the Senate agree to the same.

Amendment numbered 285: That the House recede from its disagreement to the amendment of the Senate numbered 285, and agree to the same with an amendment as follows: In lieu of the figures "905" inserted by said amendment insert the figures "1005"; and the Senate agree to the same.

Amendment numbered 286: That the House recede from its disagreement to the amendment of the Senate numbered 286, and agree to the same with an amendment as follows: In lieu

of the figures "906" inserted by said amendment insert the figures "1006"; and the Senate agree to the same.

Amendment numbered 287: That the House recede from its disagreement to the amendment of the Senate numbered 287, and agree to the same with an amendment as follows: In lieu of the figures "907" inserted by said amendment insert the figures "1007"; and the Senate agree to the same.

Amendment numbered 297: That the House recede from its disagreement to the amendment of the Senate numbered 297, and agree to the same with an amendment as follows: In lieu of the figures "908" inserted by said amendment insert the figures "1008"; and the Senate agree to the same.

Amendment numbered 299: That the House recede from its disagreement to the amendment of the Senate numbered 299, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Sec. 1009. That the Secretary of the Treasury, under rules and regulations prescribed by him, shall permit taxpayers liable to income and excess-profits taxes to make payment in advance in installments or in whole of an amount not in excess of the estimated taxes which will be due from them, and upon determination of the taxes actually due any amount paid in excess shall be refunded as taxes erroneously collected: *Provided*, That when payment is made in installments at least one-fourth of such estimated tax shall be paid before the expiration of 30 days after the close of the taxable year, at least an additional one-fourth within two months after the close of the taxable year, at least an additional one-fourth within four months after the close of the taxable year, and the remainder of the tax due on or before the time now fixed by law for such payment: *Provided further*, That the Secretary of the Treasury, under rules and regulations prescribed by him, may allow credit against such taxes so paid in advance of an amount not exceeding 3 per cent per annum calculated upon the amount so paid from the date of such payment to the date now fixed by law for such payment; but no such credit shall be allowed on payments in excess of taxes determined to be due, nor on payments made after the expiration of four and one-half months after the close of the taxable year. All penalties provided by existing law for failure to pay tax when due are hereby made applicable to any failure to pay the tax at the time or times required in this section."

And the Senate agree to the same.

Amendment numbered 300: That the House recede from its disagreement to the amendment of the Senate numbered 300, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Sec. 1010. That under rules and regulations prescribed by the Secretary of the Treasury, collectors of internal revenue may receive, at par and accrued interest, certificates of indebtedness issued under section 6 of the act entitled 'An act to authorize an issue of bonds to meet expenditures for the national security and defense, and, for the purpose of assisting in the prosecution of the war, to extend credit to foreign Governments, and for other purposes,' approved April 24, 1917, and any subsequent act or acts, and uncertified checks in payment of income and excess-profits taxes, during such time and under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe; but if a check so received is not paid by the bank on which it is drawn the person by whom such check has been tendered shall remain liable for the payment of the tax and for all legal penalties and additions the same as if such check had not been tendered."

And the Senate agree to the same.

Amendment numbered 301: That the House recede from its disagreement to the amendment of the Senate numbered 301, and agree to the same with an amendment as follows: In lieu of the figure "X" inserted by said amendment insert the figures "XI"; and the Senate agree to the same.

Amendment numbered 303: That the House recede from its disagreement to the amendment of the Senate numbered 303, and agree to the same with amendments as follows: Restore the matter stricken out by said amendment and, on page 59, line 20, of the bill strike out the figures "1200" and insert in lieu thereof the figures "1100"; also in the matter restored by said amendment, on page 59, line 21, of the bill strike out the word "ten" and insert in lieu thereof the word "thirty." In line 1 of the matter inserted by said amendment strike out the following: "Sec. 1000"; and the Senate agree to the same.

Amendment numbered 304: That the House recede from its disagreement to the amendment of the Senate numbered 304, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following:

"SEC. 1101. That on and after July 1, 1918, the rates of postage on publications entered as second-class matter (including sample copies to the extent of 10 per cent of the weight of copies mailed to subscribers during the calendar year) when sent by the publisher thereof from the post office of publication or other post office, or when sent by a news agent to actual subscribers thereto, or to other news agents for the purpose of sale:

"(a) In the case of the portion of such publication devoted to matter other than advertisements, shall be as follows: (1) On and after July 1, 1918, and until July 1, 1919, 1½ cents per pound or fraction thereof; (2) on and after July 1, 1919, 1½ cents per pound or fraction thereof.

"(b) In the case of the portion of such publication devoted to advertisements the rates per pound or fraction thereof for delivery within the several zones applicable to fourth-class matter shall be as follows (but where the space devoted to advertisements does not exceed 5 per cent of the total space, the rate of postage shall be the same as if the whole of such publication was devoted to matter other than advertisements): (1) On and after July 1, 1918, and until July 1, 1919, for the first and second zones, 1½ cents; for the third zone, 1½ cents; for the fourth zone, 2 cents; for the fifth zone, 2½ cents; for the sixth zone, 2½ cents; for the seventh zone, 3 cents; for the eighth zone, 3½ cents; (2) on and after July 1, 1919, and until July 1, 1920, for the first and second zones, 1½ cents; for the third zone, 2 cents; for the fourth zone, 3 cents; for the fifth zone, 3½ cents; for the sixth zone, 4 cents; for the seventh zone, 5 cents; for the eighth zone, 5½ cents; (3) on and after July 1, 1920, and until July 1, 1921, for the first and second zones, 1½ cents; for the third zone, 2½ cents; for the fourth zone, 4 cents; for the fifth zone, 4½ cents; for the sixth zone, 5½ cents; for the seventh zone, 7 cents; for the eighth zone, 7½ cents; (4) on and after July 1, 1921, for the first and second zones, 2 cents; for the third zone, 3 cents; for the fourth zone, 5 cents; for the fifth zone, 6 cents; for the sixth zone, 7 cents; for the seventh zone, 9 cents; for the eighth zone, 10 cents.

"(c) With the first mailing of each issue of each such publication, the publisher shall file with the postmaster a copy of such issue, together with a statement containing such information as the Postmaster General may prescribe for determining the postage chargeable thereon."

And the Senate agree to the same.

Amendment numbered 305: That the House recede from its disagreement to the amendment of the Senate numbered 305, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, and on page 61, line 15 of the bill, strike out the figures "1202" and insert the figures "1102"; and the Senate agree to the same.

Amendment numbered 306: That the House recede from its disagreement to the amendment of the Senate numbered 306, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following:

"SEC. 1103. That in the case of newspapers and periodicals entitled to be entered as second-class matter and maintained by and in the interest of religious, educational, scientific, philanthropic, agricultural, labor, or fraternal organizations or associations, not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual, the second-class postage rates shall be, irrespective of the zone in which delivered (except when the same are deposited in a letter-carrier office for delivery by its carriers, in which case the rates shall be the same as now provided by law), 1½ cents a pound or fraction thereof on and after July 1, 1918, and until July 1, 1919, and on and after July 1, 1919, 1½ cents a pound or fraction thereof. The publishers of such newspapers or periodicals before being entitled to the foregoing rates shall furnish to the Postmaster General, at such times and under such conditions as he may prescribe, satisfactory evidence that none of the net income of such organization inures to the benefit of any private stockholder or individual."

And the Senate agree to the same.

Amendment numbered 307: That the House recede from its disagreement to the amendment of the Senate numbered 307, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following:

"SEC. 1104. That where the total weight of any one edition or issue of any publication mailed to any one zone does not exceed 1 pound, the rate of postage shall be 1 cent."

And the Senate agree to the same.

Amendment numbered 308: That the House recede from its disagreement to the amendment of the Senate numbered 308, and agree to the same with an amendment as follows: In lieu

of the matter stricken out by said amendment insert the following:

"SEC. 1105. The zone rates provided by this title shall relate to the entire bulk mailed to any one zone and not to individually addressed packages."

And the Senate agree to the same.

Amendment numbered 309: That the House recede from its disagreement to the amendment of the Senate numbered 309, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, and on page 63, line 1, of the bill in lieu of the figures "1206" insert the figures "1106"; and the Senate agree to the same.

Amendment numbered 310: That the House recede from its disagreement to the amendment of the Senate numbered 310, and agree to the same with amendments as follows: Restore the matter stricken out by said amendment, and on page 63, line 5, of the bill in lieu of the figures "1207" insert the figures "1107"; also on the same page of the bill, line 9, strike out the words "and second"; and the Senate agree to the same.

Amendment numbered 311: That the House recede from its disagreement to the amendment of the Senate numbered 311, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment, insert the following:

"SEC. 1108. That the salaries of postmasters at offices of the first, second, and third classes shall not be increased after July 1, 1917, during the existence of the present war. The compensation of postmasters at offices of the fourth class shall continue to be computed on the basis of the present rates of postage."

And the Senate agree to the same.

Amendment numbered 312: That the House recede from its disagreement to the amendment of the Senate numbered 312, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 1109. That where postmasters at offices of the third class have been since May 1, 1917, or hereafter are granted leave without pay for military purposes, the Postmaster General may allow, in addition to the maximum amounts which may now be allowed such offices for clerk hire, in accordance with law, an amount not to exceed 50 per cent of the salary of the postmaster."

And the Senate agree to the same.

Amendment numbered 313: That the House recede from its disagreement to the amendment of the Senate numbered 313, and agree to the same with amendments as follows: In line 1 of the matter inserted by said amendment strike out the figures "1002" and insert in lieu thereof the figures "1110"; in line 9 of the matter inserted by said amendment strike out the word "proviso" and insert in lieu thereof the word "section," and in line 13 of the matter inserted by said amendment strike out the words "bona fide"; and the Senate agree to the same.

Amendment numbered 314: That the House recede from its disagreement to the amendment of the Senate numbered 314, and agree to the same with amendments as follows:

(1) In the first line of the matter inserted by said amendment strike out the figures "XI" and insert the figures "XII."

(2) In the second line of the matter inserted by said amendment strike out the figures "1100" and insert the figures "1200."

(3) On page 61 of the engrossed Senate amendments strike out all, beginning with the colon in line 16, of the matter inserted by said amendment through the word "years," in line 17, page 62; and on page 73 of said engrossed amendments strike out all after the word "title," in line 5, through the word "years," in line 25, and in lieu of the matter thus stricken out insert the following on page 85 of said engrossed amendments after line 25:

"SEC. 31. (a) That the term 'dividends' as used in this title shall be held to mean any distribution made or ordered to be made by a corporation, joint-stock company, association, or insurance company, out of its earnings or profits accrued since March 1, 1913, and payable to its shareholders, whether in cash or in stock of the corporation, joint-stock company, association, or insurance company, which stock dividend shall be considered income, to the amount of the earnings or profits so distributed.

"(b) Any distribution made to the shareholders or members of a corporation, joint-stock company, or association, or insurance company, in the year 1917, or subsequent tax years, shall be deemed to have been made from the most recently accumulated undivided profits or surplus, and shall constitute a part of the annual income of the distributee for the year in which received, and shall be taxed to the distributee at the rates prescribed by law for the years in which such profits or surplus were accumulated by the corporation, joint-stock company, as-

sociation, or insurance company, but nothing herein shall be construed as taxing any earnings or profits accrued prior to March 1, 1913, but such earnings or profits may be distributed in stock dividends or otherwise, exempt from the tax, after the distribution of earnings and profits accrued since March 1, 1913, has been made. This subdivision shall not apply to any distribution made prior to August 6, 1917, out of earnings or profits accrued prior to March 1, 1913."

(4) On page 63 of said engrossed amendments, lines 9 and 10, strike out the words "connection with" and insert the words "the act authorizing."

(5) On page 63 of said engrossed amendments, line 19, strike out the figures "1101" and insert the figures "1201."

(6) On page 64 of said engrossed amendments, line 2, strike out the word "war" and insert the word "excess."

(7) On page 64 of said engrossed amendments strike out lines 7 and 8.

(8) On page 64 of said engrossed amendments, line 9, strike out the figures "1102" and insert "1202."

(9) On page 64 of said engrossed amendments, line 25, strike out the word "war" and insert the word "excess."

(10) On page 65 of said engrossed amendments strike out lines 6-13, inclusive.

(11) On page 65 of said engrossed amendments, line 14, strike out the figure "3" and insert the figure "2."

(12) On page 66 of said engrossed amendments, line 1, strike out the figures "1103" and insert the figures "1203."

(13) On page 67 of said engrossed amendments, line 15, strike out the figures "1104" and insert the figures "1204."

(14) On page 68 of said engrossed amendments, line 21, after the word "States," insert the following words inclosed in parentheses: "if and to the extent that it is provided in the act authorizing the issue of such obligations of the United States that they are exempt from taxation."

(15) On page 69 of said engrossed amendments, line 22, strike out the figures "1105" and insert "1205," and in the same line, after "(b)" and the comma, insert "(c)" and a comma.

(16) On page 70 of said engrossed amendments, at the end of line 15, insert the following: "make return thereof on or before March 1 of each year and, on or before the time fixed by law for the payment of the tax, shall."

(17) On page 70 of said engrossed amendments, after line 22, insert the following as a new paragraph:

"(c) The amount of the normal tax hereinbefore imposed shall also be deducted and withheld from fixed or determinable annual or periodical gains, profits and income derived from interest upon bonds and mortgages, or deeds of trust or other similar obligations of corporations, joint-stock companies, associations, and insurance companies (if such bonds, mortgages, or other obligations contain a contract or provision by which the obligor agrees to pay any portion of the tax imposed by this title upon the obligee or to reimburse the obligee for any portion of the tax or to pay the interest without deduction for any tax which the obligor may be required or permitted to pay thereon or to retain therefrom under any law of the United States), whether payable annually or at shorter or longer periods and whether such interest is payable to a nonresident alien individual or to an individual citizen or resident of the United States, subject to the provisions of the foregoing subdivision (b) of this section requiring the tax to be withheld at the source and deducted from annual income and returned and paid to the Government, unless the person entitled to receive such interest shall file with the withholding agent, on or before February 1, a signed notice in writing claiming the benefit of an exemption under section 7 of this title."

(18) On page 72 of said engrossed amendments, line 3, after the word "section," insert a comma and the following: "except subdivision (c)," and a comma.

(19) On page 72 of said engrossed amendments, line 7, strike out "(c)" and both commas.

(20) On page 72 of said engrossed amendments, line 10, strike out the figures "1106" and insert "1206."

(21) On page 74 of said engrossed amendments, line 12, strike out all after the comma through the word "twelve," in line 13, and insert the following: "but not including the amount of any income taxes paid by it within the year imposed by the authority of the United States."

(22) On page 74 of said engrossed amendments, line 17, after the word "business" insert the words "or is invested in obligations of the United States issued after September 1, 1917."

(23) On page 74 of said engrossed amendments, line 22, strike out all after the word "thereon" through the word "final" in line 24.

(24) On page 74 of said engrossed amendments, line 25, strike out the word "rate" and insert the word "rates."

(25) On page 75 of said engrossed amendments, line 4, strike out the word "rate" and insert the word "rates."

(26) On page 75 of said engrossed amendments, line 11, strike out the figures "1107" and insert "1207."

(27) On page 77 of said engrossed amendments, line 5, strike out the word "war" and insert the word "excess."

(28) On page 78 of said engrossed amendments, line 15, strike out the word "war" and insert the word "excess."

(29) On page 78 of said engrossed amendments, strike out all after line 19 through line 3 on page 80, and on page 5 of the bill, line 20, after the matter inserted by amendment numbered 26, insert a comma and the following: "except that for the purpose of the tax imposed by this section the income embraced in a return of a corporation, joint-stock company or association, or insurance company, shall be credited with the amount received as dividends upon the stock or from the net earnings of any other corporation, joint-stock company or association, or insurance company, which is taxable upon its net income as provided in this title."

(30) On page 80 of said engrossed amendments, line 4, strike out "1108. (1)" and insert "1208" and a period.

(31) On page 80 of said engrossed amendments strike out all after line 20, through line 10 on page 81.

(32) On page 81 of said engrossed amendments, line 11, strike out the figures "1109" and insert "1209."

(33) On page 81 of said engrossed amendments, line 15, after the word "liable" insert the following: "to pay the tax" and a comma.

(34) On page 81 of said engrossed amendments, line 17, after the word "neglects" insert the following: "to pay such tax" and a comma.

(35) On page 82 of said engrossed amendments, line 12, strike out the figures "1110" and insert "1210."

(36) On page 83 of said engrossed amendments, line 5, strike out the figures "1111" and insert "1211."

(37) On page 85 of said engrossed amendments, line 11, before the period insert a comma and the following: "but shall not apply to the payment of interest on obligations of the United States."

(38) On page 85 of said engrossed amendments, line 14, strike out the word "war" and insert "excess."

(39) On page 85 of said engrossed amendments, line 17, strike out the word "war" and insert "excess."

(40) On page 85 of said engrossed amendments, line 25, before the period insert a comma and the following: "owned by such foreign Governments, or from interest on deposits in banks in the United States of moneys belonging to foreign Governments."

(41) On page 85 of said engrossed amendments strike out all after line 25 through line 8 on page 86.

(42) On page 86 of said engrossed amendments, line 9, strike out the figures "1112" and insert "1212."

(43) On page 86 of said engrossed amendments, line 14, after the comma, insert the following: "except in the cases covered by subdivision (c) of section 9 of such act, as amended by this act" and a comma.

And the Senate agree to the same.

Amendment numbered 320: That the House recede from its disagreement to the amendment of the Senate numbered 320, and agree to the same with an amendment as follows: In lieu of the figures "1204" inserted by said amendment insert the figures "1302"; and the Senate agrees to the same.

F. M. SIMMONS,
WM. J. STONE,
JOHN SHARP WILLIAMS,
BOIES PENROSE,
H. C. LODGE,

Managers on the part of the Senate.

CLAUDE KITCHIN,
HENRY T. RAINEY,
LINCOLN DIXON,
JOSEPH W. FORDNEY,
J. HAMPTON MOORE,

Managers on the part of the House.

The VICE PRESIDENT. Is there any objection to the present consideration of the conference report?

There being no objection, the Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4280) to provide revenue to defray war expenses, and for other purposes.

The VICE PRESIDENT. The question is, Shall the report be agreed to?

Mr. SIMMONS. Mr. President, I want, if my strength holds out, to state as briefly as I can the more important changes that have been made in the pending bill in conference. In passing let me say the conferees were engaged in continuous consideration of the bill for over two weeks—sat every day generally from 10 o'clock in the morning until 6 o'clock in the afternoon. Our deliberations from the beginning to the end were pleasant, and there is no justification for certain published statements with reference to personal wrangles and antagonisms in our meetings. As is always the case in dealing in measures of vast magnitude touching the financial interests of the people, there were sharp disagreements resulting in much discussion and calling for concessions and compromises, but these discussions were in good humor and the concessions were mutual.

Concerning the final result, I wish to say that, in my judgment, as a result of our deliberations and the changes and modifications we have made, the bill comes back to the Congress better than it was when it left either House.

The Senate made 320 amendments to the House bill. In conference the Senate receded from 55 of these amendments. The House agreed without amendment to 210 of them, and to the other 65 with amendments.

It was estimated that the bill as it passed the House would raise \$1,862,000,000. The Senate struck out of the bill as passed by the House certain items estimated to raise \$358,000,000. These items were in the main the retroactive taxes on 1916 incomes, estimated to raise \$108,000,000; the 10 per cent ad valorem tariff duties on imports, both free and dutiable, estimated to raise \$200,000,000; certain taxes on electric power for domestic uses, and on the amount paid for light and heat service, and telephone service to subscribers, estimated to yield thirty millions; tax on certain classes of advertising, estimated to yield seven and one-half millions of dollars; 5 per cent gross sales tax on automobile, motorcycle, and bicycle tires, estimated to yield twelve and one-half millions of dollars, to all of which the conferees agreed.

For these eliminations by the Senate from the House bill, amounting in the aggregate, as stated before, to \$358,000,000, and to which the conferees agreed, there was nothing in the nature of a substitute tax imposed by the conferees.

In addition to these eliminations the Senate reduced certain rates imposed by the House, estimated to yield in round numbers seventy-two millions, and the conferees agreed to the same. These reductions were upon proprietary medicines, passenger transportation, musical instruments, moving-picture films, jewelry, and so on. They were items on which the House imposed certain gross sales taxes averaging about 5 per cent. As the result of these eliminations and reductions the estimated revenue from the House bill was reduced, in round numbers, from \$1,862,000,000 to \$1,433,000,000.

The total amount of revenue estimated from the bill as agreed upon in conference is \$2,535,000,000, so that the increases made in the Senate and in conference amount to \$1,102,000,000. Of this increase one hundred and twenty-eight millions was added in conference, and the balance, namely, nine hundred and seventy-four millions, was made by the Senate and agreed to by the conferees.

I have made this financial summary because I thought it might be helpful to lay these facts before Senators before entering upon a detailed discussion of the changes made in the bill in conference.

I think I can present to the Senate the work of the conference more satisfactorily by discussing the changes made in the different titles in the order in which they appear in the bill, beginning with tax upon incomes.

In passing, it might be well to say that the pending bill does not repeal the existing income-tax law, the rates imposed being simply additional to those imposed by the existing law. This is true both of the normal and the surtaxes imposed by the pending measure. That is to say, the taxpayer will have to pay both the normal and the surtaxes imposed in the existing law, and in addition to that, those imposed in the pending bill.

Now, as to the changes made in conference, speaking generally, virtually all the amendments made by the Senate to this title of the bill were retained in conference. The only change in the rates was, first, incomes between fifteen and twenty thousand dollars. The Senate had fixed the rate at 6 per cent, and the conferees reduced it to 5 per cent. This reduction conformed to the ratio of increases up to that point in the bill; the Senate increase did not conform to it. Second, on incomes between twenty and forty thousand dollars. The Senate had fixed the rate at 8 per cent, the House had fixed it at 6, and the conferees fixed it at 7 per cent. These changes will make practically little difference in the revenues.

The estimated increase in the revenues from incomes amounting to about \$15,000,000 is not the result of these conference changes in rates, but chiefly because of a modification made by the conferees in the Senate amendment relating to dividends received from corporations. Under the present law these dividends when received by one corporation from another are not exempt from the normal income tax, as they would be if received by an individual. The Senate amendment placed individuals and corporations receiving dividends on corporate stock upon a parity and allowed both an exemption from the normal tax, that tax having been paid by the corporation declaring the dividend. The conference modified this amendment as to dividends received by a corporation so as to make it applicable only to the additional tax imposed in the pending bill. As a result of this conference amendment to the Senate amendment the estimated revenues from incomes will be increased to the extent of collections from these dividends under existing law. The amount involved is estimated at about \$15,000,000.

In this connection I wish to refer briefly to another Senate income-tax amendment materially affecting the revenues from this source which in a slightly modified form was agreed to by the conferees. It relates to the undistributed surplus of corporations.

Under existing law—indeed, under every revenue law heretofore enacted taxing incomes—the normal tax upon corporations has been the same as that upon individuals, but corporations as such have not been required to pay any surtax. Of course, dividends declared by corporations have been subject to the surtax of the individual stockholder receiving them, but neither the existing law nor the House bill require corporations to distribute their earnings or impose any surtax or penalty upon such part of their earnings as remained undistributed. As a result the corporations of the country have accumulated large undivided surpluses which have escaped the income surtax as long as they remained undistributed. It is evident that in these circumstances the greater the individual surtax the greater the inducement to corporations to refrain from distributing their surpluses.

Your committee thought it expedient to devise some method of coercing distribution of these earnings when not retained for the necessary requirements of the business. With this end in view the Senate adopted an amendment proposed by the Finance Committee imposing a tax of 10 per cent upon the undistributed surplus of a corporation but exempted from this tax such retained surplus as the Secretary of the Treasury should ascertain and find was reasonably required in the business and actually employed in it.

Under existing law and in the House bill the accumulated surplus of corporations when distributed, whether in cash or in stock, become subject to surtax of the stockholder receiving it unless the surplus thus distributed was accumulated prior to March 1, 1916, the date of the adoption of the income-tax amendment to the Constitution. Surplus acquired before that date is not and can not be subject to an income tax of any kind. In this condition of the law it was clearly to the interest of the corporation to distribute its surplus accumulated before 1913 instead of that more recently accumulated.

In order to be just to the corporations and at the same time to encourage them to distribute their annual earnings your committee reported to the Senate and the Senate adopted an amendment providing that the surplus when distributed shall be taxed to the distribution at the rate prescribed by law for the year in which they were earned, but also provided that any distributions of surplus made in 1917 or subsequent tax years should be deemed to have been made from the most recently accumulated undivided profits, thereby making it necessary for the corporation to distribute its surplus earned since March 1, 1913, before that earned prior to that time.

Mr. SMITH of Michigan. Mr. President—
The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from North Carolina yield to the Senator from Michigan?

Mr. SIMMONS. I yield.
Mr. SMITH of Michigan. I desire to ask the Senator from North Carolina what is the reason for that inhibition? There must be some purpose in it. Is the purpose to stimulate the business with the previously acquired surplus?

Mr. SIMMONS. No; the purpose, if the Senator will pardon me, is simply not to permit such corporate dividends to escape the tax by distributing surplus which was earned 10 or 20 years ago, and not distributed up to this time, and which really has been merged into the capital instead of distributing the more recently earned surplus which would be subject to the tax.

The conferees agreed to these amendments but added an amendment to the effect that the latter amendment—that is to say, the one requiring the distribution to be made from the most recently acquired surplus—should not apply to any distribution made prior to August 1, 1917, out of earnings accrued prior to March 1, 1913.

In this same connection the Senate adopted another income-tax amendment of very great importance in equalizing the burdens of the income-tax situation as between corporations, partnerships, and individuals. In view of the fact that under the law even as amended, as hereinbefore stated, necessarily a considerable portion—probably more than one-third—of the earnings of the corporations would never be distributed, and hence will never pay the surtax which individuals are required to pay by way of recouping this loss and bringing about parity between corporations, partnerships, and individuals in respect to the surtax the Senate imposed an additional 2 per cent income tax upon the net earnings of all corporations, thereby making what may be called the normal tax of corporations 2 per cent higher than the normal tax of the individual. It is estimated that the revenue from this amendment will amount to \$180,000,000. The House conferees readily agreed to this important Senate amendment.

The Senate made another amendment materially effecting the revenues from incomes which, with slight modification, was agreed to by the conferees. I refer to the Senate amendment repealing the law requiring collection at the source except as to foreign corporations and nonresident aliens, and substituting therefor information at the source. This amendment was strongly recommended by the Treasury Department, but the repeal of "collection" at the source was strongly opposed by the holders of certain securities, chiefly the bonds of railroads, containing what is known as the "tax-free-covenant" clause. It was contended that the repeal of this law might enable the corporations issuing these securities to evade the obligations created by these covenants. The disagreement between the two Houses with respect to this matter was finally adjusted by the conferees on the part of the House agreeing to the Senate amendment with a provision retaining collection at the source as to this class of securities.

Mr. President, I think these are substantially all the changes which were made by the conferees directly affecting the income-tax section of the bill. They were changes, as I have stated before, which will but slightly affect the revenues from incomes.

Mr. NORRIS. Mr. President—

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

Mr. SIMMONS. I yield.

Mr. NORRIS. I think the Senator has already answered the question which I desire to ask, but I did not clearly understand his answer, and I hope he will pardon me if I again ask the question, and have the answer partially repeated. The Senator stated as to the amendments affecting the income tax that they altogether resulted in an increase in the income tax.

Mr. SIMMONS. I stated that the amendments made in the Senate would result, if adopted, in an increase of that tax by about \$252,000,000, as I remember. I said that the changes made in conference in the income-tax rates did not materially change the revenue.

Mr. NORRIS. I understand that; that in fact they had reduced it just a little.

Mr. SIMMONS. I should say probably by a small amount, probably about \$6,000,000.

Mr. NORRIS. In one place the rate is reduced from 6 per cent to 5 per cent, and in another place it is reduced from 8 per cent to 7 per cent.

Mr. SIMMONS. I am advised that that change would result in a reduction of about \$6,000,000. If the Senator will pardon me, the amendment to which I referred with reference to the dividends of corporations would raise the amount of estimated revenues from income about \$15,000,000. This is not an amendment to the rates, but it affects the amount estimated from the tax.

Mr. NORRIS. That is what I wanted to get at. The effect of the amendments made by the conference committee in reference to the income tax will, in the judgment of the Senator, result in an increase of the revenue from the income tax?

Mr. SIMMONS. Yes; of about \$9,000,000.

Mr. NORRIS. And that comes about from the amendment relating to the surplus of corporations?

Mr. SIMMONS. No; not to the surplus, but to the dividends of corporations.

Mr. NORRIS. I mean from the dividends, and not the surplus, which must be distributed under the amendment.

Mr. SIMMONS. I now invite the attention of Senators to the changes recommended by the conferees with respect to the excess-profits title of the bill. Senators will remember that the Senate struck out this entire title of the House bill and substituted for it a profits tax based upon a radically different principle from that of the House bill. While the conferees have made various changes in this title as amended by the Senate, they have been largely changes in form rather than in essence. The scheme of the Senate has been retained. The exemption to which the taxpayer is entitled is based, as provided in the Senate amendment, upon his prewar earnings—that is to say, his average net earnings during the years 1911, 1912, and 1913. The maximum and minimum principle of the Senate amendment is retained, but it is changed from a maximum of 10 per cent and a minimum of 6 per cent to a maximum of 9 per cent and a minimum of 7 per cent.

The House bill also provided a flat rate amounting to 16 per cent upon the net earnings of the taxpayer. The Senate substituted for this flat rate a graduated rate, running from 12 per cent to 60 per cent, according to the percentage of increase in earnings during the taxable year over the earnings of the prewar period. The House conferees agreed to the substitution of a graduated for the flat rate, but the graduated scale agreed upon runs from 20 per cent to 60 per cent, instead of from 12 per cent to 60 per cent. The resultant revenues are estimated to be practically the same as under the graduated rate provided in the Senate amendment. The basis and method of the calculation are slightly different. Under the Senate amendment the calculation was on the basis of increase in profits over prewar earnings; the method adopted by the conferees is based upon the increase profits on invested capital over the deductions. The principle is the same and the resultant revenues are virtually the same.

Mr. HOLLIS. Mr. President, what was ever the advantage of basing the percentage to be imposed on excess profits upon the deductions, instead of upon the amount of the excess over the deductions? That was the Senate method, to fix the rate or the percentage on the deductions, instead of on the excess over the deductions.

Mr. SIMMONS. What we have been trying to do is to allow to the taxpayers as a deduction what we have regarded as their normal profit. The original Senate bill was drafted upon the principle that whatever a man made before the war was to be regarded as his peace profit, as his normal profit, a profit that was not made out of the war, and that should not be subjected to a war tax, and that the tax rate should depend upon the increase in net income over the normal income. That was the original theory of the Senate bill, and that was continued until the Senate modified that principle by limiting the deduction by introducing the maximum and minimum provision.

Now, if the Senator means to inquire of me why a maximum and minimum instead of a flat rate upon invested capital as the deduction, then I answer him—

Mr. HOLLIS. Mr. President, not at all; the Senator evidently does not get the point I wish to raise. In imposing the income tax on individuals, we first make an exemption of a certain amount, and then we impose a surtax based upon the amount of his income above his exemption. That is the method now adopted in connection with the corporation income tax. But I never have been able to understand why the Senate committee recommended that you should first make an exemption and then figure the amount of the percentage imposed on the deduction, instead of upon the excess above the deduction. I never have been able to see the advantage of that system.

Mr. SIMMONS. The deduction, of course, was the normal profit, not an arbitrary exemption, I will say to the Senator. What we sought to do was to base the graduated tax on the percentage of increased profits over the normal or prewar profit.

Mr. KING. Mr. President—

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

Mr. SIMMONS. I do.

Mr. KING. Before the Senator leaves the excess-profits tax, if this is a convenient place, I should be glad to submit one question to him.

Mr. SIMMONS. Certainly.

Mr. KING. Under the bill as reported by the conferees, will the amount of revenue derived from excess profits, particularly, that derived from corporations, be as great as it would have been under the Senate bill?

Mr. SIMMONS. Not quite; about \$60,000,000 less.

Mr. KING. And from what brackets—using the term so frequently used in the debate—would that \$60,000,000 come?

Would it not come from the brackets under which the Steel Corporation and those corporations having great profits would pay their taxes?

Mr. SIMMONS. No; the Steel Corporation and the big corporations about which the Senator speaks are caught by the higher rates. The decrease in revenue does not result from any change of rates. The loss results from the flat exemption of \$3,000 allowed to corporations in the conference report, as compared with the qualified \$5,000 exemption allowed in the Senate amendment. The Senator will readily see that only a small class of corporations would have received the benefit of the \$5,000 qualified exemption provided in the Senate bill, because most of them were making more than \$5,000. Under the conference agreement all corporations are given the benefit of this \$3,000 exemption. This causes the estimated decrease in revenue to which I called attention.

Mr. KING. Then, as I understand the Senator, under the present bill as reported there will be no substantial reduction from the amount which would have been obtained from taxes upon the large corporations under the Senate bill?

Mr. SIMMONS. No; except because of and on account of the exemptions I have just mentioned—practically none.

Mr. CALDER. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from New York?

Mr. SIMMONS. I yield to the Senator.

Mr. CALDER. Will the Senator from North Carolina explain the reason why, in section 203, subdivision (a), on page 34, in addition to the 7 and 9 per cent exemption, there is a \$3,000 deduction, while in the next subdivision (b) for the partnership or individual there is a deduction of \$6,000, in addition to the 7 or 9 per cent deduction, a corporation being allowed a deduction of \$3,000 and a partnership or individual a deduction of \$6,000?

Mr. SIMMONS. If the Senator will just wait a moment, I will try to explain that in connection with the reason for bringing in the individual. In the present law and in the House bill the excess-profits tax applied only to corporations and partnerships; that is the way the bill came to us from the House, and that is the way it is in the present law. The Senate committee thought there was no good reason in principle or otherwise why an individual should not be subjected to this tax and thereby be required to contribute out of his profits in trade or business to the expenses of the Government as well as a partnership or corporation. So we added individuals. That amendment was a very important one; it brought practically everybody engaged in trade and business in this country under the provisions of this title of the bill and required them to contribute their mite to the expenses of the war. We thought it was obviously the right thing to do; but there was some dissent in conference as to that. Finally, however, the conferees on the part of the House yielded their objections to the inclusion of the individual engaged in trade or business, but they objected to exempting from the tax occupations and professions with no invested capital or with merely a nominal invested capital.

The conferees on the part of the House insisted that there was no reason in principle why the professional man with no invested capital should not pay the tax as well as the man engaged in business with invested capital. When we decided to include occupations and professions the question of how to determine the deduction to be allowed greatly perplexed us. There was no invested capital, and therefore no basis upon which to make such a calculation as in the case of individuals, partnerships, or corporations engaged in trade or business requiring the investment of capital. So we decided that in the case of the business or the occupation without invested capital, or merely nominal capital, as it was impractical to apply the exemption based on capital, we would impose a flat tax, as in the case of the special tax imposed in the present law upon munition manufacturers—a flat tax of 8 per cent upon their earnings during the taxable year, less the flat exemption allowed in other cases.

It is said that this imposes a double income tax upon occupations or professions doing business with only a nominal capital, and that it works a discrimination in favor of corporations, partnerships, and individuals doing business with capital. This suggestion is based upon a misapprehension and is unwarranted.

Properly understood, the so-called excess or war taxes imposed in the title of the bill under discussion are in essence income taxes—that is to say, taxes based upon net earnings with exemptions. Where there is capital the exemption, while based upon net prewar earnings, can not in any case exceed 9 per cent of the invested capital. So that any individual, partnership,

or corporation which is now making no more than before the war, or even not as much as before the war, may have to pay a heavy tax. The case of the Ford Automobile Co. is a good illustration. It is probably making no more now on its capital than it did before the war, but it will have to pay a large tax—probably a tax of about \$9,000,00 for the present fiscal year. The tax is therefore, in essence, an income tax with an exemption which can not exceed 9 per cent of the invested capital plus from \$3,000 to \$6,000 as the case may be.

The rate of taxation applied in the case of invested capital is graduated, the minimum rate being 20 per cent and the maximum being 60 per cent.

The tax imposed upon individuals, partnerships, and corporations engaged in business without invested capital is, in essence, just as in the other case, an additional income tax, with the flat exemption of from \$3,000 to \$6,000 allowed as in the other case, but from necessity without the exemption based upon invested capital, because there is no capital invested as in the other case. Instead of a graduated rate of from 20 per cent to 60 per cent, a flat rate of 8 per cent is imposed. It may be that this arrangement does not accurately adjust the differences between the two cases, but it is confidently believed if there is any discrimination it is not a discrimination against business without capital. Not a discrimination against the professional man or the occupation without invested capital.

The confusion about this matter seems to grow out of the impression that the tax now levied is a war tax, a tax based upon the actual difference between the net earnings during the prewar period and the taxable year. That was true of the bill as it was originally reported back to the Senate by the Finance Committee, but that is not true of the bill as amended limiting the exemption to not less than 7 per cent or more than 9 per cent of the invested capital.

The Senator asked me why we have allowed a corporation an exemption of only \$3,000 in addition to its percentage deduction, and a partnership or an individual \$6,000. The Senator will recall that in the bill as it passed the Senate we gave the individual taxpayer a flat exemption of \$5,000. We did not give that to the corporation. We only allowed the corporation an exemption in case its net income did not exceed \$5,000. If its income exceeded \$5,000, then its total net income, less the deduction, became subject to the tax. Now, the change that we have made is probably more favorable to the corporations, taken as a whole, than the bill as it passed the Senate, because we make absolute the exemption of \$3,000 now accorded them, whereas before it was only qualified and uncertain. The Senator also inquires why we made this differentiation in the exemptions in favor of individuals and partnerships. We did it for the reason that the corporation has the privilege, which it always exercises, of paying its officers and managers salaries and deducting from the earnings of the corporation the amounts so paid as a part of the expense of the business. In the law as it is written the members of partnerships or individuals can not allow themselves compensation for their personal services, so that if the Senator and I were operating as a corporation we could pay ourselves a salary out of the earnings of that corporation and deduct it, giving in our income tax; but if we were operating as partners we would not be entitled under the law to pay ourselves salaries and have the amount deducted. Such a course would be inconsistent with the whole income-tax scheme with reference to partnerships, because a partnership does not have to pay any income tax, as a corporation does. Under the law all of its earnings are regarded as distributed, whether actually distributed or not. Though they may be retained in the business, the law, when it goes to impose the income tax upon the partners regards the total earnings of the year as having come into their hands, and requires them to give in those earnings for taxation. The same is true with respect to the individual. The partner stands exactly in the position of the individual. Neither is permitted to allow himself a salary and deduct it, and if he were permitted to allow a salary for personal service, and deduct it in ascertaining his excess-profits tax, he would have to give the amount so allowed in for income tax, and the thing would be as broad as it is long.

Mr. McCUMBER. Mr. President—

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

Mr. SIMMONS. I do.

Mr. McCUMBER. I hope the Senator will not forget to suggest right here, also, that if an individual has an income from any other source outside of the partnership, then everything that is earned by the partnership, though not distributed at all, is added to his individual income, as it is charged to the indi-

vidual, and becomes subject to the supertax, the heavier tax, while the stockholder in a corporation does not have to pay a tax on anything that the corporation earns until it has been distributed and is in his possession.

Mr. SIMMONS. The Senator's statement is correct. The reasons for the differentiation in the exemptions we have allowed are, I think, quite clear and sufficient.

Mr. President, before leaving the subject of the excess-profits tax I wish to say that before agreeing to the amendment made in conference changing the maximum and minimum prewar exemption as fixed by the Senate from 6 to 10 per cent to 7 and 9 per cent, your conferees insisted, if these changes were made, there should be a liberalization of the definition of capital as contained in the bill as it passed both the House and the Senate. That definition, as you will recall, provided in substance that tangible property paid in in the place of cash for stock or shares in a corporation should be valued as at the time of payment. This part of the definition was qualified so as to provide that in case such tangible property was paid in before January 1, 1914, it should be valued at its actual cash value as of January 1, 1914, not to exceed the par value of the stock or shares specifically issued therefor.

The provision in the definition relating to good will, trademarks, and so forth, did not include good will paid for in stock or shares, but only when paid for in cash or tangible property. This provision was modified so as to provide that good will, and so forth, bona fide purchases prior to March 3, 1917, for stock or shares in an amount not to exceed 20 per cent of the total stock or shares of the corporation or partnership shall be included as invested capital at its value at the time of purchase, and in no case to exceed the par value of the stock.

It also provided that patents and copyrights shall be treated as material assets and allowances made to the extent of the actual value at the time of the purchase, not to exceed par value of stock or shares issued therefor.

In this connection attention is called to another important amendment adopted in conference at the instance of the Senate conferees to protect the revenues against frauds and evasions through reorganization and recapitalization. It provides in general terms that in case of a reorganization, consolidation, or change in ownership of a trade or business after March 3, 1917, if the interest or control of such trade or business remains practically the same the assets transferred or received from the prior trade or business shall have no greater value than in computing the invested capital of such prior trade or business if such assets had not been transferred, unless such assets were paid for specifically in cash or tangible property, and then not to exceed the actual cash or cash value of such tangible property paid therefor at the time of payment.

I now come to the title of the bill which relates to the tax upon beverages. Practically the only change made by the conferees with reference to this title relates to the rate of taxation and the elimination of the so-called material tax. This is the tax imposed in the original Senate amendment on certain materials used in the manufacture of distilled spirits and fermented liquors. The conferees struck out these material taxes because they were thought to be somewhat inconsistent with the provisions of the food-control law with respect to the same subject and because, in view of that legislation, it was thought these provisions were entirely unnecessary.

There were no changes by the conferees in the rates imposed upon distilled spirits. The House bill imposed an additional tax of \$1.10 upon distilled spirits for beverage purposes, and the Senate increased this rate to \$2.10 additional, making the total tax under existing law and the pending bill on distilled spirits for beverage purposes \$3.20 instead of \$2.20, as provided in the House bill, and the House conferees agreed to the increase.

The conferees made no change in the rate of tax fixed in the Senate amendment on fermented liquors or beers. The Senate amendment increased this rate, and the House conferees agreed to that increase. The rate under existing law and the pending bill is \$3 per barrel.

The only change made by the conferees on soft drinks was to increase the rate on sirups and extracts from 3 cents to 5 cents per gallon. The House had imposed a gross-sales tax upon sirups and extracts. The Senate changed it to a tax of 3 cents per gallon, and the conferees increased it to 5 cents per gallon.

The rates upon wines and grape brandy, or grape spirits, used in the fortification of wines were changed in conference both from the rates fixed in the House bill and in the Senate amendments. The rates agreed upon are higher than the rates of the House and lower than the rates of the Senate bill. As

a result of the changes thus made there will be a slight loss in revenue.

The main changes that we made in the wine and brandy schedule were to carry out a compromise that had been made of an old feud existing between the wine growers of California and the wine growers of the Eastern States. That compromise was made and written into the law here several years ago. Of course, we increased the tax both upon wines and upon brandy, but in making the increases we made them so as to conform to the principles of that compromise.

Some of these wines are fortified with distilled spirits, while others are fortified with grape spirits. The conferees made the same percentage of increase in the tax on grape spirits used in fortifying wines that is made upon distilled spirits used in fortifying wines, the difference in the rates upon these two articles used for fortifying purposes grows out of the fact that a gallon of distilled spirits will, it is claimed, fortify three or four times as much wine as a gallon of grape spirits.

Mr. WOLCOTT. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Delaware?

Mr. SIMMONS. I do.

Mr. WOLCOTT. Is the Senator about to go to another title?

Mr. SIMMONS. Yes.

Mr. WOLCOTT. The Senator has passed by a place at which I should like to ask a question, on page 52. I notice that the conferees have agreed to restore the so-called munitions tax, which the Senate in its bill had repealed.

Mr. SIMMONS. Yes.

Mr. WOLCOTT. The tax, however, is restored only for the present year, and the rate is reduced to 10 per cent.

Mr. SIMMONS. Yes.

Mr. WOLCOTT. Will the Senator inform me why that tax is sought to be retained? It impresses me as such an unjust tax that if the Senator could tell me without disclosing the confidences of the committee, I should like to know why it is retained.

Mr. SIMMONS. Mr. President, I want to say to the Senate with entire frankness with reference to this tax that personally I feel about it very much the same as the Senator from Delaware has expressed himself. That, however, was one of the questions in difference between the House and the Senate, upon which the conferees were satisfied it would be impossible for them to get together without some compromise. The House conferees were insistent upon continuing the special tax imposed in the existing law upon munitions. We finally adjusted the matter by the House accepting a proposition to reduce the rate from 12½ to 10 per cent and to confine the tax in its operations to this calendar year. Now, the Senator asks me why that was done. It is but fair that I should answer not only from my standpoint and that of the Senate conferees, but from the standpoint of the House conferees as well.

Under the present law manufacturers of munitions are required to pay an excess-profits tax, as are other manufacturers, and in addition a flat tax upon net profits of 12½ per cent. When this law was passed we were not engaged in war. These manufacturers were selling enormous quantities of munitions at high prices to certain of the European belligerents. They were making more profits out of the war than anybody else, and there was a general demand that they should be required to pay this extra tax. That situation is changed. We are now in a sense the allies of the European belligerents, to whom they are supplying these munitions. This Government has also become a purchaser of these materials, and our Government has been committed to the policy of protecting its allies against excess prices for war supplies furnished to them by us.

Under these circumstances, from my standpoint and the standpoint of the Senate conferees, as well as the Senate as expressed in its action, this tax should not be continued, but it is just to say that the House conferees did not agree with this contention. The special tax imposed in the present law for the current year has not been paid. It will not be due until next June. When it is paid it will be based upon the net earnings of the current year. The House conferees contended, and it must be admitted with some reason, that the sales for this year to the belligerents had been made with reference to this tax; that in many instances contracts had been made with the belligerents including the taxes in the price, and that some of these contracts are still in operation, and that no special injustice would be done in requiring these manufacturers to pay this tax. It was further represented to us by them that the situation in the House with reference to this tax was such as to make it difficult to secure the concurrence of that body in its elimination from the bill. Under these circumstances a com-

promise was made by which the tax was reduced, as I have before stated, to 10 per cent, with a provision that the tax should become inoperative after the first day of January, 1918.

I wish to say frankly to the Senate that this tax and what is known as the postal taxes, especially the publishers' tax, were the two things—there were others, but these were the two main things—upon which I reached the conclusion, as I think my associate conferees did, that without some compromise we would not be able to report to our respective Houses an agreement. Ordinarily a disagreement on the part of conferees is not a serious matter, but I think a disagreement of the conferees over this bill would have been a very serious thing. To have reported a disagreement upon this bill—a bill raising the revenues to defray the expenses of the war—would have been a most serious matter. It would have been misunderstood and misconstrued not only at home but abroad, especially by our enemies across the water. A disagreement under these circumstances would have been almost a public calamity. It was not to be thought of if possible to be avoided.

Mr. WOLCOTT. I quite agree with the Senator from North Carolina that when the two Houses are in an apparent deadlock a compromise is necessary, and this great measure ought not to be defeated by an inability to agree. I should like to ask the Senator a further question. If the House conferees took the position they did upon the ground suggested by the Senator, of course if the claim upon which the position is predicated is not true then the House conferees, I assume, would have receded from their position.

The PRESIDING OFFICER. The Senator from Delaware will suspend while the Chair lays before the Senate the unfinished business, the hour of 2 o'clock having arrived. It will be stated.

The SECRETARY. A bill (S. 2854) to amend the naturalization laws.

Mr. CALDER. I ask that the bill be temporarily laid aside.

The PRESIDING OFFICER. Without objection, the bill will be temporarily laid aside. The Chair hears no objection, and it is so ordered.

Mr. WOLCOTT. I should like to ask the Senator from North Carolina if there was any attempt made to ascertain whether or not as a matter of fact the munition makers had placed their price to the foreign purchasers at a figure that covered this tax?

Mr. SIMMONS. I will state to the Senator that one of the conferees on the part of the Senate did make an effort in that direction and stated the result of his investigation. He contended that that statement did not apply to many of the manufacturers of munitions, but that it did apply to some. But the controversy continued. It was contended that though all the manufacturers did not have these contracts by which the tax was added to the price, those who did have them naturally became the beneficiaries of these increased prices. Moreover, as I have stated before, it was contended with much earnestness that the situation in the House with reference to this tax was such that its elimination would make it extremely uncertain whether the House could be induced to concur.

Mr. WOLCOTT. If in the case of any of those I am at all acquainted with—and I am not intimately acquainted with any of them—that tax was added to the price, it is new information to me. If they did get a price with that tax added, of course it is perfectly proper for the Government to collect the tax from them; but I am inclined to think that they did not.

Mr. SIMMONS. It was said there was an agreement that the foreign Governments would reimburse them for the tax. That would, of course, mean the inclusion of the tax in the price.

Mr. POMERENE. If the Senator does not mind an interruption—

Mr. SIMMONS. Not at all; I have no objection.

Mr. POMERENE. I realize, of course, that compromises must be made between the members of a conference committee of the two Houses where there is a difference of opinion. I can understand why when we were not engaged in this war there should be a tax upon the munition makers. But we are now engaged in a common cause with our allies against a common enemy, and if there is one thing that we need in order to win the war it is ammunition. The munition makers ought to pay their full share of taxes. That has been provided for by the income tax and by the so-called war-profits tax; but why in addition to that another tax should be placed upon these munition makers is beyond my comprehension. They have been selected out by this provision of the bill, they whose services we need, and have been subjected to a special tax.

In other words, they have been penalized. I can understand how the German Kaiser and the German Reichstag and the German Army and Navy would approve that course, but I do not understand at this time why an American Congress should

approve it. The Senator has put the matter very forcibly when he makes the statement that we had to yield certain points. I can understand that, and I can understand why there should be a special tax on munition makers when we were not engaged in the war, but when we need their output, why we should penalize them I do not understand.

Mr. WOLCOTT. Will the Senator from North Carolina permit me to suggest that some of these munition makers to my knowledge put themselves in a condition of preparedness that the Government in none of its branches can equal, and yet in the vital matter of munitions for the Government an American Congress penalizes them for that efficiency.

Mr. SIMMONS. Mr. President, the Senator from Ohio [Mr. POMERENE] has stated on the floor of the Senate what I have not only stated in conference but repeated very many times. I do not intend, and I have said to my associate conferees of the House I do not intend, to justify this tax. I do not justify it. I give you the situation. I give you the reasons which the conferees on the part of the House gave for their insistence.

However, it is proper to say that this tax under the compromise rate will expire the 1st day of January. It has only about three months longer to run. Of course that does not justify it.

Mr. SAULSBURY. If the Senator from North Carolina will yield, I want to say that I am very much gratified on account of the constituency which I represent, which is very largely interested in the matter, to hear the Senator from North Carolina make the statement that he has made regarding the unjustifiable character of this tax. It was unjustifiable originally, and it was due, I think, largely to the pro-German propaganda in this country that the tax was enlarged upon and advocated and placed upon the people of the country who were preparing the country for a war that obviously was coming upon us. I am very much gratified, and I have been all through these discussions, to know what the position of the Senator from North Carolina has been upon it. I trust that when this tax does expire on the 1st of January, as it does under the terms of the bill, we may never again be so afflicted by a propaganda to aid persons with whom we are undoubtedly going to be at war.

Mr. PENROSE. Will the Senator from North Carolina permit me at this point?

Mr. SIMMONS. I yield to the Senator.

Mr. PENROSE. I can state that the chairman of the Finance Committee resisted the imposition of this tax or its continuation as long as possible, and I myself bitterly resented the suggestion of the tax as unjustifiable from every point of view; but it was represented to the conferees in entire good faith, I think, that it would be difficult to get the House to agree to the repeal of the munitions tax for this year. Somehow or other the impression had gotten abroad that the tax had been allowed for in the contracts already made, and, although such was not the fact, the impression proved to be impossible to eradicate.

Under all the circumstances the Senate conferees yielded, although I am satisfied there was no point in the bill which they were disposed to resist to a greater length than this special tax. No one has condemned it more severely than I from every point of view. The only redeeming feature is that the tax ceases this year, and it has been reduced to 10 per cent instead of 12½ on the theory that about 10 months of the year will have elapsed before the law becomes effective and that will about cover the period of the year prior to the enactment of the law. It is one of the several objectionable features of this measure, but I have concluded to vote for the adoption of the report, because we know that we must pass the revenue bill, the defeat of which would be disastrous. Even if the bill is only 80 per cent good, it ought, in my opinion, to be passed ultimately.

Mr. SAULSBURY. I understood that that was the attitude of the Senate conferees and also of the Senate committee, and having made, as I tried to do in the Senate, a special fight on this tax as being most unfair to a very large number of the people whom I represent, I am very glad to know that the Senate conferees succeeded in stopping this injustice with the present year. I know that my constituents will appreciate that.

Mr. PENROSE. I wish to add further, as one of the conferees, that I think the chairman of the Ways and Means Committee acted in entire good faith and believed that with these taxes, spread as they are over the moving-picture shows and other general matters affecting the mass of the people, he could not get a conference report through the House which would provide for the absolute repeal of the munitions tax for this year.

One unfortunate occurrence is largely to blame. It appears certain munition manufacturers during the pendency of the act of 1916, when the munitions tax was proposed in Congress, safe-

guarded themselves by having in their contracts with foreign belligerents for the delivery of munitions a covenant by which the foreign Government undertook to pay any tax which might be imposed. Communications were sent quite largely to Members of the House and Senate and to the conferees urging that they be allowed a credit for that amount of the tax in relation to these additional war taxes, conveying the impression that nearly all the contracts made contained such a covenant. In the last hours of the conference it proved impossible to eradicate that notion. In the opinion of the House conferees it would have been impossible to persuade the House of Representatives that all the contracts did not contain that covenant.

Investigation proved clearly, Mr. President, that less than 10 per cent of all the munition contracts did contain such a covenant, and that those contracts were only with one Government, England, and they had only been made during the uncertainty of the original munitions-tax proposition. But as I said in the last hours of the conference, with the bill to be hastily disposed of in the House of Representatives, as it was yesterday, it was deemed impossible to persuade the Members of the House otherwise. The situation was largely due—I do not say to intentional misrepresentation—but to representations which conveyed the impression that the purchaser of these munitions was paying the taxes and that the taxpayer would not be relieved by the repeal of the munitions tax for this year.

Mr. SIMMONS. Mr. President, there was very little change made by the conferees in the title relating to tobacco and its products. The tax on cigarettes and on smoking and chewing tobacco was slightly increased over the Senate rate. The Senate had provided for an increase of 75 cents per thousand on the ordinary-sized cigarettes over the present law. The conferees increased that to 80 cents, adding 5 cents per thousand more. The Senate amendment provided for an increase of the tax on tobacco of 4 cents per pound, the present rate being 8 cents. The conferees added 5 cents per pound to that rate instead of 4. The sizes of packages as provided in the Senate amendment for tobacco, snuff, and cigarettes are the same as in the bill as passed by the Senate. The Senate amendments reducing the amount of floor stock exempted from the tax in the House bill were also retained. With the exception of these increases in the tax on cigarettes and tobacco, there is no change in the rate of tax in the Senate amendments with reference to these products.

The taxes upon public utilities have been only slightly changed by the conference. The Senate reduced the rate of the tax upon the amount paid for the transportation of persons from 10 per cent, as provided in the House bill, to 5 per cent. The conferees increased that rate to 8 per cent. The House provided for a tax upon the transportation of property by express, equivalent to 6 per cent of the amount paid, the Senate amended this so that the tax would be 1 cent for each 25 cents or fraction thereof so paid. The conferees changed this to 1 cent for each 20 cents or fraction thereof paid for such transportation. The balance of the Senate amendment with reference to rates upon transportation was retained by the conference.

The House imposed a flat tax of 5 per cent upon the amount paid for electric power for domestic use, upon light and heat, and telephone service by subscribers. It was estimated that this tax, proposed by the House, would raise \$30,000,000. The Senate struck out this provision altogether, and the conferees agreed to that elimination.

This title of the bill, however, contains certain taxes upon insurance companies. The Senate struck those taxes out of the House bill. The conferees restored them without making any change in the House rates.

The Senate also struck out of the House bill the so-called inheritance or estate taxes. Some members of the conference upon the part of the Senate felt very strongly about this tax. Certain of the House conferees felt equally as strongly the other way. We came very near to a deadlock upon that question, but we finally compromised these differences, making the maximum additional rate from 15 to 10 per cent and by an amendment providing for certain exemptions, which I will presently explain.

Under the House bill the graduated rates ran up to 15 per cent additional upon the amount of the estate in excess of \$15,000,000. The bracket immediately before that was 10 per cent additional on estates between \$11,000,000 and \$15,000,000. We struck out the last bracket and changed the \$11,000,000 in the bracket immediately before it, so that the maximum tax will be an additional 10 per cent of the amount in excess of \$10,000,000 instead of 15 per cent upon the amount in excess of \$15,000,000.

We also struck that portion of the House bill which levied a tax of 1 per cent of the net estate not in excess of \$25,000,

making the exemption as to the additional tax the same as provided in the existing law—namely, \$50,000.

In addition to these changes the conferees adopted an amendment that exempts entirely from this tax the estates of all persons who die while serving in the military or naval forces of the United States during the war, or who die as the result of disease contracted or wounds received during the war while engaged as a part of the military or naval forces of the Government, provided that they die within 12 months after the President's proclamation of peace.

With reference to the excise taxes the Senate struck out the House tax on automobiles, which was a manufacturers' tax of 5 per cent upon the gross sales, and substituted therefor a graduated tax upon the users of automobiles. The conferees struck out the substitute and returned to the House method. The matter was compromised by substituting a tax of 3 per cent instead of 5 per cent, as in the House bill, upon the actual price at which the machine is sold by the manufacturer.

Mr. KENYON. May I ask the Senator a question there? Take the case of a wholesaler with four of five counties as his territory—is there any tax against him on his automobiles in stock?

Mr. SIMMONS. There is a floor tax imposed on the wholesaler selling certain of the articles taxed in this title, including automobiles. There is no floor tax upon a retailer, but only upon a wholesaler, and the rate of the floor tax is one-half of the manufacturers' tax.

Mr. KENYON. The manufacturers' tax being 3 per cent, the floor tax would be 1½ per cent?

Mr. SIMMONS. Yes.

Mr. KENYON. I understand the Senator, and I thank him.

Mr. SIMMONS. Mr. President, we also compromised the differences between the two Houses with reference to moving-picture films, reducing the tax imposed by the House one-half. We also compromised with reference to the tax on chewing gum, reducing the House rate from 5 per cent to 2 per cent. Cameras was a new subject of taxation which the Senate added to the bill. As provided in the Senate bill the tax upon cameras was raised 1 per cent. The Senate amendment as to perfumery and cosmetics which reduced the House rate from 5 per cent to 2 per cent was retained. That is true also with reference to proprietary medicines. The Senate had reduced the rate from 5 per cent to 2 per cent, and the Senate amendment was agreed to by the conference.

The conferees reduced the House rate of 5 per cent to 3 per cent upon the price for which sold by the manufacturer, producer, or importer of mechanical musical instruments and records for the same. They made the same reduction in the case of articles commonly or commercially known as jewelry.

The tax upon sporting goods was fixed by the House at 5 per cent. The Senate reduced this rate to 2 per cent. The conference fixed it at 3 per cent.

I now come to the tax upon admissions and dues. The Senate had exempted from this tax moving-picture shows where the charge was less than 25 cents. That was quite a bone of contention in the conference, but we finally eliminated the exemption, leaving the flat exemption where the maximum charge for admission is not more than 5 cents, applicable to movies as to all other shows.

Mr. STONE. Five cents for each person?

Mr. SIMMONS. Five cents for each person. However, we did make an exception as to a certain class of amusements up to 10 cents. In the case of outdoor amusement parks, which are quite common in proximity to the great cities and which are quite a resort for people, especially at night and sometimes in the afternoon, we did make an exception both as to admission to the park—which we made free—and as to admission fees to shows inside of the park, making that exemption 10 cents instead of 5 cents as in the case of other amusements.

The House bill carried certain tariff taxes upon practically everything that is contained in our tariff schedules, whether upon the free list or upon the dutiable list. The House bill imposed a flat rate of 10 per cent upon all articles on the free list and an additional tax of 10 per cent ad valorem on articles on the dutiable list. The Senate eliminated that whole title of the bill and the conferees on the part of the House agreed to the elimination.

Mr. President, I do not think of anything else to which I desire to address myself at this time except the publishers' tax. I desire to say that during the weeks and months devoted to the consideration of this bill by the Finance Committee that title probably gave the committee more trouble than any other in the entire bill.

Mr. McKELLAR. Mr. President, will the Senator from North Carolina yield to me?

Mr. SIMMONS. I will yield in just one moment. The committee found it exceedingly difficult to devise any scheme for taxing publications that was satisfactory to individual members of the committee or to the committee as a whole, or that was satisfactory to the publishers of the country as a whole.

When we had devised a scheme that seemed to us satisfactory, and which was satisfactory to one class of publishers, we found that it was radically unsatisfactory to another class. When we changed it and finally fell upon another scheme that seemed satisfactory to the dissenting crowd we found that the new scheme was equally unsatisfactory to still another class of publishers. When we finally brought the bill into the Senate I felt constrained, in presenting the matter, to say what I believed then and what I believe now, that the Senate committee proposition was a makeshift, which was not altogether satisfactory to anybody, either on the committee or off the committee. The Senate struck out what the committee had written into the bill and agreed to the amendment of the Senator from Tennessee [Mr. McKELLAR], as in Committee of the Whole; but when the bill got into the Senate the Senate changed its mind about that matter, and that amendment was stricken out. It suffered about the same fate as several schemes of the Finance Committee.

Mr. McKELLAR. The Senator from North Carolina means that the vote was changed?

Mr. SIMMONS. Yes; the vote was changed, and the provision was stricken out.

Mr. McKELLAR. I want to ask the Senator a question.

Mr. SIMMONS. I will yield to the Senator as soon as I have finished the statement I am now making.

The Senate having struck out the substitute presented by the Finance Committee for the House zone system struck out the House provision, and that left the whole matter in conference. The House conferees insisted upon the retention of the zone system as presented in the House bill, and the scheme now presented in the conference report is the result of mutual concessions after much discussion and much deliberation and long disagreement. It is unsatisfactory to me, as I believe it is unsatisfactory to my colleagues on the committee, but it is the best we could do. We thought it necessary to make the concessions in order to secure an agreement—a consummation which we thought extremely desirable.

Mr. McKELLAR. Mr. President, I desire to ask has the Senator from North Carolina any figures showing how much revenue will be produced by the adoption of the conference report on this subject?

Mr. SIMMONS. Yes; I have here figures which have been furnished me by the Postmaster General this morning. They are as follows:

Estimated revenue derivable on basis of weight for 1916, and 40 per cent advertising matter, at rates fixed in conference report—No allowance made for exceptions.

| | Increase over present revenue. |
|--|--------------------------------|
| July 1, 1918, to June 30, 1919, \$16,292,108.12----- | \$4,906,179.12 |
| July 1, 1919, to June 30, 1920, \$21,200,686.27----- | 9,814,757.27 |
| July 1, 1920, to June 30, 1921, \$24,401,794.90----- | 13,015,805.90 |
| July 1, 1921, to June 30, 1922, \$27,602,783.54----- | 16,216,854.54 |

Mr. McKELLAR. According to the statement of the Postmaster General, we shall derive about \$27,000,000 from second-class postal matter, there being about \$11,000,000 now derived from that source, which, added to the \$16,000,000, will make about \$27,000,000.

Mr. SIMMONS. No; there will be an increase during the first year of only \$4,906,179.12—practically \$5,000,000.

Mr. McKELLAR. An increase of practically \$5,000,000 for the first year?

Mr. SIMMONS. Yes; and an increase of \$9,814,757.27 the second year; an increase of \$13,015,805.90 the third year; and an increase of \$16,216,854.54 the fourth year.

Mr. McKELLAR. That will be the limit of what will be obtained under this bill?

Mr. SIMMONS. That would be the limit of increase under the bill, as I understand the statement of the Post Office Department.

Mr. McKELLAR. In other words, the Government would be obtaining at the end of four years about \$27,000,000?

Mr. HARDWICK. Nearly \$28,000,000.

Mr. McKELLAR. Nearly \$28,000,000 from this source; and it costs the Government now about \$100,000,000 to transport this class of mail matter.

Mr. SIMMONS. Mr. President, I understood the Postmaster General this morning as saying that from his standpoint—I know the statement is controverted—even after these increases were made, the Government would be a loser in the actual expenses of transporting, delivering, and distributing this character of mail matter to the extent of \$40,000,000 per year.

Mr. McKELLAR. According to some estimates, the loss is nearer \$70,000,000.

Mr. FRELINGHUYSEN. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from New Jersey?

Mr. SIMMONS. I should like at this point to have the Secretary read for the enlightenment of the Senate—for it is a very clear and illuminating discussion of the various questions in controversy by the Postmaster General—a letter addressed in blank, though it is an actual letter, which the Postmaster General has written, but he prefers not to give the name of the person to whom it was written.

Mr. FRELINGHUYSEN. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from New Jersey?

Mr. FRELINGHUYSEN. Mr. President, may I ask the chairman of the committee a question?

Mr. SIMMONS. Will not the Senator from New Jersey wait until the letter is read, and then ask his question, if that will suit his purpose just as well?

Mr. FRELINGHUYSEN. Yes.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

Mr. SIMMONS. I will ask that the letter be read now, but that it appear in the Record as an appendix to my remarks.

The PRESIDING OFFICER. In the absence of objection, it is so ordered.

The Secretary read the letter.

Mr. SIMMONS. Mr. President, I am about to conclude what I have to say. I wish to add only that the scheme finally agreed upon by the conferees with reference to the publishers' tax is very different from that which was insisted upon originally by the House conferees. From my standpoint, one of the essential changes that we made in the compromise plan as originally presented by the House conferees, and the adoption of which the Senate conferees insisted upon, is with reference to reading matter. The original compromise proposition of the House conferees was to increase the rate on reading matter 1 cent a pound. We settled that by making the highest rate half a cent a pound. The original compromise proposition to impose a tax on advertising matter under the one system provided for a very much higher rate than we finally agreed upon. The original proposition was that both the rates upon reading matter and the rates upon advertising matter should presently take effect—I think in 30 days after the passage of the bill; or it may have been the 1st day of January, I am not quite sure about that; but it was presently to take effect. That was changed upon the insistence of your conferees, so that none of these rates, either as to reading matter or advertising matter, will take effect until the 1st day of July, 1918, and the increases will be made annually on advertising matter through a period of four years and on reading matter through a period of two years; that is, the first increase on reading matter will be for the first year only a quarter of a cent and for the second year another quarter of a cent, making half a cent.

A provision was also inserted by the conferees, upon the insistence of the Senate conferees, that a publisher shall be permitted to mail his publication from any post office, so as to secure the zone rate of that post office; that is to say, if a magazine is published in the city of New York, it may be sent by freight or express to San Francisco and distributed from the San Francisco office at the zone rates applicable to that office. I think that is a provision which will afford in some cases very great relief against what is characterized by some of the publishers as a hardship.

Mr. President, in concluding what I have to say about the publishers' tax—and that is all I shall have to say in regard to the conference report—I want to add that, speaking for myself personally, that when this matter was before the Finance Committee I thought and declared that postal rates, whether upon letters or newspapers, magazines, and periodicals, were matters which should be dealt with as a postal measure, rather than as a revenue measure, and I favored the elimination of these provisions from the bill. I did not believe then, and I do not believe now, that any tax should be imposed upon the facilities of the Post Office Department except for the purpose of defraying the expenses of that department and that service and its enlargement and expansion. It will be a long time, even if the Government shall finally make a profit from the transportation and distribution of second-class mail matter, as it is making a profit in the carriage of letters, before we will receive a sufficient revenue from the Post Office Department to make the necessary extensions and enlargements in postal facilities to which the people of this country are entitled and which the best interests of the Government

demand. I do not believe that we ought to tax these facilities for the purpose of defraying the expenses of the war. That has been my view all the time. Entertaining that opinion about it, I felt that the adjustment of postal rates was not a matter for the Finance Committee but was a matter for the Post Office Committee. I was glad, therefore, when in conference we were able to write into the compromise a provision now under discussion—the provision that the tax now imposed should not take effect until July, 1918. I trust, Mr. President, that before that time arrives the Post Office Committee will work this matter out in a more satisfactory way than your committee or the conferees have been able to work it out, and that, whatever additional tax it is found expedient and proper and just to impose may be imposed not for the purpose of raising money to defray the expenses of this war but for the purpose of raising more money to increase the postal facilities of the people of the United States.

Mr. FRELINGHUYSEN. Mr. President, I should like to ask the chairman of the committee one or two questions. Referring to the section which has been added by the committee on page 7, do I understand that the allowance which is credited there is against the 4 per cent tax or the normal underlying 2 per cent tax?

Mr. SIMMONS. On the 4 per cent tax.

Mr. FRELINGHUYSEN. That is the idea that the provision is intended to convey?

Mr. SIMMONS. Yes. Under section 4 we impose an additional tax of 4 per cent upon corporations. Under the present law it is 2 per cent. The original Senate provision with reference to the exemption from the corporation tax of dividends received by one corporation from another was general and applied to the total normal tax under existing law and the pending bill. As a result of the compromise made by the conferees, this exemption from tax provided for in the original Senate amendment will extend only to this additional tax of 4 per cent imposed by this bill upon corporations, but will not extend to the 2 per cent normal tax imposed under the present law.

Mr. FRELINGHUYSEN. Then the credit is based upon the 4 per cent tax in this section?

Mr. SIMMONS. Yes.

Mr. FRELINGHUYSEN. Another question, Mr. President. Referring to the section beginning with line 18, on page 83, is it the chairman's opinion that the tax of 1 per cent on insurance premiums is based entirely upon the premiums received, or can an insurance company under that section take credit for the cancellations, the return premiums which they pay back to the policyholders for unexpired contracts?

The section says that 1 per cent is taxed on premiums charged. Now, in the practice of fire insurance, about 30 per cent of the premiums received are paid back in cancellations. From reading the section it would seem as if the 1 per cent tax was imposed on the premiums charged, with no allowance to be deducted for the cancellations. That would mean that a company receiving a million dollars income in premiums, and returning \$300,000 of it to the policyholders, would be taxed upon the \$300,000 which they returned and which they did not receive.

Mr. SIMMONS. I am not able to answer the Senator very definitely about that, but I am advised that this law is substantially the same as the law of 1898, and that the tax would be 1 per cent upon the premiums received.

Mr. FRELINGHUYSEN. Mr. President, I am not sufficiently familiar with the law of 1898 to answer that statement of the chairman.

I think, if my memory serves me, that the insurance companies were allowed a credit in their tax for the premiums which they returned, and I am more desirous of getting the opinion of the chairman as to whether these companies can take credit for the premiums they do not receive, or whether, in the opinion of the chairman, this section taxes them, which would mean that it would tax them unfairly and unjustly.

Mr. SIMMONS. I will say to the Senator very frankly, that I am not able now to give him a definite answer to his question.

Mr. FRELINGHUYSEN. It is a very grave defect in the section and the act if that construction can be placed upon it.

Mr. SIMMONS. The question raised by the Senator is one which had not occurred to me and was not raised in the committee or the conference. My impression upon first blush is that the 1 per cent would attach to the premium received, but I am informed that the ruling of the department, both under the 1898 and the 1914 laws, is that if the cancellation takes place before the policy was in effect no tax is imposed, but that if the policy has been in effect before cancellation, then no refund of the tax paid is allowed.

Mr. FRELINGHUYSEN. Mr. President, just one other question, and then I will finish.

Referring to page 161, the section added by the conference committee as to tax withheld at the source, I should like to ask the chairman whether, in his opinion, the tax on the salaries of salaried employees would be withheld by the corporation under that section?

Mr. SIMMONS. No; I think not. The Senator is speaking about a domestic corporation?

Mr. FRELINGHUYSEN. Yes.

Mr. SIMMONS. I think, under the section and under the amendment made by the conference committee, the withholding at the source would not apply to the case mentioned by the Senator. Collection at the source is retained only in the case of a foreign corporation or of a nonresident alien doing business in this country, and to interest upon bonds containing the tax-free covenant clause. I think the language carries out the purpose of the committee, and the purpose of the committee was to repeal absolutely the collection at the source except as it applied to this class of bonds, and, of course, as it applied to foreign corporations and nonresident aliens.

Mr. FRELINGHUYSEN. "Periodical gains," then, would not include salaried employees?

Mr. SIMMONS. The words the Senator refers to are limited by the words in the next line—line 12—"derived from interest upon bonds." This section requires withholding only in the case of interest on bonds containing the tax-free covenant, while the paragraph beginning on page 160, line 6, requires withholding of rents, salaries, and so forth, only in the case where the recipient of the income is a nonresident alien.

Mr. WADSWORTH. Mr. President, may I ask the Senator from North Carolina if he has commented as yet upon section 209 of the bill, which will be found upon page 48? If not, will he be good enough to state the reasons for the insertion of that section, which to a very large extent is new matter?

Mr. SIMMONS. I have discussed that section pretty fully in reply to a question asked me by some Senator, and gave the reasons.

Mr. WADSWORTH. The Senator from New York was out of the Chamber when that happened.

Mr. SIMMONS. I shall be very glad to answer any question the Senator wants to ask me about it now, however.

Mr. WADSWORTH. I think I understand what the effect of this tax would be. Perhaps this has all been discussed in my absence, and if so, I hesitate to take it up again.

Mr. SIMMONS. I will state that I did discuss that matter for some little time.

Mr. WADSWORTH. I was wondering, however, whether, in imposing such a tax, the conferees had in mind the effect upon the professional man, who under this section will also have to pay an income tax upon the amount of money that he earns in the practice of his profession?

Mr. SIMMONS. I stated to the Senate when I was discussing it that that is a tax very much of the same character as the special tax upon munitions, except that it does allow an exemption of \$6,000, but otherwise it is in the nature of an additional income tax; but, as I stated this morning, in our efforts to bring the professional man under the provisions of this bill and subject his earnings to a tax, just as we had the farmer and the mechanic and the merchant and everybody else, we found ourselves hedged in by a great many limitations and difficulties. After we had discussed one or two schemes and practically fixed upon one, we finally abandoned it and adopted one to which the Senator refers and criticizes as the best means of reaching that class of earnings.

Necessarily, imposed in this way, it is in effect an additional income tax. So is this other tax—the war excess profits tax that we impose in this bill. It is, in substance and in essence, an additional income tax, with an exemption. In the case of the excess profits tax the exemption is a certain per cent upon invested capital based upon prewar earnings, and with that exemption the tax imposed is an income tax. I do not see any very great difference in the principle in these two imposts. In the one case, while the exemption is larger, the tax imposed is very much larger—several times larger—and in the other case, while the exemption is smaller, so is the tax very much smaller.

The purpose of the conferees was to subject occupations and professions having no invested capital to this war tax, just as those with invested capital were subject to it. If there had been the same basis of exemptions in the one case as in the other we would have allowed a like exemption and imposed like rates of taxation, but because of the necessity of the case this could not be done, and because there was no such basis of exemption we imposed a tax very much lighter on business conducted without invested capital—a flat rate of only 8 per cent, as against

a graduated rate upon profits over a maximum of 9 per cent of from 20 per cent to 60 per cent on ordinary business. I do not think the professional man has any right to complain.

Mr. WADSWORTH. Mr. President, I think I can appreciate the difficulties that the committee had confronting them when they came to solve this problem of taxation. I shall not enter strenuous objection to section 209, but I do desire to take just a moment—

Mr. SIMMONS. If the Senator will allow me, it is in a great deal better shape now than it was originally. We had some trouble in getting it into as good shape as it is.

Mr. WADSWORTH. I do desire, however, to take this opportunity to say that section 209 emphasizes very clearly, I think, a grave injustice which is done by our tax laws, an injustice inflicted, comparatively speaking, upon the man who earns his income by his own efforts as compared with the man who does not earn his income at all, but merely sits at a desk and clips coupons or cashes dividend checks. The man who is so fortunate as to inherit an invested fortune, as we all know, unless he is otherwise minded, may sit in his office and clip the coupons and cash the dividend checks and live upon the proceeds without being of any particular use to the community. In fact, he may pass his whole life as a drone. He is subject to the individual income tax, and if his individual income, we will say, is \$10,000, he will pay according to the rates fixed in this bill and according to the rates fixed in the statutes which are already upon the statute books.

Now we will take the professional man, such as the physician or the dentist or the lawyer, who, by his own efforts, extending over a period of years and resultant upon an education which he may have earned for himself by working his way through a medical school or a law school, manages to reach the point in his profession where he earns \$10,000 a year. He pays the individual income tax on that \$10,000, and then this bill comes along and assesses him 8 per cent on everything over \$6,000 of his income in addition to the individual income tax he pays, so that he is penalized because he is a worker. If he had not earned the \$10,000, he would only pay an individual income tax; but, having earned it by his own efforts, he pays more tax.

Of course I realize that this thing can not be straightened out in a moment, and certainly my judgment upon it would not be infallible, nor is it entirely certain that my conclusions are clear; but let me say to the Senator from North Carolina and to other Senators who have been interested in this question of taxation that sooner or later we must come to the point in the assessment of Federal taxes against individual citizens, whether they be in the form of individual income taxes or otherwise, where we shall discriminate between the earned and the unearned incomes.

Mr. SIMMONS. I agree with the Senator absolutely in that proposition.

Mr. WADSWORTH. I called attention in the Sixty-fourth Congress to the fact that in my humble judgment the most glaring defect in our imposition of the individual income tax was the fact that it made no distinction between the drone and the worker. It taxed them exactly alike. This bill makes the condition infinitely worse. It taxes the worker infinitely more heavily than it does the drone.

I know it is too late to cure the situation, and I realize the theory on which the committee has proceeded—that individuals engaged in business should pay a profits tax, whether we call it an excess profits tax or a war profit tax, just as a partnership or a corporation engaged in business is required to pay such a tax; but we still leave uncured and uncorrected the injustice done in the income tax.

Mr. SIMMONS. I want to state to the Senator that the very suggestion he is making now was made to the committee and received some consideration; but we considered that the matter had gone too far; that the time was too short for us to undertake to change the method of taxation as radically as his suggestion would have required.

Mr. WADSWORTH. I can well understand that; but I want to take this opportunity very briefly to emphasize that situation to the Senate in the hope that next year, or perhaps the year after, we will cure this situation, for it does seem to me to be a grave and a gross injustice to inflict a penalty upon industry and permit the drone, as I have used the expression before, to escape merely by the imposition of one tax.

Mr. KELLOGG. Mr. President, I should like to ask the chairman if there is any other case in this bill where an additional tax is levied, except the munition tax and the one now under discussion?

Mr. SIMMONS. Those are the only cases in the bill of a flat tax rate, but this tax is an additional income tax only in the

sense that all these excess profit taxes are additional to the income taxes otherwise imposed.

Mr. KELLOGG. Then, as I understand the chairman of the committee, the munitions tax, which was considered to be unjust, was continued only for one year; but the conference committee put in a new tax, which is equally unjust, which neither the Senate nor House ever passed upon or discussed, and made it permanent.

Mr. SIMMONS. Mr. President, I do not agree with the Senator when he says that it is equally unjust, or unjust at all. I think certainly it can not be said that when we are imposing additional profit taxes for war purposes upon the farmer, the mechanic, and the merchant, it is unjust to impose an additional profit tax upon the professional man. The method may not be as good a method—I do not think it is as good a method—as the one we have adopted in the case of businesses, based on invested capital; but that the professional man ought to pay an additional profit tax upon his earnings just as we are making others pay is to my mind beyond question.

Mr. KELLOGG. But the professional man pays exactly the same tax on capital or on any business he has an interest in, whether it be farming, mining, manufacturing, or anything else, that everybody else pays under this bill.

Mr. SIMMONS. Yes; but under this bill the professional man will not pay one dollar of war tax unless we catch him with this provision, while the farmer who makes his money by the sweat of his brow, by the labor of his hands, will have to pay a war tax, and he will also have to pay an income tax, just as the professional man pays one now.

Mr. KELLOGG. The professional man pays in addition to what the others pay. Take the case of a railroad company or a manufacturing company which has a president. Of course, the corporation pays its excess profits tax. The president of the corporation pays on his salary only the tax on his income. But if a doctor happens to have that company as a client, and he owns some stock, he not only pays the excess profits tax, but he pays a tax on his ability as a physician, and he also pays an income tax on the same thing, simply because he is a professional man. While the president of the company pays only two taxes he pays three.

Now, if he is a farmer—and a good many lawyers are farmers—he pays the same tax as any other man. If the farmer is entitled to a salary, that salary will be taxed simply as his income. All the officers of corporations will pay an income tax; but under this bill if the taxpayer happens to be a professional man he will pay both the income tax and the other tax.

Mr. SIMMONS. I do not know whether the Senator has had his attention called to the provision as to definitions, making a distinction between professions and occupations.

Mr. KELLOGG. Oh, I have; but professions and occupations do not include the president of a corporation at all.

Mr. SIMMONS. I do not agree with the Senator. I think that the president of a corporation is engaged in an occupation. We must give some meaning to the word "occupation" as used in the bill. If it means no more than "trade" or "business," there would be no reason for having included it in the bill. It seems to me that the Treasury must construe the bill—and the courts will, in my opinion, sustain them—as meaning that all salaries, other than those of employees of the Government, national, State, or municipal, are liable to this tax, whether it be the salary of the president, the attorney, the doctor, or any other employee of the corporation, subject, of course, to the flat exemption of \$6,000.

Without reference to the changes made in conference but for the purpose of aiding the public, and especially the taxpayer, to a better understanding of the essential provisions of the section of the bill relating to the income and excess profits tax, I ask unanimous consent, without reading, to incorporate a brief statement of the general provisions of the respective titles of the bill relating to these two subjects. The statement is a brief summary of the more important provisions of the bill as it will be if the bill is agreed to by the Senate as it has been agreed to in conference.

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

The statement is as follows:

In addition to the income tax payable under the act of September 8, 1916, this act imposes additional taxes, as follows:

Upon individuals:
A normal tax of 2 per cent upon the net income as defined in the act of September 8, 1916, of single persons in excess of \$1,000 and married persons in excess of \$2,000. The normal tax under the act of September 8, 1916, is 2 per cent upon the net income in excess of, in the case of a single person, \$3,000 and a married person \$4,000. In addition to this new tax, additional surtaxes are also imposed. The following table will

show the rates of the surtax under the act of September 8, 1916, under the act of October 3, 1917, and the combined total surtaxes under existing law:

| Amount of income. | Rate of tax. | | |
|---|--------------------|-------------------|-------------|
| | Act Sept. 8, 1916. | Act Oct. 3, 1917. | Total rate. |
| | Per cent. | Per cent. | Per cent. |
| Amount of net income in excess of \$5,000 and not of \$7,500..... | | 1 | 1 |
| In excess of \$7,500 and not of \$10,000..... | | 2 | 2 |
| \$10,000 and not of \$12,500..... | | 3 | 3 |
| \$12,500 and not of \$15,000..... | | 4 | 4 |
| \$15,000 and not of \$20,000..... | | 5 | 5 |
| \$20,000 and not of \$40,000..... | 1 | 7 | 8 |
| \$40,000 and not of \$60,000..... | 2 | 10 | 12 |
| \$60,000 and not of \$80,000..... | 3 | 14 | 17 |
| \$80,000 and not of \$100,000..... | 4 | 18 | 22 |
| \$100,000 and not of \$150,000..... | 5 | 22 | 27 |
| \$150,000 and not of \$200,000..... | 6 | 25 | 31 |
| \$200,000 and not of \$300,000..... | 7 | 30 | 37 |
| \$300,000 and not of \$500,000..... | 8 | 34 | 42 |
| \$500,000 and not of \$750,000..... | 9 | 37 | 46 |
| \$750,000 and not of \$1,000,000..... | 10 | 40 | 50 |
| \$1,000,000 and not of \$1,500,000..... | 10 | 45 | 55 |
| \$1,500,000 and not of \$2,000,000..... | 11 | 50 | 61 |
| \$2,000,000 and not of \$3,000,000..... | 12 | 50 | 62 |
| In excess of \$3,000,000..... | 13 | 50 | 63 |

Upon corporations, joint-stock companies, associations, or insurance companies:

In addition to the flat 2 per cent corporation tax imposed by the act of September 8, 1916, this act imposes another tax of 4 per cent, making the total tax upon such corporations 6 per cent. This is higher than the flat 4 per cent total normal tax upon individuals. The reason for this difference is that the individual pays surtaxes upon all his income in excess of \$5,000, while the corporation is allowed to retain for use in the business any necessary amount of its net income, thus avoiding the payment of any surtaxes upon the amount so retained. This gives them the advantage over the individual of being able to use in their business as capital income that has not paid the income surtaxes, while the individual or partnership can not do so.

The only difference in computing the net income of a corporation as a basis for this additional 4 per cent tax is that dividends received by one corporation from another are not to be counted as part of the net income of the corporation receiving the same. Under the act of September 8, 1916, which imposes the 2 per cent tax, such dividends are counted as net income.

This act also changes the income-tax law with reference to "withholding at the source." No withholding of the normal tax from amounts paid to individuals is now required except in the case of income from securities that contain the so-called tax-free covenant. Many corporations, principally railroads, have issued bonds containing a clause that said corporation would pay any Federal income tax required to be withheld at the source.

The new law also prevents any corporation from making a distribution to its stockholders from earnings accrued prior to March 1, 1913, which are not liable to the income tax, until all the surplus and undivided profits accrued since that date have first been distributed. The amounts so distributed are deemed to be from the most recently acquired surplus and are taxed to the recipient at the surtax rates in force when such surplus was earned by the corporation.

The idea is not to allow distribution to be made and claim to be from funds that are not liable to surtax in the hands of the stockholders until all taxable funds have been distributed.

The law of September 8, 1916, is also amended so that in computing the net income no deduction shall be allowed from the net income for the excess profits and income taxes paid during the taxable year. In place of this the new law specifies that the amount of the excess profits tax accrued for the taxable year shall be deducted from the net income before applying the income-tax rates thereto. This is an advantage to the taxpayer, as no excess profits tax will be paid during the calendar year 1917, so there would otherwise have been no deduction from the net income of that year for this purpose. The excess profits tax accrued for the year 1917 will, under this provision, be deducted from the net income before computing the income tax.

There is no logical reason for allowing a deduction for income tax paid. The theory of the income-tax law is that after allowing all reasonable deductions there remains to the taxpayer a certain net income which is to be divided with the Government, no tax being paid on either share.

EXCESS PROFITS TAX.

This is a new tax both in this country and in the world. It originated in Sweden after the outbreak of the war in 1914 and is now in force in some form in Great Britain, France, Italy, Russia, Germany, Austria-Hungary, Norway, Sweden, Denmark, Switzerland, Canada, and New Zealand.

The basis of the tax is the amount of profits made for the taxable year in excess of the normal profit, predicated upon the average profits made during the normal period prior to the war. In case of the tax imposed by this act the prewar period is the calendar years 1911, 1912, and 1913. As a modification of the excess of war profits over prewar profits, this act limits such prewar profits, or deduction, to an amount not less than 7 per cent or more than 9 per cent of the invested capital.

This provision necessitated an exact definition of capital, and such is found in section 207 of the act.

The tax applies to the entire net income of corporations, partnerships, and also to that of individuals derived from any trade, business, profession, or occupation, whether continuously carried on or not.

In arriving at the taxable income the taxpayer is allowed to deduct from his net income as defined in the act of September 8, 1917, all dividends received from the stock or net earnings of a corporation. He then shall deduct from his net income an amount equal to the same percentage of his invested capital for the taxable year that his average net income for the prewar period was of the average capital for the same period, but not to be less than 7 per cent or more than 9 per cent, plus in the case of a corporation \$3,000, or of an individual or part-

nership, \$6,000. In no case, however, shall this total deduction be more than 15 per cent of the invested capital.

In the case of a corporation, partnership, or individual that had no prewar status the deduction shall be a flat 8 per cent of the invested capital plus, in the case of a corporation, \$3,000, or of a partnership or individual, \$6,000.

Any trade or business that is formally organized or reorganized after January 2, 1913, and which is substantially a continuation of such trade or business, then the capital and income and income of such prior trade or business shall be deemed to be the capital and income of the new trade or business for the same period.

In case of a trade or business that through misfortune or accident had a subnormal income for the prewar period as compared with that of representative concerns engaged in like or similar business, upon convincing the Secretary of the Treasury of such fact, they shall be entitled as the percentage part of their deduction the same percentage of their invested capital as do representative concerns engaged in a like or similar business.

In case of a trade, business, profession, or occupation having no invested capital, or only a nominal capital, it is evident that the 7 and 9 per cent limitation of capital can not apply, nor can, with justice, the prewar basis of deduction. In order to reach this class of income the percentage deduction has been omitted, and only the \$3,000 and \$6,000 flat deduction is allowed. The rate is made a flat rate of 8 per cent. This is less than the rate paid by other classes of taxpayers, who pay from 20 per cent to 60 per cent on certain parts of their income.

The only exemptions from this tax are as follows:

(1) The compensation or fees received by persons as officers or employees of the United States, any State, Territory, the District of Columbia, or any local subdivision thereof.

(2) Corporations that are exempt from income tax.

(3) Incomes derived from the business of certain industrial insurance.

In case the Secretary of the Treasury is unable to satisfactorily determine the average net income for the prewar period, or the invested capital, the percentage deduction shall be that of representative concerns engaged in like or similar business.

Title II of the act of March 3, 1917, imposing an excess profits tax upon corporations and partnerships of 8 per cent upon the excess of their net incomes over 8 per cent of their invested capital is repealed by this act.

The munitions manufacturers' tax contained in Title III of the act of September 8, 1916, is repealed, to take effect January 1, 1918; the rate of that tax, 12 1/2 per cent of the net income, is reduced for the year 1917 to 10 per cent.

APPENDIX.

BURLESON LETTER.

I have your telegram of September 25, 1917, with reference to the provision regarding rates on second-class matter included in the war-revenue bill. It is a protest against a zone system of rates on second-class mail matter, which you claim will build up sectional papers and prejudices, destroy and reduce the efficiency of trade papers, etc. You further say "the whole thing is a crime against the country, and I am really sorry you must shoulder the blame, because from Senators down they say it is your measure."

For any assistance that I have been able to render the committees of Congress and the publishers in the adjustment of this difficult matter I am perfectly willing to take the responsibility. However, as you have come to Washington from time to time during the pendency of this legislation and have been in close touch with not only the department but the committees of Congress, I am confident you will admit that the facts will far from justify your assertion. The provision in the bill when under consideration in the House was prepared by the House Committee on Ways and Means and included therein, notwithstanding the fact that the committee was advised by me that I did not favor the use of the postal system for raising war revenue. When the bill went to the Senate, I informed the chairman of the Senate Committee on Finance that I was still of the opinion that the Postal Service should not be used as a means of raising war revenue, but that it having appeared evident that it was the purpose of Congress to include in the pending measure some provision with respect to postage rates on second-class matter, I felt it my duty to suggest such a provision as would be based upon the principle so long existing in the service of continuing a low flat rate for reading matter for the dissemination of information of a public character, or devoted to literature, the sciences, and the other purposes for which the basic act regulating the admissibility of publications to the mails as second-class matter provided. I pointed out, further, that the character of such publications has materially changed with the development of business and a new element has been introduced which was not conspicuous in the early history of the country, that this new element is the introduction of advertising matter as part of such publications, and that it is common knowledge that this matter has grown to such volume and proportion as to exceed that of the reading matter contained between the covers of many of these publications. The average for all publications is estimated at 40 per cent, and for many individual publications it equals 60 to 70, and in some instances is as high as 80, per cent.

There has been very thorough consideration of the subject in all its phases by the Congress and its committees, and the reasons for continuing a flat rate on reading matter and applying zone rates to only advertising matter have been extensively discussed not only on the floor of the Senate, but before the Senate Committee on Finance at its request. In all these matters the department has aimed to be absolutely fair to the periodicals in the presentation of statistics and suggestions. It has been evident at all times that it was the purpose of Congress to make some readjustment of rates which might include an increase in letter postage, and, if that were done, it would also necessitate an equitable settlement of the question of rates on second-class matter. The result is shown in the provisions included in the bill.

I do not think an answer to your telegram would be complete which only treats it as a separate incident, or which regards the provision in the bill as the result only of the consideration given the question at this session of Congress. Your protest against the zone system can not stand alone, and must be considered in the light of the continued and persistent opposition of the publishers generally to any revision whatever of the rates of postage on second-class matter. Preceding the consideration of the question by the Hughes Commission the estimate of the department was bitterly assailed by the publishers generally and its accuracy denied. The findings of that commission confirmed the

department's estimate and removed all doubt from the minds of those informed as to the fact that the Government was transporting and handling second-class mail matter at an enormous loss, such loss being ascertained by considering the out-of-pocket expense and the fair proportion of the common expenses of the services in which second-class matter participates. It was realized that the Government could not at once raise the rate sufficiently to cover that loss, which is now conservatively estimated to be at least 6 cents a pound on the average for all such matter. The Hughes Commission therefore recommended an increase from 1 cent to 2 cents a pound, or fraction thereof, flat rate, applying to all paid matter. All efforts before Congress to secure legislation along that line have been opposed at all times by the publishers. Bear in mind that this opposition has been to a flat rate and not to a zone system only. When this matter was before the committees of Congress at the present session I had frequent conferences with publishers, including yourself, and at no time was I able to suggest an increase of a flat rate which was acceptable to the publishers. If, therefore, Congress had abandoned the idea of applying the zone system to advertising matter contained in periodicals and confined itself to an increase in the flat rate applicable to all matter therein, it must be concluded that the same strenuous opposition of the publishers would have been exerted against it as has been exerted against zone rates for the advertising matter in the periodicals.

It is for Congress to decide when it will legislate upon the subject. It has deferred legislation until this time, when it is dealing with many other questions in a manner appealing to the patriotism and sense of fairness of the people. Accepting the judgment of Congress that some legislation upon the subject should be passed at this time, the merits or demerits of the provision should be considered impartially, keeping in mind the situation which it was intended to remedy.

There is far less objection to the increase in rates on second-class matter than to those on first-class matter. As to first-class matter, including letters and postal cards, it is well known and undisputed that it is transported and handled by the department at a profit of approximately \$60,000,000 a year, and that this large surplus contributes to a partial payment of the enormous loss sustained in carrying and handling second-class matter, which loss is most conservatively estimated at over \$72,000,000 a year on all second-class matter and \$68,000,000 on paid-at-the-pound rate alone. If wise to increase the postage rate on letters for the purpose of raising revenue, which are now producing a surplus over cost, it is apparent that a great injustice would be done the people if no effort whatever were made to readjust the rates on second-class mail, which pays only a part of its cost, and the publishers should not be required to contribute a reasonable proportion of the expense for the great privilege they enjoy. The consideration which has been given by Congress to the publishers is shown in the fact that while the increase in letter postage is immediate, no increase whatever in second-class rates are effective before July 1, 1918, and the rates then operative are very slight increases. All other increases are distributed over a further period of three years, which will give the publishers ample time to readjust their business upon the basis of the new rates.

With respect to the character of the proposed legislation on second-class matter contained in the bill the following should be said in its favor:

It continues the existing policy of granting to such publications a low flat rate for that portion devoted to reading matter. Such policy has been recognized by Congress for many years past, and in my opinion is a wise one. Its continuance as to all reading matter of every kind contemplated by the basic legislation is a complete answer to the criticism that the proposed legislation will build up sectional papers and prejudices. It does not put any greater limitation upon the dissemination of information or the circulation of literature than now exists. Such matter will be free to circulate at the flat rates named in any part of the country, and the publisher who publishes in Maine can have that portion of his periodical so devoted delivered in California with the same expense to him as when delivered in his adjoining town.

But because of the radical change which the development of the publishing industry has brought about by the inclusion of large percentages of advertising matter in these periodicals and publications, the proposed legislation wisely recognizes a distinction between the reading matter and the purely advertising matter; and because such advertising matter is in all respects of the same character as if it were circulated as third-class matter outside the covers of periodicals and newspapers, it fixes a higher rate thereon, somewhat proportioned to the expense in transporting it to the several zones and for handling it in the service. These ultimate rates on advertising matter, however, are still on the average much lower than the rates which the publishers would be required to pay if they sent such matter as third class as other business men are required to do, and, furthermore, considerably lower than the cost to the department of transporting and handling it. However, where the space devoted to advertising does not exceed 5 per cent, it takes the same rate as reading matter; and newspapers and periodicals maintained in the interest of religious, educational, scientific, philanthropic, agricultural, labor, or fraternal organizations or associations, not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual, shall be carried at flat rates, and the free-in-county privilege is retained.

The zone system on the advertising matter to which it applies is fundamentally sound and entirely fair. The advertising is a strictly business feature of the publications and it should conform to business principles where the Government is concerned. The advertisements carried the long hauls should pay more than those carried the short hauls. A zone system is based on this just principle. The bill exempts from zone rates advertising where it does not exceed 5 per cent. This is in accordance with the spirit of the original acts. It is believed that at the time the present low flat rate was given the advertising did not exceed 5 per cent on the average.

The proposed increase in the flat rate on reading matter is only one-fourth of a cent a pound for the year from July 1, 1918, to July 1, 1919, no increase whatever being provided for before that period, and from July 1, 1919, the increase is only one-half of 1 cent a pound. This is much lower than any increase that has ever been proposed by the department or by any commission. The Hughes Commission recommended an increase to begin with of 1 cent a pound on all matter. As to the proposed rates on advertising matter, their increases also are deferred until July 1, 1918, and for the first year are slight increases over the present pound rates—still far below the cost. The additional increases are distributed over the succeeding three years. Even when the ultimate rates provided in the bill are reached the rate on reading matter will still be 5½ cents less, and the average rate on advertising matter considerably less, than the average cost.

The difference between the revenue paid the department as postage by the publishers of second-class matter and the admitted cost of transporting and handling it is so great and the proof of it so conclusive that the publishers could not hope to longer defer some just and remedial legislation by Congress. After these many years of enjoyment of this subsidy the publishers claim they can not pay a higher rate of postage. It is impracticable to require them to pay the public the entire cost at once, yet they should make some appreciable contribution toward it. If, therefore, the policy of continuing reading matter at a nominal flat rate shall be retained, it is necessary that such increased rates shall be provided for that part of the periodical devoted strictly to commercial purposes as the business it fosters shall be able to pay. Hence this action was inevitable.

I think it must be conceded that the plea that legitimate business can not readily readjust itself to the normal cost of its conduct is without merit. The statement that these increases on that portion of a periodical devoted exclusively to advertising matter will result in a discontinuance of such advertising, and therefore the discontinuance of the periodical, is a statement that business is not willing to or can not pay its legitimate expenses. I do not believe this to be true, and I do not think it can be shown that it is demonstrated by experience. The department submitted to the Senate Committee on Finance tables showing the very slight increases in advertising rates which would be necessary for publishers to ask their patrons to pay in order to meet increases in postage rates.

During the fiscal year 1917 your periodical mailed 4,112,986 pounds of your issues. The most conservative estimate of the present average cost of transporting and handling second-class matter is 7 cents a pound. This applied to your mailings shows a direct and apportioned cost to the department of \$287,909 for the year. The amount received in postage for your publication for the same period was \$41,106.84, which leaves a loss to the Government of \$246,802 for the year on your publication, computed on the basis of the general average. The case of your publication is no different than others. The loss upon all, on the average, is proportionately the same, and in the aggregate is the enormous amount hereinbefore stated. As this situation has become generally conceded, endeavors are frequently made to minimize it by the claim that credit is not allowed for the amount of first-class postage revenue which results from it. The truth is that if we allow the Government for all the third-class revenue which it loses on these advertisements because they are mailed as second class, and also the first-class postage that would result from them if sent as third class, the difference in favor of the publishers' claim, if any, would be negligible.

It could not be reasonably expected that Congress, with all the information before it and with the facts practically undisputed for a number of years, would continue to pass to others this financial obligation which belongs principally to the publishers and not expect them to readjust their business so as to make some small contribution to pay this loss in the future.

Yours, very truly,

A. S. BURLESON,
Postmaster General.

Mr. CUMMINS. Mr. President, I was unable to be in the Senate and engage in the discussion when the revenue bill now reported from conference was under consideration. For this reason I avail myself of the present opportunity to record my views concerning certain phases of the measure which involve policies not only vital to the vigorous and successful prosecution of the war but to the welfare of the people who, as generations come and go, will make up the American Republic.

Notwithstanding my views with regard to certain parts of the bill, had I been in the Senate when the vote was taken I should have voted for it; and, notwithstanding my disapproval of certain features of the bill as reported from conference, I shall vote for the adoption of the conference report. The Government must be supplied with revenue, and I must accept the measure, however inadequate, from my standpoint, it may be.

The questions upon which I shall speak are finally settled in so far as this bill is concerned, but they will recur with every revenue bill so long as the war continues and for years thereafter. The struggle for a recognition of the just principles of taxation will go on with unabated vigor until Congress accepts the basis which is imperatively demanded not only by our elemental conceptions of right and wrong, not only by the unselfish, trained conclusions of patriots and economists, but by the highest interest of those who are now blindly resisting the most obvious truths of production, finance, and commerce.

The questions to which I intend to devote a very few minutes are:

First. What proportion of the cost of the war should be borne by current taxation; and

Second. From what sources should the revenue raised by taxation be drawn?

It is everywhere admitted that under normal conditions, and except as to certain great internal improvements enduring in their character, the expenses of government should be regulated by the salutary policy of "pay as you go," and even these exceptions should be rare under the Federal power. Without regard to the justice which ought to be observed in the distribution of the burdens of government, there is nothing more fatal to the stability, growth, and prosperity of any country than the accumulation of government interest-bearing obligations aggregating any considerable proportion of the wealth or property of the nation.

I am not submitting a treatise upon political economy, and make these suggestions simply to remark that the old saying that a Government debt is a public blessing has been so thoroughly

discredited by modern thought that it is no longer entertained by sensible men. It passed out about the same time and for the same reason that led the medical fraternity to discard the practice of bleeding every patient in order to insure a speedy recovery. Whether in peace or war, contributions through taxation should be the primary and principal source of revenue, and a wise nation will resort to the money lender only when the expenditure is for a physical improvement of long duration, and then infrequently and with caution, or when some extraordinary event like war makes it impossible to tax for the whole sum required without destroying the opportunity of the people to continue their ordinary pursuits.

Without further observations of a general nature, I come to the situation, not serious alone, but exceedingly grave, which now confronts this country. We must meet it courageously, with never a shiver of fear, but we must meet it also successfully, or the greatest disaster which ever befell the human race will quickly follow.

Mr. FITZGERALD, chairman of the Appropriations Committee of the House, than whom there is no more competent or reliable authority upon the finances of the country, in Congress or out of it, in speaking on the urgent deficiency bill a few days ago, submitted a table showing in some detail the appropriations made and pending for the present year. They aggregate the stupendous sum of \$18,288,643,452.83. To this amount he added \$1,143,854,532 for contracts and authorizations and \$1,219,207,750 for proposed and apparently imperative amendments to the deficiency bill—and I might say here that they were subsequently added, and more—making a total expenditure for this year of \$20,651,700,734.33.

There is no one at all familiar with our affairs who does not know that before the 1st of next July we will probably be called on to provide for two or three billions more. Not because it is material, but because it is important that those who hear me shall know that I am not unmindful of all the facts, it ought to be stated that the tremendous sum I have named includes the \$7,000,000,000 we have loaned and propose to loan this year to foreign nations, and a relatively small amount to be expended by the War and Navy Departments during the coming fiscal year. As I view the subject, our loans to the allies are war expenditures, and the hope that at some time they may be repaid does not affect in the least degree the conclusions which it is my purpose to record.

After crediting the postal revenues, it may be assumed that the normal expenses of the Government are about \$1,000,000,000, so that our war expenses will be somewhere between \$19,500,000,000 and \$22,500,000,000.

Again, accepting Mr. FITZGERALD as my authority, I find that the first revenue bill for this year will yield \$1,333,500,000, and this measure, adding the sums that have been introduced by changes in the conference, will produce \$2,700,000,000, or a total of \$4,033,500,000; deducting the \$1,000,000,000 for the ordinary conduct of the Government, the result is that of war expenditures of from \$19,500,000,000 to \$22,500,000,000 we are proposing to pay \$3,033,500,000 with taxes and to borrow the remainder upon long-time interest-bearing bonds. That is to say, it seems to be the approved plan to pay 13 or 14 per cent of the cost of the war by current taxation and to send 86 or 87 per cent down to future generations.

With all the emphasis I can command I protest against the plan as ruinous to the business interests of the country and as the most grievous injustice ever inflicted upon those who must stagger along for a century or more under this gigantic load of principal and interest.

The war cost next year will be not less than \$25,000,000,000, and may be, probably will be, more; and so on each year thereafter. The end of the struggle is beyond human vision, but even the most sanguine observers agree that the outlook indicates two or three years of increasing conflict.

These are the conditions. It is more than unwise, it is inexcusable, to misunderstand or ignore them. It seems to me well-nigh fatal to signalize our entrance into the war by issuing anywhere from \$17,000,000,000 to \$20,000,000,000 of bonds in the first year of our military activity. The history of the civilized modern industrial world discloses no such blunder as we are now making. Great Britain has a better appreciation of the problem and is trying hard to keep down her debt. It is useless to cite what other belligerent countries have done, for their industrial and financial situation is not comparable with ours.

The normal annual profits—that is to say, the annual increase in wealth, not including added value in existing property, in the United States in recent times—it may be safely estimated, has been from \$15,000,000,000 to \$25,000,000,000, and these profits, no matter who has them, and no matter whether they are used

directly or indirectly, must pay for the war; for in the final adjustment, however complicated, the people must have a living, and the excess, so far as may be necessary, will be taken either for bonds or for taxes.

It is not my purpose to describe the disaster which will follow the enormous and unnecessary inflation of the public debt. If I had any hope that the policy of this bill in that respect could be reversed, I would look upon it as my duty to gather together and again put before you the unanswerable arguments which have been presented by a long line of distinguished statesmen and economists; but I have no such hope, and to do it would be of no avail. I have brought the subject forward in order that I might intelligently and understandingly express my dissent from the views of a majority of the Senate, and my confidence that when the next revenue bill is before the Congress for consideration, wiser counsels will prevail and sounder principles be adopted.

The remaining question upon which I desire to be heard concerns the source from which the revenue we do raise by taxation should be taken. This leads me to a moment's consideration of the war in its general aspects, the immensity of the task we have assumed, and the tremendous energy we must awaken and direct in order to bring the struggle to a speedy and successful end.

I have but recently returned from a brief visit to the country, and one of its objects was to do what little I could toward making the people understand the character and scope of the undertaking upon which we have entered. The people of this country, with here and there an exception, are intensely patriotic. They have lost none of the courage of their ancestors, and they intend to see this war through to a complete victory, no matter what may be its cost in life and treasure. They do not, however, fully realize the full proportions of the duty which has so unhappily fallen upon them. They do not appreciate how large a part of their energies must be given to the Herculean and unprecedented task which their Government must perform. The sooner they do comprehend the strength in men and money that will be required, the sooner they will feel that from now henceforth the war is the chief business of this country, to which every other hope, ambition, or interest must be absolutely subordinated, and the sooner they will be prepared to go resolutely forward in the right way and with the right spirit.

If I may be allowed a personal word, permit me to say that I was not so eager to enter the war under the circumstances which then existed as were some of my associates, and as were some of the martial-minded men on the outside, but when Congress declared a state of war between the United States and Germany that chapter of the controversy was forever closed, so far as I am concerned. From that time until now, and from now until we win, there has been and will be no room in my heart for any other purpose than to employ every resource at our command to make the United States invincible in the contest of arms. Whatever may have been true at a former time, and however difficult it is to understand what safety for democracy through the world means, the truth now is, and no man can escape it, that the safety of democracy in America, the independence of the United States, the perpetuation of the free institutions in our own country, the honor and happiness of our own people, all depend upon our success in this war. That citizen of the Republic who refuses to give whatever he has which will aid his country in the critical hour through which it is passing, or who does anything or says anything that will increase the peril of the men and boys who are standing between us and the enemy, is unworthy of the Republic which is trying to protect him.

We have undertaken to do a thing which no other nation since history began has ever done and which no existing power save our own could do. We have undertaken to organize an army of two, three, four, or five millions of men, to equip it with all the instruments of war, and to transport it over 2,500 miles of submarine-infested sea to a foreign land. We have undertaken to maintain this army with all that it requires to preserve its full fighting strength. If this were all, even then the magnitude, the difficulty, of the undertaking would baffle the human mind in attempting to comprehend it; but that is not all, nor is it even the larger part. We have undertaken to supply Great Britain, France, Italy, Russia, and Serbia with the credit, the food, the clothing, the arms and munitions of war, and materials of infinite variety which they must have from us or perish, and all these things must be carried in ever-increasing quantities over an ocean in whose depths float the most hellish instruments of death and destruction ever contrived by the ingenuity of man. In the barest outline these are the things which we have pledged ourselves to do. In doing them we must summon all the strength

of all our people. Every man must be ready to do all he can, no matter what the sacrifice may be, to accomplish the common object. All thought of profit during the period of the war must disappear. The boys who are to do the fighting give all they have and receive but mere subsistence. The men who are left behind must do likewise. They must give what they have and be content with just a living in return. Selfishness must be banished, and all of us, whether in the Army or out of it, should be prepared to bestow our time and strength, our minds and bodies, and the use of our capital, for the public good.

I do not accept the doctrines of state socialism in times of peace, nor would I adopt them in any ordinary war; but I am completely persuaded that this war is so terrific in its consequences and so vast in its proportions that it will require a surrender of all individual profits and the absorption by the Government of the whole surplus created by the activities of all the people. By "surplus" I mean the excess above food, fuel, clothing, and the maintenance of families, including education and other necessities of life. The people must have food, fuel, clothing, houses, and such things in order to enable them to work. They must educate their children in order to preserve society; but that is all. The idea of growing richer or stronger must for the present be forgotten and all our energies be devoted to the saving of a national life which at this moment is in peril.

I venture to paint the picture of American citizenship as I see it.

The fighting man comes first, and he says to his country: "Here I am, sound in body, mind, and spirit; take me; feed, clothe, and shelter me and those dependent upon me. I ask no more." The man of fortune comes, and he ought to say: "Here I am with my million; take me. I can not fight, but I can work and my million can work, and I will work and my million shall work, and I ask for nothing but a living for myself and family." The workingman comes, and he ought to say: "Here I am; take me. I have not had my fair share in the past, but in these days of danger and difficulty I give you my labor, and all I want is a decent living wage." The farmer comes, and he should say: "Here I am, with my broad and fertile fields; take me. I will not remember the injustice of former days. My hands will cultivate these fields, and they shall yield their highest harvests. All I want is enough to support myself and those who depend upon me until the clouds of war have passed away."

I have wondered whether I ought to speak of the women of the country in this connection. Denied though they are their just right to participate in our public affairs, they have come with a loyalty and efficiency never surpassed and giving with grief-stricken hearts their husbands, sons, and brothers to the firing line, and all their energies in every field of charity and philanthropy are willingly employed for the amelioration of the indescribable hardships and awful suffering of war.

The picture is, of course, an ideal, and we can not hope for its perfect realization nor can we hope for a near approach unless these industrial classes are mutually unselfish. It is not to be expected that employees will be satisfied with just a living if their employers are reaping huge profits. It would be unfair to take all the profit from capital and give it to labor. It would be a grievous wrong to ask the farmer to be content with a bare subsistence and tolerate immense dividends to the manufacturer. I am only trying to portray the spirit which ought to prevail, and which in the end must prevail, if we are to win the war.

No one understands better than I do that we can not bring all this about in a direct way, and that some of it can not be brought about at all. We have a Constitution, traditions, and prejudices, none of which I now criticize, and a great part of which, in peaceful times, are invaluable, that compel us to move through cumbersome, uncertain, and indirect methods. To accomplish the purpose and do the justice I have so imperfectly described, we must resort to acts of organization and conscription for the military service, of regulation and control of commerce, of taxation, and the like; but the real object of all these war measures should be to establish a system in which each man, instead of fighting and working chiefly for himself, is fighting and working for the country of which he is a citizen.

Let us keep in mind every moment that to sustain our part in this unprecedented war, we will require substantially all the earnings of all the people in excess of a fair and reasonable living, and that is just as true whether we issue bonds and borrow money for the prosecution of the war or whether we take our revenue in the form of taxation. The industrial and commercial life of the Nation is vast and complicated, and the channels through which the principle must run are hidden and tortuous, but finally the great clearing house of human affairs

will strike the balance. If either labor or capital, or any class of our population, is permitted to retain its profits, somebody will have less than enough for the merest livelihood.

We have heard much about slackers, and we have not yet reached the real definition of this odious creature; but the most objectionable and contemptible slacker is the man who spends a large part of his time boasting of his patriotism and the rest of it trying to hold on to a big income far in excess of his living necessities.

For weeks the Finance Committee, and then the Senate, labored to differentiate between war profits and other profits in business enterprises. There may be a sentimental justice in compelling those who have made fortunes out of the war to contribute more heavily than those who have made their money in some other way, but after all the matter is largely academic, for all profits above a living, and that includes, of course, enough to keep the business, if it be a necessary one, going, must be given up in some form or other. If they are collected from the people through high prices they must be turned over to the Government, but the public good will be more certainly promoted if commodities are sold at a reasonable price and no such profits are made. The Government does not want money except as a medium of exchange. It wants food, clothing, supplies, implements, munitions of war, ships, transportation, and all such things for its Army and Navy, and maintenance for its civilian officers and employees.

If it were possible to so arrange it, and I grant that it is not, that the Government would take all the property and conduct all the industries of the country during the war, with everybody at work, taking out of the common production just enough and no more than enough for support, and the Government taking the things necessary to carry on the war, perfect justice would be done.

This, I concede, is nothing more than an illustration, but it points the way for us as we attempt to equalize the burdens of war through the system under which we live, just and adequate in peace, but awkward and complex in solving the problems of war.

Not a penny of taxes should be laid upon consumption except upon those commodities which the consumer ought to let alone. In a war which will demand the whole surplus, any such tax not only defeats itself but is an intense aggravation of a situation very difficult at best. If Congress had the power to levy direct taxes without apportionment among the States some relief could be found in that direction; but it has not, and practically the Federal Government is confined to duties on imports, excise taxes, income taxes, and inheritance taxes.

In all that I have said I have not forgotten that State, county, municipal, and district governments must be maintained, and it is to be assumed without elaborating the subject that the sums paid for local purposes will be deducted in ascertaining profits or net income from the Federal standpoint. It must also be understood that the estimate of annual increase of wealth is the surplus or savings after all normal public dues are paid.

I recognize that the observations I have made, however sound in principle, are, in a measure, theoretical, and that when we take into consideration the character of the Government we have developed, the structure of industry and commerce we have built up, and the habits and disposition of the people, we will be compelled to abate the full demands of justice and make but gradual approaches to the end in view.

The fundamental error in the bill before us as proposed by the conference report, and it is an error which adheres in both the House and the Senate bill, is that it leaves altogether too large a proportion of the cost of the war to be secured through the issuance of interest-bearing bonds—that is, through borrowing instead of taxation. I can not vote against the report on this ground for we must have the money, but I can, and I do, register my protest against the plan, and in the future as, from time to time, we are required to meet the expenses of the war, I intend to do everything which lies within my power to hold back the flood of bonds which threatens the safety and prosperity of the country. This error carries with it the glaring injustice which is observed in the taxation of profits. Instead of taking a very large part of the profits of capital, it takes a very small part. Instead of taking a very large part of incomes in excess of a fair living, it takes a very small part. Instead of taking a due proportion of the big incomes, it takes so little that those who are enjoying them will scarcely be reminded that a war is in progress, so gigantic and devastating in its character that it endangers all humanity and all civilization. In saying these things, I am not conscious of any hostility toward rich men or rich incomes. I am simply facing a grave situation and telling the truth about it. I am simply recording the obvious fact that capital which consumes nothing and

therefore has no needs to sustain, must, if necessary, work for nothing until the crisis has passed. It is not within my thought that the essential industries of the country shall be in the least degree impaired, and I have no doubt that in many instances profits must be added to capital in order to increase production. If profits are put to work in order to meet the demands of the time, it is entirely within the principle for which I am contending, that they be so used, for anyone understands that the productive capacity of all our industries must not only be kept up but materially increased. My whole contention is that these profits must be in some fashion devoted to the service of the country. It has been asserted over and over again that we must allow people to grow richer through their labor or investments in order to insure production. I am not willing to admit it, for to admit it is to indelibly brand every such man as a slacker, and if I did not believe that the people were ready to make this sacrifice, I would despair of winning the war. A man who is willing to give his boy to fight for his country, but who is not willing to give the use of his property to support the boy, is, to me, an incomprehensible creature. There may be such men, but if there are, the sooner they are marked for everlasting infamy, the better.

Mr. PENROSE obtained the floor.

Mr. SIMMONS. Will the Senator from Pennsylvania yield to me for just a moment to submit a report?

Mr. PENROSE. Certainly.

WAR-RISK INSURANCE.

Mr. SIMMONS. On behalf of the Committee on Finance, I report back favorably with amendments House bill 5723, to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, and for other purposes. I do not file now a formal report, but I ask unanimous consent later to file such a report (No. 141).

Mr. SMOOT. In this connection I desire to say to the Senate that I shall not file a minority report, but I have reserved the right to offer amendments to the bill, particularly amendments to Article IV, known as the insurance title.

Mr. LA FOLLETTE. Mr. President, will the Senator from Pennsylvania kindly yield just for a statement in this same connection?

Mr. PENROSE. Certainly.

Mr. LA FOLLETTE. I attended upon the sessions of the Finance Committee when the bill was under consideration and I think I was present at all the sessions excepting the final session when the bill was completed, there being one or two amendments for consideration at the time I found myself obliged to withdraw from the sessions of the committee in order to be in attendance upon the meeting of the Supreme Court. Therefore, I did not have an opportunity to say, as I wanted to say to the committee, that I should join in a favorable report upon the bill but that I too wanted to reserve the right to offer or to support amendments which I thought might improve the bill.

There was some division in the committee as to rates, and I may want to offer amendments myself or to support amendments offered by others increasing the rates. I would have reserved, if I had been present, the right to support any amendment offered by any Senator that in my judgment improves the bill in any respect.

I thank the Senator from Pennsylvania.

The VICE PRESIDENT. The bill will be placed on the calendar.

WAR REVENUE—CONFERENCE REPORT.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses upon the amendments of the Senate to the bill (H. R. 4280) to provide revenue to defray war expenses, and for other purposes.

Mr. PENROSE. Mr. President, I do not intend to detain the Senate more than a very few minutes. I think, however, as one of the conferees, I ought to inform the Senate that I intend to vote for the adoption of the report, and I was authorized by my minority colleague on the conference, the senior Senator from Massachusetts [Mr. LODGE], to sign his name to the report in favor of the measure.

I do not claim, Mr. President, that this bill is in any way perfect. On the contrary, there are features in this measure most objectionable to me and of a character that I can not defend in public; but I take the measure as a whole; and even if it is only 80 per cent good I know that the Government needs the revenue and that it is my duty to vote for the bill.

Reference has been made to the munitions tax. That, Mr. President, obviously is a most discriminatory tax. On these

war profits heavy additional taxes are levied, and this munitions tax is still retained upon a few special industrial establishments; and yet I recognize the situation in the other House.

I think the chairman of the Ways and Means Committee represented that situation in entire good faith when he informed the conferees that it would be difficult to get the House to agree to repeal the tax for this year, owing to the impression which existed in the House as to the character of the tax and the feeling that it had been, in some way or other, provided and allowed for in the contracts already made. I therefore most reluctantly yielded with the compromise that the tax should cease after this year; yet it raises greatly the taxes on some of these munition-making concerns for the current year.

Then, the inheritance tax, Mr. President, is to me a most objectionable one, representing, as I do in part, a great State like Pennsylvania, and is a subject which, in my opinion, should be entirely without the taxing jurisdiction of the Federal Government. Nearly every State in New England has passed resolutions through its legislature, or has expressed an opinion through its governor, protesting against this tax, not because such inheritances should not be taxed, but because those great sovereign Commonwealths must have some source of revenue. The Legislature of Pennsylvania at its session last winter passed a similar resolution of protest; so did the Legislature of California and the legislatures of other States; yet, Mr. President, realizing that this bill is only for the duration of the war, and hoping that later other sources of revenue may be found so that this inheritance tax can be reduced or abolished, I yielded.

The postal rates, Mr. President, have been referred to by the chairman of the Finance Committee [Mr. SIMMONS], who has fairly expressed my own view. All along I have thought that this perplexing and complicated subject could not be safely gone into in a war-revenue measure which had to be passed quickly. I have served on the Committee on Post Offices and Post Roads of the Senate for 20 years, and I was chairman of that great committee for a number of years. I was chairman of two joint commissions of the two Houses of Congress having particularly in charge the investigation of postal rates. One of them, I may say without egotism, ranks as a monumental commission in its report. This commission had a large appropriation from Congress and brought to Washington the ablest accountants that could be found in New York, who were put into the Post Office Department, and overhauled the whole system. Many of their recommendations have been embodied in the law in the several appropriation bills which have passed Congress since that report was made; but we apparently are no nearer a conclusion as to the adjustment of postal rates on second-class mail matter than we were in 1897, when the Committee on Post Offices and Post Roads, of which I was then a new member, viewed with grave apprehension the future of the Post Office Department, because the appropriation was passing the \$100,000,000 mark, an amount which seemed to us in those primitive days of appalling magnitude, but which now appears quite trivial.

As the chairman of the committee has stated, the postal rates as embodied in this revenue bill can, perchance, be repealed or amended next December, when the Committee on Post Offices and Post Roads of the House of Representatives has before it the general appropriation bill for the Post Office Department, and can consider the question in a deliberate way, with a view to solving it; and I, for one, after 20 years' experience in the controversy, hope that some way can be devised to end it for the good of the Government, for the good of the periodical publishers, and the publishers of daily newspapers.

I say candidly that I should have preferred to have this part left out of the revenue bill, as the Senate left it out; but in view of the fact that the paragraph in reference to the matter does not go into effect until July, 1918, and that Congress will meet in December next, the Senate conferees yielded on that point also.

There would, however, be no particular advantage, Mr. President, in reciting all the features of this bill to which I am opposed. There are some remarkably good features in the measure. The retroactive tax, embodied in the bill as it came over from the House of Representatives, has been eliminated. That was one of those taxes which yielded considerable revenue, but which incensed taxpayers and made them feel that they were being unjustly treated.

Then the so-called double taxation as to holding and subsidiary companies has been provided for in such a way that these additional taxes are not twice imposed.

The proposition to impose a flat taxation of 10 or 15 per cent on the surplus earnings of corporations aroused the business

world from the Atlantic to the Pacific as striking at the very fundamentals of sound industrial economics; yet after a prolonged discussion in the Finance Committee, and later on in the Senate and in conference, a satisfactory adjustment of that proposition was effected, by which the surplus invested in the business or retained for the legitimate requirements of the business is exempt from the flat tax, and a still more equitable provision follows, which caused the committee endless discussion until the matter was finally adjusted. Many million dollars of stock dividends out of surplus declared prior to the declaration of war have been provided for in the bill, so that they are taxable as of the year in which the surplus accrued. Another class of cases, where the stock dividend had been specifically declared out of surplus existing prior to March 1, 1913, when no tax prevailed, have been provided for in this bill, so that they are exempt from tax. These are but illustrations, Mr. President, of the good features of the measure.

The definition of "capital" taxes the genius of the political economists to the highest degree in a complicated industrial civilization like ours. It is difficult to arrive at an equitable and wholly scientific definition of "capital." I believe the definition of "capital" in this bill is in many respects inequitable and is not sufficiently broad; I feel confident that it is going to result in hardship and inequity; but I likewise feel that the definition makes considerable progress in covering certain features of the business and industrial world, and that, while it falls short in many respects, it also contains many excellent features. I, therefore, am willing to accept this definition for the time being, with the hope that next winter in another revenue bill, which will likely be coming along, we shall be able to get some broad definition of "capital" which will be economically sound. That we are unable to do so now is only an illustration of the fact, which has often occurred to me, that this bill, carrying with it the largest sum in the history of our Government, or perhaps of any other government, and covering a continental domain and an industrial civilization more complicated than any which has ever existed in the history of the world, has been framed without almost any useful precedent to go by. Direct taxes are new in America, and certainly direct taxes of this magnitude are entirely without precedent. The House and the Senate have had to feel their way. Precedents have not existed in this country to any extent; precedents in Europe are difficult to thoroughly understand in many cases, and there is no great familiarity with them.

In my opinion the physical and industrial conditions existing in the United States, as compared with a much smaller country like any of the belligerent nations of Europe, render comparisons most dangerous to rely upon. The industrial conditions of the Old World compared with ours are stable and normal, whereas ours are growing by leaps and bounds. With the experience which American statesmanship is obtaining in the framing of this and preceding measures, we shall—and I feel confident we will—gradually advance to firmer ground and be able to frame a measure of direct taxation which will be free from many of the objectionable features contained in this bill.

I do not believe, Mr. President, that any committee, at least since the Civil War, has worked harder on a measure than has the Finance Committee of the Senate on this bill. For nearly five months the committee was literally in daily session from half past 9 or 10 o'clock in the morning until 5 or 6 in the evening, sometimes including Sunday, with a short recess in the middle of the day. Most of the committee attended. The discussions were intelligent and illuminating, and the bill is the evolution of those discussions. The other House, of course, did not have the opportunity to give the same length of time to the bill, but they gave intelligent consideration to the measure and sent over to us the nucleus upon which to work. During that time the ablest men in America were here in Washington to be heard before the Finance Committee or to see members of the committee individually, and the members of the committee were most patient with all taxpayers who came to Washington and afforded them a courteous hearing as long as they desired. I, for one, and, I think, most of the members of the committee, absorbed a vast amount of information from talking to those gentlemen, and profited by that information in framing the bill. It was not a question of asking any favors for anyone, but it was a question of framing the measure so that it would bear equitably and logically upon all who would be affected by it.

This revenue bill has to be passed, Mr. President; the Government needs the revenue, and it ought to be passed immediately; it should have been passed two months ago; and while I fully realize that many taxpayers will awaken to the fact that they must pay very burdensome taxes, and others will realize that the taxes bear most severely upon their particular

cases, yet, after all, the money has to be had and the taxes have to be levied. It is almost impossible, Mr. President, to frame a revenue measure covering 100,000,000 people, with every diversity of climate, wage standards, and industry, that will not in many cases bear harshly on some as compared with others. It is a physical impossibility to hold the scales with absolute equality; but I feel that the measure is substantially good as a revenue raiser, that it can be amended hereafter, and I sincerely hope that the bill may pass to-day.

Mr. SMOOT. Mr. President, in the first place, I want to say that the bill as now reported to the Senate by the conferees, in my opinion, is anything but an improvement on the bill as it passed the Senate, and, taken as a whole, the bill is not nearly so satisfactory as it was when agreed to by the Senate. The conferees in the case of this bill have done just what the conferees do in the case of nearly every important bill that passes Congress—inserting new legislation in the bill in conference. There are new provisions in the bill as now reported that were never acted upon by either the House or the Senate.

Mr. President, so far as I am concerned, I am ready to amend our rules so that there can be a vote in the Senate upon any particular item in a conference report without making it necessary to vote against the report as a whole. As it is now, in order to give expression upon any one item in a conference report we are obliged to vote against the conference report entire and send it back to conference. I am not going to take the time of the Senate to call attention to the legislation which has been put in this bill by the conferees, but there are a great many items, and it is a practice that ought to cease.

The bill is not, of course, as I would have drawn it, and I do not believe that it is entirely satisfactory to any one Senator. The conference report is a compromise; but I suppose, taken as a whole, in view of the differences between the two Houses, the conferees will claim that they did the best they could. If I had been a conferee, I would not have signed the report.

Mr. President, I know that there are not enough votes in the Senate to return this report to conference. If I were convinced that there were enough votes, I would do everything in my power to see that it was returned, if for no other reason than to change the zone system as to second-class mail matter, which has been adopted by the conferees. I do not believe that the system proposed can successfully be defended, and if it were not possible before the provision affecting second-class mail matter takes effect for the Congress to repeal it, I would insist now upon a vote upon the conference report in order to see if that provision could not be changed in conference, but the provision does not take effect until July 1, 1918. In the meantime we will have a regular session of Congress, and I think during that regular session of Congress we can get an expression of Congress as to whether it approves this plan, which means absolute ruin to a large class of publications of this country.

Not only that, Mr. President, but it means a division of this country into zones. Certain sections of the country are to be restricted, on account of the charges imposed upon educational publications, from enjoying privileges granted to other parts of the United States. What right have we to impose upon the people of California, Nevada, Utah, Wyoming, and Nebraska rates for carrying publications of the above character nearly twice, and in some cases over twice, the amount that is imposed upon the people of Canada? Why should the people of those States be compelled to pay more for the carrying of magazines and publications of an educational nature than if they were sent to the farthest end of Siberia or Australasia or any other part of the world?

I received a letter from one of the publishers of a leading magazine, calling attention to what this zone system would mean to subscribers in Western States. In that letter it is said that the postage rates proposed amount to twice as much as it would cost to carry their publication to their subscribers anywhere in Canada; it will even exceed the amount paid for postage by their subscribers in Australasia, South Africa, South America, Europe, or the remotest points to be reached in Siberia. The proposed zone system is especially vicious in that it makes the Government of the United States assess a penalty against every intelligent family that is guilty of living beyond a certain radius of the great publishing centers.

Some may ask, "Well, why do they not publish these papers in the West?" I answer that it is impossible to do so, for the great population is in the East, and in order to reach subscribers in the East the magazines will have to pay under this zone system in some cases \$4.60 a year more than the present rate and the people could not afford and would not pay the extra expense.

The claim is made, Mr. President, that an exception has been made in the case of the publications of religious, educational,

scientific, philanthropic, agricultural, labor, or fraternal organizations or associations; but the exception applies only when the publication is not carried on for profit and when none of the net income derived therefrom inures to the benefit of any private stockholder or individual. There may be a few such in the United States, but there will be an exceedingly small number of them that will be exempt under that provision.

So, Mr. President, I might stand here and call your attention to the effect of this provision on the religious papers of this country, the most influential of which are not exempt; in fact, so few of the publications in this country will fall under the exemption that they are hardly worth considering.

I shall say no more at this time upon this subject, but I give notice that at the regular session of Congress, if I have any influence or if I can use any influence in any way to have Congress pass upon this question directly, I am going to do it. The Senate passed upon this question; they were opposed to the zone system; a majority of this body said they did not want it; and yet it comes back in the conference report in some respects even more vicious than was the original House provision.

Mr. President, it would take me too long a time to go into a discussion of some of the changes made here, which, I think, can not be defended. I think they weaken the bill. I think, Mr. President, that the object the Senate had in passing this bill was to reach with the highest percentage of taxation the largest percentage of gain caused by this war; but the basis of taxation under the excess-profits tax does not reach those extremely high percentages of profit so effectively as did the original Senate amendment. I know, however, that there are enough votes in the Senate to pass this conference report.

Of course, I know that some legislation along this line must be passed; I also know that the Senate wants to conclude its labors for this extra session. Senators are anxious to conclude their labors and go home; and if anyone should attempt at this time to discuss this report—and I am fearful if any other bill that may come up before us should be discussed at any great length—impatience would be manifested on the part of the Senate.

In a day of two we will have before us the war-risk insurance bill. That bill is of enough importance for the Senate of the United States to spend just as much time in discussing it as they spent in discussing the revenue bill. In fact, Mr. President, it is of more importance, because it does not make appropriations for a single fiscal year, but imposes legislation that will require appropriations for 50 years from now, and perhaps 75 or 100 years hence. The figures are almost staggering when you understand what they are. But I expect the bill to pass the Senate with very little discussion. It seems a waste of time for me to undertake to discuss the details of this bill, knowing as I do that no matter what I say this afternoon the bill will pass as it has been reported.

Mr. HARDWICK. Mr. President, I concur quite fully in the sentiment last expressed by the distinguished Senator from Utah [Mr. SMOOT]. The period for discussion with reference to this matter has virtually passed, and yet I feel that it would be unjust to the great masses of the people of America, it would be unjust to the Post Office Department of our Government, and it would be unjust to the conferees who have framed this measure if I permitted some of the statements made by the Senator from Utah to go unchallenged and undenied on this floor.

Mr. President, I voted for this bill with some reluctance. It had in it many things that I did not like. It failed to raise the proper amount of money from the great incomes of this country, according to my conception. Still, I believed that the Government had to have the money to wage this war, and I supported it. I shall support the conference report with a great deal of pleasure, because I believe, directly contrary to the belief of the Senator from Utah, that the conference report is a better bill than either the Senate bill or the House bill; and I believe it most of all with respect to the very proposition about which the Senator from Utah complains most—namely, second-class postal rates.

I am not going into all the figures now, but we have not done one-half of what we ought to have done, even in this conference report, with respect to that matter.

What is the situation? We are making \$60,000,000 a year out of first-class postage, and yet we propose to raise something like fifty or sixty millions more out of the masses of the people by charging 3 cents for letter postage instead of 2 cents. All well and good, if the necessities of this country and of this war require it; but when we are taking that amount of money out of the masses of the people whose letter-postage bill is already running the Post Office Department, I say we would be utterly without regard for the interests of the masses of the people of the country if we did not also increase the rates that these

periodicals pay, where the Government is sustaining an annual loss of \$72,000,000.

What is the proposition, Senators, that excites the ire and resentment and opposition of the distinguished Senator from Utah [Mr. SMOOT]? He does not raise his voice for one moment in protest against the proposition that letter postage be increased; but the minute we want to increase the rates that these periodical publishers pay, he seems to think that the bill is utterly wrong because it undertakes to do so in a very feeble and indifferent way.

It costs us every year \$83,385,929 to handle this second-class mail matter, and we get from it how much? Eleven million three hundred and eighty-five thousand dollars; and when the proposition of the conferees is adopted, and after the four-year period of adjustment it reaches its maximum, we will only receive from this measure, as far as second-class mail-matter rates are concerned, \$27,602,783.54. In other words, even when, after a four-year period of adjustment, we reach the maximum of charges on these second-class mail rates, we will still give to these publishers a bounty of \$46,783,000 a year, as against their present bounty of \$72,000,000 a year.

Ah, Senators, it is justice too long delayed; it is right too long delayed and too scantily measured out at last. These men are not required, under the provisions of the conference report, to give up one-half of the bounty that they have enjoyed for years; and yet the distinguished Senator from Utah says it will ruin the country, and it will ruin all the western people. Not so. Mark the prophecy: I measure my words against his. The readers of these magazines will never pay a cent of this increase. It will all come, and it must come, as it has always come, out of the advertisers; and that is a purely commercial project. If the business of advertising can not be adjusted in four years so as to meet a rate that does not represent a third of what it costs the Government to transact the business, then I say there is something wrong with the business of advertising as it exists to-day.

I am not going to weary the Senate by going over the figures or going over the arguments in detail.

The letter of the Postmaster General, read to-day by the distinguished Senator from North Carolina [Mr. SIMMONS], in charge of this bill, is the clearest, cleanest-cut statement on this question ever issued by a Postmaster General; and in my judgment it refutes completely, absolutely, and undeniably every contention and every statement made by the distinguished Senator from Utah.

So I say that I support this conference report with a great deal of pleasure for the very opposite reason to that which makes my friend from Utah so averse to supporting it at all.

Mr. GORE. Mr. President, I desire to ask the Senator from Georgia a question before he takes his seat.

Mr. HARDWICK. I yield to the Senator from Oklahoma.

Mr. GORE. I wish to ask him as to the experience of Canada under the increased postage rate on first-class matter. I have understood that they raised the rate during the present war.

Mr. HARDWICK. They did.

Mr. GORE. And I should like to ask the Senator what effect that increase has had on the postal revenues?

Mr. HARDWICK. I can not answer the Senator with absolute accuracy about that. My impression is that the report of the department was that the increase had had some effect in reducing the volume, and possibly in reducing the total revenue from that source, but I will not say for certain that such is the absolute fact.

Mr. GORE. Is the Senator advised as to whether it has reduced the total returns?

Mr. HARDWICK. I think it did; but I will not be positive about it. Of course, I will say to the Senator that there may be some danger that an increase in letter postage in this country may reduce the volume of that business, but I do not think the danger is very great.

Mr. GORE. I think when England went to the penny post it received more revenue under the lower than under the higher rate.

Mr. HARDWICK. That is undoubtedly true.

Mr. GORE. For my own part I wish to express my regret that the conference committee agreed to the increased rate on letter postage. This is one of the most objectionable methods of increasing taxation. This is one of the most objectionable of several objectionable taxes agreed to in conference.

Mr. HARDWICK. That is the part of it that I do not like. When we are already making \$60,000,000 a year clear profit out of first-class mail matter, to wit, on letters and postal cards, I see very little excuse for undertaking to put an extra charge on it, even in war times. That is really the only thing connected with this postal matter that I think the conferees ought

not to have done. But looking at that this time from the same angle that my friend from Utah [Mr. Smoot] did, we are obliged to take the bitter and the sweet along together. I earnestly and honestly believe that the effect of the action that the conferees have taken to-day will be to guarantee universal 1-cent letter postage throughout this country as soon as normal times come again and as soon as we can adjust these second-class rates to a still higher level, where they will pay a still greater per cent of the cost of handling second-class matter, as ought to be the case.

I therefore accept and support the conference report with respect to this matter, and do so the more readily because I am confident that now that the correct principle has been applied to second-class mail rates the day when we can give the people of the country 1-cent letter postage can not be long delayed, once this war is over.

Mr. HITCHCOCK. Mr. President, I want to say a word in answer to what the Senator from Georgia [Mr. Hardwick] has said. He has very strong convictions on this subject, but I am convinced that his convictions are founded on an entire misconception of the publication business. I will put my judgment now against his judgment, and predict that if this increase in postage under the zone system is carried into effect it will not lead to an increase in advertising rates, but will rather tend to lead to a reduction in advertising rates, because it will inevitably result in a reduction of the circulation of the publications.

Advertising rates are not under the control of the publisher. Advertising rates are based upon the results which advertisers derive from the purchase of publicity, and anything done to reduce the circulation of publications is inevitably bound to result in reducing advertising rates. Advertising rates were enlarged by the increased circulation of periodicals and newspapers inaugurated 30 years ago, when the rates were placed at their present standard as a part of our educational system. No one can predict exactly the result of what is to come, but this is inevitable: Those increased postage rates can not be paid by most of the publications in this country. They can not be paid by them, because their profits at the present time are not large enough to make it possible. Either the publications must pass on those additional postage rates to the subscribers, or the publications must go out of business, in a very large number of cases.

Mr. HARDWICK. Mr. President, why can they not be passed on to the advertisers, if they are all under that obligation?

Mr. HITCHCOCK. Because the publisher does not control the rate that the advertiser pays.

Mr. HARDWICK. But if you do not reduce his circulation or the number of his subscribers, and the advertisers must all have advertising, and all must pay more money, why can not that be done?

Mr. HITCHCOCK. That shows how little the Senator knows about the publication business. If he were the proprietor of a great food product he would advertise in the publications and pay so much per thousand of circulation, and his books would show at the end of the year, from the results obtained, whether he could continue to pay that rate or not. He can not pay the rate simply because the publisher demands it. He can only pay the rate as the result of the sales which he makes, and he will make no more sales upon a publication paying a higher rate of postage than a publication paying a different rate of postage. The advertising rates are based upon the results that the advertiser gets. He buys publicity, and nothing but publicity. The publisher can not raise his rates unless he gives the advertiser larger returns, and he can not give him larger returns when his circulation is being restricted.

Mr. HARDWICK. I do not want to prolong the argument, and I am sure the Senator does not; but does it not seem to him that the man who is going to sell this advertising has something to say about the price at which it shall be sold?

Mr. HITCHCOCK. He has very little to say. I have been in the business for 30 years, and I know that I can not raise my advertising rates unless I can give a larger return, and every publisher knows it. It is not a one-sided business. Advertisers pay for results. They buy publicity. If you reduce the publicity the advertising rates have got to come down. That is a delusion that the Senator has been laboring under all this time.

I want to say that this great bonus that is talked about as being paid to the publishers of the country is not paid to the publishers of the country. The business of advertising is the most highly competitive business in the United States, and the publisher in that highly competitive business puts his subscription rates just as low as he can put them. Increase the cost of his distribution, increase the cost of his publication, and he must inevitably increase the cost to the subscriber.

Mr. SHAFROTH. Mr. President, does not the Senator think that the Saturday Evening Post has something to say about charging \$7,000 for a one-page advertisement in one issue?

Mr. HITCHCOCK. Why, Mr. President, it is cheaper to buy a page in the Saturday Evening Post at \$6,500 than it would be to buy a page in some other publication for \$1.50.

Mr. SHAFROTH. Does not the proprietor of that periodical have something to say about fixing that amount?

Mr. HITCHCOCK. Very little; very little. It is only when his representatives can go to the purchaser of advertising and show him how many hundreds of thousands of readers he is going to reach that he can charge any such rate. Cut off the number of readers and his rate has got to go down. The cheapest advertising in the country is in papers of great circulation. The delusion that a publisher can charge what he pleases for advertising is one of the most monumental delusions of those who know nothing about the business.

Mr. HARDWICK. Mr. President, will the Senator yield for a question?

Mr. HITCHCOCK. I yield.

Mr. HARDWICK. If the increase in postage will reduce the circulation of publications, why will not the increase in the price of print paper decrease their circulation?

Mr. HITCHCOCK. It has decreased it. It has tended to decrease it. Only the extraordinary demand growing out of this tremendous war has prevented a greater decrease. But publishers all over the country are raising their rates. Publishers in Chicago, in Philadelphia, in Pittsburgh, in Omaha, and in other places have raised their subscription rates.

Mr. HARDWICK. I will inquire if the Senator's own paper has not raised its rates, both on advertising and on subscriptions?

Mr. HITCHCOCK. We have only raised our rate on advertising as we increased our circulation.

Mr. HARDWICK. But you have raised your rate on advertising twice in the last 12 months, have you not?

Mr. HITCHCOCK. Oh, I have done that for the last 30 years as often as I could show that I had a larger circulation; but I can not raise my rates without showing that I have a larger circulation. I have raised my subscription price on account of the increased cost of paper, and I will raise it again when the zone system and the higher postage go into effect.

Mr. HARDWICK. That is what they will all do.

Mr. HITCHCOCK. You will not be taxing me by increasing postal rates; every strong publication will pass on the increase to the reader; but you will kill off, meanwhile, all of the struggling publications of the country. I do not know what the percentage will be. You will make a path of wreck and ruin that will come back to plague you some day. I do not know how many, but I will venture to say that thousands of publications in this country that are not strong will die, and instead of having promoted the public interest by this course you will have injured it. You will not injure the publishers that are able to take care of themselves. You will ruin a lot of publishers that are in the struggling list—and the business is so competitive that a very large proportion of them are in the struggling list—and you will deprive a great many hundreds of thousands of readers of cheap literature that they are getting to-day.

Mr. HARDWICK. Some of it we could do without very well.

Mr. MYERS. Mr. President, I am in favor of the adoption of the pending conference report. It contains some things for which I did not vote in the Senate, and there are many things for which I voted in the Senate that are not in it, but I believe it is the best that can be gotten out of conference. To reject the conference report would, in my opinion, cause a long delay; and what we need is action, not delay.

This bill is designed to raise money to support our brave soldiers who are fighting or will fight for us in a foreign country, and to defray our expenses in the greatest war that has ever been waged—not only the greatest in size but in the scope of its contest for human rights and liberty.

In this connection I have a short editorial clipping from the New Northwest, of Missoula, Mont., written by the editor, Dr. E. B. Craighead, a writer, educator, and scholar of note. It pays a merited and splendid tribute to the American drafted soldier, which, I think, is appropriate in connection with this subject. I send it to the desk and ask that it be printed in the RECORD in connection with my remarks.

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

The matter referred to is as follows:

DRAFTED!

This picture represents the noblest figure in all the world, a common soldier, standing beneath the Stars and Stripes. He asks no favors and fears only God. Clad in simple garb, he stands erect—a man,

craving neither pelf nor power, but God's best gift—health and strength to serve his fellow men and to fight for freedom's holy cause. No emperor was ever great enough to add aught to the glory that justly belongs to him and to the hundreds of thousands of American youth who seek only one distinction—that of fighting shoulder to shoulder with the friends of freedom in all lands and under all skies. To him a clear conscience and a mother's benediction are worth more than the iron cross of an emperor.

This plain private neither volunteered nor otherwise sought to have his name inscribed upon the roll of honor. The trappings, the emoluments and distinctions of office did not appeal to him. But when the tumult and the shouting had died away, and training camps were no longer in need of men seeking to become officers, he heard his country calling for men to join the ranks, and awaited not a second summons. In that call he heard the voice of duty and the voice of God.

He heard the moan of mothers weeping for dead babies—babies not snatched away by a mysterious providence, but bayoneted by brutal soldiers. He saw little children, wandering like wild beasts through trackless forests, along steep and barren mountain sides and heard their plaintive cry for bread, and the still more plaintive moaning for their dead mothers.

(Ah, the children, the children, tens of thousands of them, terrified, lost in the thick palpable darkness of mysterious forests, freezing, starving, weeping for their dead mothers—what a picture! It is enough to arouse the wrath of God Almighty Himself. Is it any wonder that it dimmed millions of eyes unused to tears and turned upon the Prussian autocracy the curses of the mothers of the world. Heart-rending enough to move the hearts of the most pitiless of savages—yea, even the heart of a stone—this awful spectacle appealed not to the educated and refined officers of William, trained as they were in the schools of Bernhardi and Treitschke!)

This common soldier saw the wretchedness and woe, the worse than Dantean hell into which the sons and daughters of freedom had been plunged by the mad ambitions of a few colossal murderers who were and are struggling to enslave the world. He recalled the sinking of the *Lusitania* and the impudent threats of an Emperor and madman to destroy the world's commerce. He saw his own beloved America infested by German spies, creeping like treacherous, poisonous reptiles around our industrial centers, our arsenals, and munition plants—yea, lurking boldly about the Halls of Congress or sleeping serenely, as if the war had been won, under the dome of the Capitol itself.

No ordinary man is this American private. He's the bone and sinew and heart of the Republic. He has not been cowed into silence by the iron hand of Prussian despotism, or trained to obedience by the stern rod of the German schoolmaster. He has not sunk into an ignorant brute like the Russian peasant, under the brutal despotism of the Czars. He's a freeman, educated in the free schools of the greatest Republic of the world. He's a sovereign, a king crowned by the might of merit. Taught to fear God and take his own part, he can, like the eagle, look the sun in the eye. To the American private, to the common people and the common soldiers, civilization is appealing, and this appeal shall not be in vain.

Think of holding over the head of this man the threat, "Enter the Army or you'll be shot like a spy or traitor!"

Mr. LA FOLLETTE. Mr. President, for some 9 or 10 years I have been the publisher of a magazine. During a goodly portion of that time I have published that magazine at a loss. But, Mr. President, I voted for the McKellar amendment increasing the rates upon second-class publications. I voted for the Hardwick amendment. I supported the Hardwick amendment in the Committee on Finance, and I shall vote, so long as I have the opportunity, to increase postal rates upon second-class publications, notwithstanding the fact that it affects me adversely, until such time as my publication and others of like character are no longer carried in the mails at a loss to the Government.

But, Mr. President, I did not rise to discuss that phase of this conference report. I had expected to submit to the Senate at some length observations which I desire to make before the close of this session which could be appropriately made while this bill is pending. But in deference to the request of the chairman of the Committee on Finance, who is worn out with his labors upon this bill and in need of rest, and who as chairman of the committee has carried the burden of this legislation through the Senate Committee on Finance in the 10 weeks that the bill was before that committee and during the month or more that it was under consideration by the Senate, and also through all the stages of contest over its provisions in conference and inasmuch as he desires to be relieved of the care of this legislation after to-day, I shall defer any extended observations that I might make while the bill is before the Senate until another time.

I do want to say, however, that I voted against this measure when it was on its passage before the Senate because, as I believed, it violated every principle that should control in the establishment of a wise and just policy in financing a war.

I voted against the bill for other reasons. I do not believe it is possible, or ever will be possible, for any government to finance a war upon economically sound principles; but I do believe that it is the duty of all legislators who have to do with governmental finance, when a war is on, to approximate, in so far as may be possible, to a just principle of finance as applied to the conduct of a war.

Mr. President, there can be no question in the mind of anyone who is even superficially a student of government finance and of political economy since it has been a recognized science that war should be financed by paying for the war while the war is on. Any other policy imposes upon the mass of the people untold burdens. Any other policy makes it difficult for the

Government itself to conduct the war within the compass of anything like reasonable economy. The policy of mortgaging, the policy of borrowing, is vicious and unsound on every principle of economy and government finance. There is no reputable authority upon political economy or upon finance who has put forth an untainted opinion since that science was founded who does not support my assertion that the only sound principle of conducting a war is to pay for it as you go, and to tax to pay for it as you go.

But, Mr. President, that inevitably means that you will lay very heavy taxes while the war is on and that inevitably means that you will lay great burdens upon wealth, because, sir, it is an elementary principle of taxation that the tax shall be distributed according to the ability to bear it.

That brings me back to say again that no war has ever been financed upon economically sound principles, and no war ever will be so financed. Why? Because, sir, wealth will not stand for it, and wealth in every government on earth since mankind has been at war has always been potential enough to control the financing of the war.

So it has happened that very few wars have been financed upon what might be termed proper economic basis. Great Britain has come nearer to financing her wars upon a sound economic policy than any other government in the world. For nearly 300 years she has come nearer to meeting the requirements of sound principles than any other government on earth; but only twice, sir, in that period of nearly three centuries has she financed a war upon a fifty-fifty basis, furnishing by taxation 50 per cent of the amount necessary to carry on the war and providing for the additional 50 per cent by borrowing.

It is not alone that you impose the burdens of the war upon a future generation who have no responsibility for bringing on the war, by borrowing the money on long-time bond issues to finance it, but the inevitable result is to greatly inflate the currency and enormously increase prices and increase the cost of living.

Mr. President, in the War of 1812 we blundered, and it brought us financial disaster. In the Mexican War we blundered again, but the war lasted but a short time. Its cost was comparatively small, and we escaped without serious financial embarrassment. In the Civil War we suffered for a generation of time the great swarm of evils that resulted from a wrongful financing of that war.

John Sherman was probably the ablest financier of this country after Alexander Hamilton. He severely condemned the plan pursued by our Government in financing the Civil War, yet in that war we raised relatively very much more by taxes and very much less by bonds than we propose in this war. Reviewing the wrongful financing of that war, what did he say when the refunding time came? And we are making it impossible for us to refund the bonds we are issuing to finance the present war. We are not only issuing bonds to carry on this war in much larger amounts, in proportion to the sum we propose to raise by taxation, than we did in the Civil War, but we are issuing bonds payable at remote periods, and without any option for the Government to pay them off at an earlier time or to refund the loan at a lower interest rate. The Senate voted down the amendments I offered to the last bond bill which would have given to the Government the opportunity to pay the bonds, if able, in 5, 10, or 15 years or to refund at lower rates of interest after the war is over. We are financing this war, I say, under a policy which permits of long-time loans that will carry the high interest rate that we have to pay now at the beck and nod of the money lender over into a period when their money will be worth a very much lower interest rate than it is to-day. John Sherman, reviewing the financing of the Civil War when Congress was considering the refunding measures of that time, declared that that war should have been financed upon not less than 50 per cent raised by taxes and not more than 50 per cent raised by loans, and that every war should be financed by at least as large a proportion of taxation.

Mr. President, whatever may be said about another tax bill at another session, let us not deceive ourselves, for we are now, at this session, at this very moment, preparing the way, laying the foundation, putting down the lines along which this war is to be financed.

Those in control of this legislation are seeing carefully to it now that the amount raised by taxes shall be low and that the amount raised by bonds up to the present time shall be relatively very high. At what moment of time, tell me, Senators, will the policy be adjusted upon an adequate proportion between borrowing and taxation? Now is the time that wealth

should be taxed what it ought to pay in order to properly balance between loans and taxation.

Mr. President, this conference report presents the bill to us in some respects a bit better than when it passed the Senate. In some respects it is very much worse than when it passed the Senate. It is still a bad bill in that it contains a false and wicked and wrongful definition of measuring the capital of corporations. You are taking upon yourselves at this time the responsibility of writing into law a definition of a corporation's capital that will fix upon the bended backs of the great body of the people of this country untold burdens for the generations to come—burdens in overcharges in the prices of all the necessities of life and burdens in extortionate charges upon transportation so long as private capital shall be engaged in interstate commerce. You are writing into this bill an unjust provision with respect to the surplus that corporations will be authorized to accumulate. For the first time in the history of legislation you are giving sanction and authority for charging such rates and such prices as will warrant the accumulation of surplus through those unjust charges and unjust prices, and then that surplus furnished by the people will be converted into new capital for the corporation upon which profits are to be charged.

But, Mr. President, I pointed out these more conspicuous evils and defects in this bill at length when the measure was before the Senate. I could not summon to the support of amendments to strike out of this bill those wrongful provisions in it more than 15 or 20 votes upon this floor. I do not expect, sir, in anything I may say now to be able to change the result. We all understand that when a conference report comes back to the Senate that it can not be amended under our rules. It must be accepted or rejected without amendment.

I hope to live to see the rules of the Senate changed so that a conference report will be subject to amendment by the Senate, or may be rejected in part and be sent back again for conference as to the things that are wrong in it. What chance have you in dealing with a conference report when you must take the whole report or reject the whole report, but can not amend it? Those are our rules to-day.

I would be glad to vote for a bill financing this war based upon the right principles, just to all the people of this country, doing no injustice to wealth, but making it bear its full share of the burden.

Think of it! Thirty-one per cent tax on war profits! Look your constituents in the face and tell them you voted against raising the tax upon war profits above that figure—not the tax upon normal profits but the tax upon war profits—and see how they will receive you. The tax upon incomes and the tax upon war profits provided for in this bill are away below what Great Britain is raising to-day from those sources of taxation. And yet these selfish interests have enjoyed three years of war profits untaxed.

Do you suppose the people will be satisfied? No, Mr. President; the issue raised in the contest over this bill will be a living issue before the people until settled right. That the amount of revenue raised by this bill is too small, that the tax upon surplus incomes and war profits is grossly and wrongfully insufficient, that the bond issues authorized are wickedly excessive, will make the contest at the next session very much more difficult for those of us who are in the minority now is undoubtedly true. But this contest will go on, and at another session the struggle will be renewed to properly and justly tax surplus incomes and war profits.

Mr. STONE. I desire to state that when this measure is disposed of I shall move an executive session. I am making this statement so that Senators may not go away.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

EXECUTIVE SESSION.

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

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

RECESS.

Mr. OVERMAN. I move that the Senate take a recess until 11 o'clock to-morrow morning.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, October 3, 1917, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate October 2, 1917.

UNITED STATES DISTRICT ATTORNEYS.

William A. Munly, of Anchorage, Alaska, to be United States attorney, District of Alaska, division No. 3, vice William N. Spence, resigned.

Herbert S. Phillips, of Jacksonville, Fla., to be United States attorney, southern district of Florida. (Reappointment.)

Edwin Lowry Humes, of Pittsburgh, Pa., to be United States attorney, western district of Pennsylvania. (Reappointment.)

UNITED STATES MARSHALS.

F. R. Brenneman, of Valdez, Alaska, to be United States marshal, District of Alaska, division No. 3. (Reappointment.)

James B. Perkins, of Pensacola, Fla., to be United States marshal, northern district of Florida. (Reappointment.)

PROMOTIONS IN THE ARMY.

COAST ARTILLERY CORPS.

To be first lieutenants.

Second Lieut. Harold R. Jackson, Coast Artillery Corps, from April 20, 1917, vice First Lieut. Alfred E. Larrabee, detailed in the Signal Corps.

Second Lieut. Morris K. Barroll, jr., Coast Artillery Corps, from April 20, 1917, vice First Lieut. Paul L. Ferron, transferred to Field Artillery.

Second Lieut. Walter W. Warner, Coast Artillery Corps, from April 20, 1917, vice First Lieut. Furman E. McCammon, promoted.

Second Lieut. Walter F. Vander Hyden, Coast Artillery Corps, from April 20, 1917, vice First Lieut. William C. Koenig, transferred to the detached officers' list.

Second Lieut. Ira A. Crump, Coast Artillery Corps, from April 20, 1917, vice First Lieut. George W. Easterday, transferred to the detached officers' list.

Second Lieut. Elbert L. Ford, jr., Coast Artillery Corps, from April 20, 1917, vice First Lieut. Richard S. Dodson, transferred to the detached officers' list.

Second Lieut. Samuel H. Bradbury, jr., Coast Artillery Corps, from April 20, 1917, vice First Lieut. Richard B. Paddock, detailed in the Signal Corps.

Second Lieut. James L. Hayden, Coast Artillery Corps, from April 20, 1917, vice First Lieut. Charles A. Chapman, transferred to the detached officers' list.

Second Lieut. Scott B. Ritchie, Coast Artillery Corps, from April 20, 1917, vice First Lieut. William H. Jouett, dismissed.

Second Lieut. George S. Beurket, Coast Artillery Corps, from April 26, 1917, vice First Lieut. Louis B. Bender, promoted.

(NOTE.—This is submitted for the purpose of correcting dates of rank of nominees. They were nominated August 1, 1917, and confirmed August 6, 1917.)

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

FIELD ARTILLERY ARM.

To be first lieutenants with rank from August 7, 1917.

Second Lieut. Edward W. Austin, Second Field Artillery, vice First Lieut. William C. Young, Field Artillery, promoted.

Second Lieut. Clyde C. Alexander, Eighteenth Field Artillery, vice First Lieut. William C. Crane, jr., Field Artillery, promoted.

Second Lieut. Erwin A. Manthey, Sixteenth Field Artillery, vice First Lieut. Carlos Brewer, Field Artillery, promoted.

Second Lieut. Henry B. Dawson, Fourth Field Artillery, vice First Lieut. David E. Cain, Field Artillery, promoted.

Second Lieut. John W. Kelley, Fifteenth Artillery, vice First Lieut. John E. McMahon, jr., Field Artillery, promoted.

Second Lieut. Harvey R. Hitchcock, jr., Fourteenth Field Artillery, vice First Lieut. Falkner Heard, Field Artillery, promoted.

Second Lieut. Thomas H. Davis, Twelfth Field Artillery, vice First Lieut. Herbert S. Clarkson, Field Artillery, promoted.

Second Lieut. John P. Ratajczak, Seventeenth Field Artillery, vice First Lieut. Louis A. Craig, Field Artillery, promoted.

Second Lieut. Robert B. Hood, Twelfth Field Artillery, vice First Lieut. Raymond Marsh, Field Artillery, promoted.

Second Lieut. Victor A. Dash, jr., Seventeenth Field Artillery, vice First Lieut. Joseph M. Swing, Field Artillery, promoted.

Second Lieut. Charles W. Chalker, Nineteenth Field Artillery, vice First Lieut. Stanley E. Reinhart, Field Artillery, promoted.

Second Lieut. John L. Hamilton, Thirteenth Field Artillery, vice First Lieut. Dean Hudnutt, Field Artillery, promoted.

Second Lieut. Roy C. Moore, Eighteenth Field Artillery, vice First Lieut. Louis E. Hibbs, Field Artillery, promoted.

Second Lieut. Theodore E. T. Haley, Fourth Field Artillery, vice First Lieut. Jesse F. Tarpley, Field Artillery, promoted.
 Second Lieut. John F. Hepner, Eighth Field Artillery, vice First Lieut. Horace L. McBride, Field Artillery, promoted.

To be first lieutenants with rank from August 9, 1917.

Second Lieut. Arnold W. Shntter, Eleventh Field Artillery, vice First Lieut. Hamilton E. Magulre, Field Artillery, promoted.
 Second Lieut. Leland W. Crafts, Twentieth Field Artillery, vice First Lieut. Ray C. Rutherford, Field Artillery, promoted.
 Second Lieut. A. Franklin Kibler, Second Field Artillery, vice First Lieut. William R. Woodward, Field Artillery, promoted.
 Second Lieut. Leonce J. Blanchard, Fifteenth Field Artillery, vice First Lieut. Alfred K. King, Field Artillery, promoted.
 Second Lieut. John D. Robb, Nineteenth Field Artillery, vice First Lieut. Henry C. Jones, Field Artillery, promoted.
 Second Lieut. Winfield M. Putnam, Sixteenth Field Artillery, vice First Lieut. Clarence E. Bradburn, Field Artillery, promoted.

Second Lieut. James C. Lysle, Twelfth Field Artillery, vice First Lieut. Ronald D. Johnson, Field Artillery, promoted.
 Second Lieut. Francis S. Conaty, Third Field Artillery, vice First Lieut. Robert S. Donaldson, Field Artillery, promoted.
 Second Lieut. William E. Beitz, Fourteenth Field Artillery, vice First Lieut. Horace H. Fuller, Field Artillery, promoted.
 Second Lieut. Claude T. Porter, Eighth Field Artillery, vice First Lieut. Charles G. Helmick, Field Artillery, promoted.
 Second Lieut. Thomas H. Eckfeldt, jr., Third Field Artillery, vice First Lieut. Ernst Sedlacek, Field Artillery, promoted.
 Second Lieut. Sumter D. Marks, jr., Twenty-first Field Artillery, vice First Lieut. Philip L. Thurber, Field Artillery, promoted.

Second Lieut. Gordon H. Dickson, Tenth Field Artillery, vice First Lieut. William C. Houghton, Field Artillery, promoted.
 Second Lieut. Reed E. Beck, Thirteenth Field Artillery, vice First Lieut. John C. Wyeth, Field Artillery, promoted.
 Second Lieut. Waldo E. Ard, Nineteenth Field Artillery, vice First Lieut. Arthur R. Harris, Field Artillery, promoted.
 Second Lieut. Clarence E. Cartwright, Twentieth Field Artillery, vice First Lieut. John G. Burr, Field Artillery, promoted.
 Second Lieut. Joseph R. Walsh, Fifteenth Field Artillery, vice First Lieut. John B. Anderson, Field Artillery, promoted.
 Second Lieut. Harold Kernan, Twentieth Field Artillery, vice First Lieut. William E. Burr, Field Artillery, promoted.
 Second Lieut. Innes H. Bodley, Sixteenth Field Artillery, vice First Lieut. James A. Lester, Field Artillery, promoted.

To be first lieutenants with rank from August 8, 1917.

Second Lieut. Gerald F. Delamer, Eleventh Field Artillery, vice First Lieut. Herbert S. Struble, Field Artillery, promoted.
 Second Lieut. James H. Genung, jr., Twenty-first Field Artillery, vice First Lieut. Francis J. Dunigan, Field Artillery, promoted.

Second Lieut. Louis J. Fortier, Field Artillery, vice First Lieut. Edwin A. Zundel, Field Artillery, promoted.
 Second Lieut. Warner M. Pomerene, Fourteenth Field Artillery, vice First Lieut. Charles M. Busbee, Field Artillery, promoted.

Second Lieut. Ross S. Mason, Tenth Field Artillery, vice First Lieut. Albert W. Waldron, Field Artillery, promoted.
 Second Lieut. Edwin Shelby, jr., Third Field Artillery, vice First Lieut. John H. Wallace, Field Artillery, promoted.
 Second Lieut. William M. Wiener, Third Field Artillery, vice First Lieut. Joseph D. Coughlan, Field Artillery, promoted.
 Second Lieut. William J. Schieffelin, jr., Twelfth Field Artillery, vice First Lieut. Harry A. Harvey, Field Artillery, promoted.

Second Lieut. William F. Kernan, Twenty-first Field Artillery, vice First Lieut. Hugh P. Avent, Field Artillery, promoted.
 Second Lieut. George L. B. Rivers, Eighteenth Field Artillery, vice First Lieut. Arthur A. White, Field Artillery, promoted.

Second Lieut. Dell H. McCoy, Fourteenth Field Artillery, vice First Lieut. Frederick J. Williams, Field Artillery, promoted.
 Second Lieut. Wallace G. Drummond, Eighth Field Artillery, vice First Lieut. James A. Pickering, Field Artillery, promoted.

Second Lieut. Morrill Ross, Seventeenth Field Artillery, vice First Lieut. William Spence, Field Artillery, promoted.
 Second Lieut. Roland L. Davis, Sixteenth Field Artillery, vice First Lieut. John W. Rafferty, Field Artillery, promoted.

Second Lieut. John A. Steere, Thirteenth Field Artillery, vice First Lieut. Robert B. McBride, jr., Field Artillery, promoted.
 Second Lieut. Leslie E. Babcock, Twentieth Field Artillery, vice First Lieut. Paul V. Kane, Field Artillery, promoted.

Second Lieut. Joseph C. Elliff, Fourth Field Artillery, vice First Lieut. William H. Cureton, Field Artillery, promoted.
 Second Lieut. William T. Barker, Eleventh Field Artillery, vice First Lieut. Fay B. Prickett, Field Artillery, promoted.

Second Lieut. Erik Achorn, Eleventh Field Artillery, vice First Lieut. Roland P. Shugg, Field Artillery, promoted.

Second Lieut. Dorsey Richardson, Seventeenth Artillery, vice First Lieut. Craigie Krayenbuhl, Field Artillery, promoted.

Second Lieut. Byron H. Mehl, Twelfth Field Artillery, vice First Lieut. Ray W. Barker, Field Artillery, promoted.

Second Lieut. William C. Dunckel, Twenty-first Field Artillery, vice First Lieut. Belton O'N. Kennedy, Field Artillery, promoted.

Second Lieut. William H. Burns, Thirteenth Field Artillery, vice First Lieut. Francis H. Miles, jr., Field Artillery, promoted.

Second Lieut. Bernard R. Kennedy, Fourth Field Artillery, vice First Lieut. Herbert A. Dargue, Field Artillery, promoted.

Second Lieut. Rex B. Shaw, Tenth Field Artillery, vice First Lieut. Avery J. French, Field Artillery, promoted.

Second Lieut. John W. Faulconer, jr., Eighteenth Field Artillery, vice First Lieut. William C. Harrison, Field Artillery, promoted.

Second Lieut. Richard E. Taylor, Seventeenth Field Artillery, vice First Lieut. John K. Boles, Field Artillery, promoted.

Second Lieut. Charles D. Wiman, Third Field Artillery, vice First Lieut. Paul D. Carlisle, Field Artillery, promoted.

Second Lieut. Herbert L. Montgomery, Eighteenth Field Artillery, vice First Lieut. Casey H. Hayes, Field Artillery, promoted.

Second Lieut. Gennad A. Greaves, Twenty-first Field Artillery, vice First Lieut. Cuyler L. Clark, Field Artillery, promoted.

Second Lieut. Willis A. Garvey, Fifteenth Field Artillery, vice First Lieut. Joseph B. Treat, Field Artillery, promoted.

Second Lieut. Edwin H. Blanchard, Fifteenth Field Artillery, vice First Lieut. Sylvester D. Downs, jr., Field Artillery, promoted.

Second Lieut. Francis M. Crist, Fourth Field Artillery, vice First Lieut. Orlando Ward, Field Artillery, promoted.

Second Lieut. Haines B. Quimby, Twentieth Field Artillery, vice First Lieut. John S. MacTaggart, Field Artillery, promoted.

Second Lieut. Robert C. Gillies, Eighth Field Artillery, vice First Lieut. William S. T. Halcomb, Field Artillery, promoted.

Second Lieut. Oliver G. Brush, Nineteenth Field Artillery, vice First Lieut. Walter W. Hess, jr., Field Artillery, promoted.

Second Lieut. Gordon H. Michler, Sixteenth Field Artillery, vice First Lieut. Thomas J. Brady, Field Artillery, promoted.

Second Lieut. Robert G. Merrick, Tenth Field Artillery, vice First Lieut. Herbert R. Corbin, Field Artillery, promoted.

COAST ARTILLERY CORPS.

To be first lieutenants with rank from August 7, 1917, to fill original vacancies.

Second Lieut. Fenton G. Epling.
 Second Lieut. Ross G. Hoyt.
 Second Lieut. William Mayer.
 Second Lieut. Hubert A. McMorrow.
 Second Lieut. Douglas G. Clark.
 Second Lieut. Vernon G. Cox.
 Second Lieut. Ralph G. Lockett.

To be first lieutenants with rank from August 8, 1917, to fill original vacancies.

Second Lieut. John H. La Fitte.
 Second Lieut. Leon C. Dennis.
 Second Lieut. Clarence L. Stevens.
 Second Lieut. Caruthers A. Coleman.
 Second Lieut. William F. Lafrenz.
 Second Lieut. Carson G. Jennings.
 Second Lieut. Charles J. Collins.
 Second Lieut. Richard G. Lyne.
 Second Lieut. James B. Muir, jr.
 Second Lieut. Edmund H. Stillman.
 Second Lieut. Robert C. Snidow.
 Second Lieut. John F. Loomis.
 Second Lieut. Charles H. Keck.

To be first lieutenants with rank from August 9, 1917, to fill original vacancies.

Second Lieut. Thurwood Van Ornum.
 Second Lieut. Cecil R. Moore.
 Second Lieut. Anthony L. Bleeker.
 Second Lieut. Edward A. Willford.
 Second Lieut. James E. Wallis.
 Second Lieut. Granville B. Smith.
 Second Lieut. Grafton S. Kennedy.
 Second Lieut. Chester K. Allen.
 Second Lieut. Harold C. Abbott.
 Second Lieut. James A. Blair.
 Second Lieut. Harold A. Maxfield.
 Second Lieut. James P. Ferrall, jr.

Second Lieut. Robert E. Lamb.
 Second Lieut. Winthrop C. Swain.
 Second Lieut. George A. Nelson, jr.
 Second Lieut. Edward Y. Keesler.
 Second Lieut. Roland H. Dufault.
 Second Lieut. Gardner E. Johnson.
 Second Lieut. Frank C. Howard.
 Second Lieut. Paul H. Duff.
 Second Lieut. Lucas E. Schoonmaker.
 Second Lieut. Gordon M. Wells.
 Second Lieut. Robert E. Johnston.
 Second Lieut. Hermon F. Safford.
 Second Lieut. Clifford D. Hindle.
 Second Lieut. John R. Ramsbottom.
 Second Lieut. Merton L. Haselton.
 Second Lieut. John R. Wheeler.
 Second Lieut. Raymond J. Farrell.
 Second Lieut. John R. Haviland.
 Second Lieut. Erving G. Betts.
 Second Lieut. Arthur F. Benson.
 Second Lieut. Joseph F. Williamson.
 Second Lieut. Richard W. Logan.
 Second Lieut. Thomas E. Hannah.
 Second Lieut. Frank S. Krug, jr.
 Second Lieut. Henry M. Blank.
 Second Lieut. William H. Holmes.
 Second Lieut. Arthur D. Dickson.
 Second Lieut. Roswell S. Curtis.
 Second Lieut. Douglas M. Griggs.
 Second Lieut. Horace F. Banan.
 Second Lieut. Harry W. Capper.
 Second Lieut. Douglas F. Miner.
 Second Lieut. Edward F. Weiskopf.
 Second Lieut. Sidney S. Small.
 Second Lieut. James P. Jacobs.

To be first lieutenants with rank from August 9, 1917, to fill casual vacancies.

Second Lieut. Cornelius H. Menger, vice First Lieut. August Norton, promoted.
 Second Lieut. William H. Seymour, vice First Lieut. Thomas J. Cecil, promoted.
 Second Lieut. Sherwood H. Taber, vice First Lieut. Clement C. Heth, promoted.
 Second Lieut. Walton B. Killough, vice First Lieut. Frederic A. Price, jr., promoted.
 Second Lieut. Ernest C. Bomar, vice First Lieut. Edward P. Noyes, promoted.
 Second Lieut. Jarvis C. Marble, vice First Lieut. Charles E. Ide, promoted.
 Second Lieut. James W. Anderson, vice First Lieut. George F. Moore, promoted.
 Second Lieut. Alfred H. Crossman, vice First Lieut. Roy R. Lyon, promoted.
 Second Lieut. John R. Markham, vice First Lieut. Thomas I. Steere, promoted.
 Second Lieut. Charles E. Atkinson, vice First Lieut. William N. Porter, promoted.
 Second Lieut. George D. Kittredge, vice First Lieut. Cary R. Wilson, promoted.
 Second Lieut. Thomas F. Tisinger, vice First Lieut. John H. Hood, promoted.
 Second Lieut. Coburn L. Berry, vice First Lieut. Philip M. Ljungstedt, promoted.
 Second Lieut. John H. Babbitt, vice First Lieut. Daniel N. Swan, jr., promoted.
 Second Lieut. Carroll C. Taylor, vice First Lieut. Harry W. Stovall, promoted.
 Second Lieut. Joseph P. Gardner, vice First Lieut. Richard F. Cox, promoted.
 Second Lieut. Edward B. McCarthy, vice First Lieut. John P. McCaskey, jr., promoted.
 Second Lieut. Herbert A. Dyer, vice First Lieut. Edward S. Harrison, promoted.
 Second Lieut. Edward H. Raymond, vice First Lieut. Harry T. Pillans, promoted.
 Second Lieut. Eugene B. Butler, vice First Lieut. Frank Drake, promoted.
 Second Lieut. Simpson R. Stribling, vice First Lieut. Thomas H. Jones, promoted.
 Second Lieut. Neal E. Tourtelotte, vice First Lieut. Edward Roth, jr., promoted.
 Second Lieut. Hubert E. Wellcome, vice First Lieut. Sydney S. Winslow, promoted.

Second Lieut. Lyle D. Wise, vice First Lieut. Wilmot A. Danielson, promoted.
 Second Lieut. Edwin M. Woodward, vice First Lieut. Francis J. Torney, promoted.
 Second Lieut. John W. Orcutt, vice First Lieut. Edgar B. Collday, promoted.
 Second Lieut. James A. Taylor, vice First Lieut. Frederick R. Garcin, promoted.
 Second Lieut. James G. McDougall, vice First Lieut. Douglas C. Cordiner, promoted.
 Second Lieut. Richard Derby, vice First Lieut. Franklin Babcock, promoted.
 Second Lieut. Frederick R. Cox, vice First Lieut. Harvey C. Allen, promoted.
 Second Lieut. James T. Campbell, vice First Lieut. John E. Sloan, promoted.
 Second Lieut. Howard S. MacKirdy, vice First Lieut. William B. Hardigg, promoted.
 Second Lieut. Kenyon Roper, vice First Lieut. Robert W. Clark, jr., promoted.
 Second Lieut. Thomas W. Hansberry, vice First Lieut. Arnold Heinrich, promoted.
 Second Lieut. Albert J. Hahn, vice First Lieut. Roy T. Cunningham, promoted.
 Second Lieut. Maurice E. Barker, vice First Lieut. Felix E. Gross, promoted.
 Second Lieut. Philip E. Hulburd, vice First Lieut. Lawrence A. McLaughlin, promoted.

PROVISIONAL APPOINTMENT IN THE ARMY.

INFANTRY ARM.

Earle Thomas Decker, of Wisconsin, to be second lieutenant of Infantry with rank from date of appointment.

APPOINTMENTS IN THE NATIONAL ARMY.

GENERAL OFFICERS.

To be brigadier generals with rank from August 5, 1917.

Col. Benjamin Alvord, adjutant general.
 Col. Edgar Russell, Signal Corps.
 Col. Alfred E. Bradley, Medical Corps.
 Lieut. Col. Walter A. Bethel, judge advocate.
 Lieut. Col. James G. Harbord, Cavalry, General Staff.
 Lieut. Col. Clarence C. Williams, Ordnance Department.
 Col. Harry L. Rogers, Quartermaster Corps.
 W. W. Atterbury, of Pennsylvania.

TO BE BRIGADIER GENERALS, WITH RANK FROM AUGUST 5, 1917.

Adjutant General's Department.

Col. James T. Kerr, United States Army, retired.
 Col. Eugene F. Ladd, United States Army, retired.

Judge Advocate General's Department.

Lieut. Col. Samuel T. Ansell, Judge Advocate.

Quartermaster Corps.

Col. Isaac W. Littell, Quartermaster Corps.
 Col. Chauncey B. Baker, Quartermaster Corps.
 Col. David L. Brainard, Quartermaster Corps.

Corps of Engineers.

Col. Frederic V. Abbot, Corps of Engineers.
 Col. E. Eveleth Winslow, Corps of Engineers.

Ordnance Department.

Col. Edwin B. Babbitt, Ordnance Department.
 Col. Charles B. Wheeler, Ordnance Department.

Medical Corps.

Col. Charles Richard, Medical Corps.
 Col. William H. Arthur, Medical Corps.
 Col. Henry P. Birmingham, Medical Corps.

CONFIRMATIONS.

Executive nominations confirmed by the Senate October 2, 1917.

AGENT AND CONSUL GENERAL.

Hampson Gary to be agent and consul general at Cairo, Egypt.

MEMBER OF THE FEDERAL TRADE COMMISSION.

John Franklin Fort to be a member of the Federal Trade Commission.

COLLECTORS OF CUSTOMS.

Zach L. Cobb to be collector of customs for customs collection district No. 24.

Thomas A. Coleman to be collector of customs for customs collection district No. 23.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

Lieut. Commander Hillary H. Royall to be a commander in the Navy.

The following-named lieutenants to be lieutenant commanders:

Isaac C. Bogart,
Julian H. Collins,
Lewis D. Causey, and
Sherwoode A. Taffinder.

The following-named lieutenants (junior grade) to be lieutenants:

Hugh V. McCabe, and
Jesse B. Oldendorf.
Ensign Charles T. S. Gladden to be a lieutenant (junior grade).
Medical Inspector Luther L. von Wedekind to be a medical director.

The following-named surgeons to be medical inspectors:

Henry D. Wilson,
Edgar Thompson,
Will M. Garton,
Francis M. Furlong,
Granville L. Angeney,
Henry E. Odell,
James S. Taylor, and
Joseph A. Murphy.

Passed Asst. Surg. George L. Wickes to be a surgeon.
Passed Asst. Surg. William N. McDonnell to be a surgeon.
Passed Asst. Surg. Harry L. Brown to be a surgeon.

The following-named reserve officers to be ensigns:

Francis H. McAdoo,
James A. Burbank,
Charles K. Cobb, jr.,
Almy C. Maynard,
Ralph L. Dodge,
Thomas W. Mather,
Joseph L. Day,
Raymond L. Watrous,
Winn D. Faris,
Chester L. Nichols,
John S. Brayton, jr.,
Conant Wait,
Charles R. Westbrook,
Robert M. Curtis,
George T. Jarvis, 2d,
Arthur C. Saxe,
Samuel E. Raymond,
Evans R. Dick, jr.,
Herbert M. Corse,
Arthur W. Ford,
William L. Worsham,
Schuyler Dillon,
Frederic A. Merrill,
William F. Kurfess,
Harold F. Fultz,
Edwin Cowles,
John O. Burgwin,
Walter H. Wheeler, jr.,
Folke E. Sellman,
Arthur M. Tschirgi,
Wayne F. Palmer,
Donald McClench,
Clifford D. Smith, jr.,
Robert F. Herrick, jr.,
Horton Brown,
John H. Wilcox,
Donald M. Ryerson,
Horace Butler,
Benjamin W. Cloud, 2d,
Philip C. Kauffman,
Richard H. Cobb,
Franklin King,
Conrad Chapman,
George Taylor,
William T. Kirk, 3d,
William H. May,
John E. P. Morgan,
Harlan W. How,
Henry W. D. Rudd,
William W. Grace,
Winslow H. French,
Irving R. Gale,
Howard G. Cann,
Thomas I. H. Powel,
Bryan Frere,
Thorton Emmons,
Mallery K. Aiken,

Paul A. Hourigan,
Stanford Harmon,
John D. Shular,
Clarence W. Schmidt,
Arthur C. Smith,
Howard P. Hart,
Frederick S. Conner,
James L. Sprunt, jr.,
Arthur C. Hoyt,
Marion W. Lee,
Gould T. Miner,
William E. D. Stokes, jr.,
John Upton,
George F. Talbot,
Percival Van R. Harris,
Horace B. Gardner,
Charles L. Poor, jr.,
Bulkeley L. Wells,
Walter R. O'Sullivan,
J. Harrison Keller,
Thomas M. Leovy,
John Hemphill,
Richard S. Maynard,
Ernest Gregory,
Thomas Robins, jr.,
George G. Jones,
Lyman S. King,
Miles Wambaugh,
George E. McQuesten,
DeLancey Nicoll, jr.,
Lewis G. Smith,
Paul A. Sherer,
Douglas G. Lovell,
William W. Slaymaker,
Alfred G. Gennert,
Sydney P. Clark,
Frank T. Hogg,
Junius S. Morgan,
Walter P. Shiel,
John T. Rowland,
George D. Howell, jr.,
Charles Higginson,
Hamilton Vose, jr.,
Joseph C. Storey,
William C. Bok,
Edward Lloyd, jr.,
Elmer J. Stoffel,
Selim E. Woodworth,
John S. Lionberger,
Roy D. Keyes,
Frank W. Morrell,
Francis T. Hunter,
Harold S. Simmons,
Robert W. Emmons, 3d.,
Arthur T. Leonard,
John L. Merrill,
William V. Couchman, jr.,
Thomas N. Page,
Richard M. Breed,
George R. Hann,
Andrew C. Little,
Hallowell V. Morgan,
Robert B. Noyes,
Eugene R. Sturtevant,
Henry Hale, jr.,
Chester J. La Roche,
Milton H. Bird,
John R. Litchfield,
Barron C. Watson,
Carter B. Burnett,
John T. Scully,
William J. Curtis, jr.,
Hayden Crocker,
Mathew P. Waller,
Robert R. Theobald,
Bryant H. Howard,
Ralph W. Preston,
James H. R. Cromwell,
Robert D. Bartlett,
Charles H. Bowman,
Herbert de H. Glass, and
Allan C. Brown.

The following-named passed assistant surgeons to be surgeons:

Harold W. Smith,

Addison B. Clifford,
Eugene A. Vickery,
Richard A. Warner,
Paul R. Stalnaker,
Ernest O. J. Eyttinge,
Curtis B. Munger,
Fletcher H. Brooks,
John B. Mears,
George S. Hathaway,
Frank E. Sellers,
Edward H. H. Old,
Edward C. White,
Thurlow W. Reed, and
Edward U. Reed.

The following-named assistant surgeons to be passed assistant surgeons:

Carroll R. Baker,
Cliff C. Wilson,
George W. Calver,
John T. Borden,
Daniel Hunt,
Claude W. Carr,
Howard Priest,
Robert L. Crawford,
John F. Riordan,
Ovid C. Foote,
Martin B. Hiden,
Arthur E. Younie,
Arthur E. Beddoe,
Louis H. Roddis,
Frank H. Haigler,
Frederick Ceres,
Horace V. Cornett,
James D. Bobbitt,
William H. Massey,
Harvey R. McAllister,
Walter C. Espach,
Howard A. Tribou,
William B. Hetfield,
Jesse B. Helm,
Walter L. Haworth, and
Thomas A. Fortescue.

The following-named assistant paymasters to be passed assistant paymasters:

Arthur H. Eddins,
John J. Gaffney,
John A. Byrne, and
Eaton C. Edwards.

The following-named civil engineers, with the rank of lieutenant commander, to be civil engineers:

Reuben E. Bakenhus,
Ernest R. Gayler, and
Archibald L. Parsons.

Surg. John T. Kennedy to be a medical inspector.

The following-named naval constructors, with the rank of commander, to be naval constructors, with the rank of captain:

Richard M. Watt,
John D. Beuret,
Daniel C. Nutting, jr.,
William P. Robert,
Thomas G. Roberts,
Laurence S. Adams, and
Stuart F. Smith.

The following-named naval constructors, with the rank of lieutenant commander, to be naval constructors, with the rank of commander:

Henry M. Gleason,
William McEntee,
John A. Spilman,
Julius A. Furer,
Sidney M. Henry,
Lewis B. McBride,
John W. Woodruff,
Clayton M. Simmers,
Ross P. Schlabach,
James L. Aokerson,
Richard D. Gatewood,
Isaac I. Yates,
George C. Westervelt,
William B. Fogarty,
Charles W. Fisher, jr.,
Holden C. Richardson,
John H. Walsh,
Edward C. Hamner, jr., and
Emory S. Land.

The following-named lieutenants to be lieutenant commanders:

Lesley B. Anderson,
Herbert F. Emerson,
Ronan C. Grady,
Albert S. Rees,
Hollis M. Cooley,
Aubrey W. Fitch,
Fred F. Rogers,
Robert V. Lowe,
Harold Jones,
Edwin A. Wolleson,
Robert W. Cabaniss,
Claude B. Mayo,
Herndon B. Kelly,
John B. Rhodes,
George H. Bowdley,
Fletcher C. Starr,
John S. McCain,
Matthias E. Manly,
Reuben L. Walker,
Alexander Sharp, jr.,
William C. I. Stiles,
Edward D. Washburn, jr.,
Wilfred E. Clarke,
Joe R. Morrison,
Claude A. Bonvillian,
Garrett K. Davis,
William B. Howe,
Hamilton F. Glover,
Gardner L. Caskey,
Albert C. Read,
Robert T. Theobald,
William L. Beck,
Garret L. Schuyler,
Charles F. Russell,
John A. Monroe,
Frank N. Eklund,
Willis W. Bradley, jr.,
Raymond A. Spruance,
Henry K. Hewitt,
William C. Barker, jr.,
Weyman P. Beehler,
Arthur A. Garcelon, jr.,
John W. W. Cumming,
Roy LeC. Stover,
Charles A. Dunn,
James J. Manning,
Richard R. Mann,
Charles C. Gill,
Augustin T. Beauregard,
Russell S. Crenshaw,
Herbert S. Babbitt,
Bryson Bruce,
Randall Jacobs,
Richard S. Edwards,
Clyde R. Robinson,
Ralph C. Needham,
Irving H. Mayfield,
Louis H. Maxfield,
Alfred W. Atkins,
Claud A. Jones,
George W. Kenyon,
Lucien F. Kimball,
Harold M. Bemis,
John M. Schelling,
William O. Wallace,
Bruce R. Ware, jr.,
William S. Farber,
Alfred W. Brown, jr.,
Guy E. Baker,
William F. Newton,
David A. Scott,
Miles A. Libbey,
Earle F. Johnson,
Felix X. Gyax,
Guy E. Davis,
Lemuel M. Stevens,
Joseph S. Evans,
Charles R. Clark,
Chester H. J. Keppler,
John W. Lewis,
Charles G. Davy,
Horace T. Dyer,
Rufus W. Matthewson,

Damon E. Cummings,
 Warren G. Child,
 William H. Lee,
 William P. Williamson,
 Vaughn V. Woodward,
 Robert T. S. Lowell,
 Richard T. Keiran,
 Charles C. Slayton,
 John H. Hoover,
 Raymond F. Frellsen,
 Philip H. Hammond,
 Harry Campbell,
 Allan S. Farquhar,
 Harvey W. McCormack,
 Ernest D. McWhorter,
 Bert B. Taylor,
 Frank R. King,
 Carl T. Osburn, and
 Archibald D. Turnbull.

The following-named ensigns to be lieutenants (junior grade):

Henry M. Mullinnix,
 Ralph E. Davison,
 Russell S. Berkey,
 George F. Hussey, jr.,
 Osborne B. Hardison,
 Russell S. Hitchcock,
 Willis C. Sutherland,
 Arthur C. Miles,
 Frank W. Wead,
 Conrad A. Krez,
 Tuthill Ketcham,
 Harris K. Lyle,
 Sidney E. Dudley,
 Earl M. Major,
 Paul B. Glutting,
 Walter E. Borden, jr.,
 Arthur C. Geisenhoff,
 William F. Boyer,
 Willard A. Kitts, 3d,
 Carroll W. Hamill,
 Clinton H. Havill,
 Byron S. Dague,
 Frank E. Beatty, jr.,
 Woodbury E. Mackay,
 Stanton F. Kalk,
 Clifford H. Roper,
 Augustus J. Selman,
 Milton O. Carlson,
 Norman P. Earle,
 Don P. Moon,
 Robert C. Bourne,
 Thomas J. Keliher, jr.,
 Hugo Schmidt,
 Clinton E. Braine, jr.,
 Laurance F. Safford,
 William M. Fechteler,
 Robert A. Awtrey,
 Charles S. Baker,
 Donald M. Carpenter,
 Gerald F. Bogan,
 Leon S. Fiske,
 William F. Loventhal,
 Harold M. Horne,
 Arthur T. Emerson,
 Grover C. Klein,
 Bartley G. Furey,
 Bertram J. Rodgers,
 John A. Terhune,
 Lew W. Bagby,
 Lyman K. Swenson,
 Gail Morgan,
 Gilbert F. Bunnell,
 Thorwald A. Solberg,
 Edward P. Sauer,
 John H. Carson,
 Robert B. Carney,
 Arthur W. Radford,
 John A. Vincent,
 Boyd R. Alexander,
 Frederick B. Craven,
 Edwin S. Earnhardt,
 John E. Williams,
 Webster M. Thompson,
 Louis R. Vail,
 Paul S. Goen,

Harry V. Baugh,
 Andrew DeG. Mayer,
 Charles G. Halpine,
 John W. Watters, jr.,
 Walter W. Webb,
 Henry L. Phelps,
 Archer W. Webb,
 John E. Reinburg,
 Charles J. Wheeler,
 John A. Sternberg,
 Samuel P. Ginder,
 Van Hubert Ragsdale,
 Robert J. Walker,
 Homer L. Grosskopf,
 Henry N. Fallon,
 Maxwell Cole,
 Henry J. White,
 Gilbert W. Summers,
 Fred D. Kirtland,
 Arthur D. Burhans,
 Amos B. Root,
 Paul W. Rutledge,
 Albert M. Rhudy,
 Calvin T. Durgin,
 James A. Scott,
 William E. Miller,
 Douglas C. Woodward,
 Armistead C. Rogers,
 John D. Price,
 James B. Ryan,
 Sidney W. Kirtland,
 Joseph H. Lawson,
 Richard E. Webb,
 Charles T. Gilliam,
 Thomas V. Cooper,
 Newbold T. Lawrence, jr.,
 Martin B. Stonestreet,
 Richard H. Jones,
 Linton Herndon,
 Leon F. Brown,
 Herbert J. Grassie,
 Isaiah Parker,
 Chaplin E. Evans,
 George D. Price,
 Carlyle Craig,
 James P. Compton,
 Fred W. Connor,
 Dallas Wait,
 John E. Ostrander, jr.,
 Houston L. Maples,
 Andrew I. McKee,
 Randall E. Dees,
 Paul W. F. Huschke,
 Clarence W. Johnson,
 Frank G. Fahrion,
 Norborne L. Rawlings,
 Frank H. Dean,
 Harold S. Klein,
 Lawrence Wainwright,
 Donald B. Duncan,
 George F. Martin,
 Bernard F. Jenkins,
 Edward L. Ericsson,
 Richard R. Claghorn,
 John M. Bloom,
 Jesse L. Kenworthy, jr.,
 Albert E. Schrader,
 William R. Casey,
 Archibald E. Fraser,
 Dennis L. Ryan,
 Arnold H. Bateman,
 Charles T. Joy,
 Alva J. Moore,
 Nelson N. Gates,
 Benjamin R. Holcombe,
 Charles G. Berwind,
 William L. Keady,
 Theodore T. Patterson,
 George P. Brewster,
 Henry B. Broadfoot,
 John Wilkes,
 Robert B. Twining,
 William P. Bacon,
 Wilbur W. Feineman,
 Bruce P. Flood,

Oscar W. Erickson,
 Henry C. Merwin,
 James M. Steele,
 Casper K. Blackburn,
 Thomas D. Warner,
 T. DeWitt Carr,
 Charles P. Cecil,
 Humbert W. Ziroid,
 Julius W. Simms,
 George F. Chapline,
 William J. Forrestel,
 John S. Roberts,
 Norman O. Wynkoop,
 William W. Schott,
 Walter B. Cowles,
 Stanwix G. Mayfield, jr.,
 Edwin F. Cochrane,
 Gilbert C. Hoover,
 Walter S. Carrington,
 Roy K. Jones,
 Heman J. Redfield,
 Lowell Cooper,
 Andrew C. McFall,
 Herbert S. Jones,
 Robert N. Kennedy,
 Carl H. Hilton,
 James K. Davis,
 Cassin Young,
 Knefler McGinnis,
 George G. Robertson,
 Roman J. Miller,
 Frederick E. Haeberle,
 Edmund E. Brady, jr.,
 George W. McIver, jr.,
 Henry R. Oster,
 Colin Campbell,
 Theodore L. Schumacher,
 Douglas W. Coe,
 Albert Noble,
 Ingolf N. Kiland,
 Edward A. Mitchell,
 Alexander D. Douglas,
 Homer N. Wallin,
 Sydney J. Wynne,
 Earle E. Muschlitz,
 Julian L. Woodruff,
 David C. Fox,
 Simon P. Fullinwider,
 William P. O. Clarke,
 Jay K. Allen,
 Stanton H. Wooster,
 George T. Howard,
 Robert L. Randolph, jr.,
 Theodore M. Waldschmidt,
 Adolph P. Schneider,
 Robert R. Ogg,
 Harold B. Sallada,
 George R. Fairlamb, jr.,
 John R. Cruse,
 Ross F. Collins,
 Paul F. Shortridge,
 John J. Twomey,
 Hugh St. C. C. Sease,
 Carl F. Holden,
 Kingsland Dunwoody,
 Vincent J. Moore,
 James H. Conyne,
 Frederic W. Neilson,
 Allen I. Price,
 Byron K. Presnell,
 Robert W. McReynolds, jr.,
 Harrison Avery,
 Leonard Doughty, jr.,
 Hanson E. Ely, jr.,
 Ralph U. Hyde,
 Ralph Wyman,
 George C. Cummings,
 George M. Keller,
 Edward J. Moran,
 John H. Keefe,
 Francis W. Benson,
 Vernon F. Grant,
 Francis T. Spellman,
 Carl L. Hansen,
 Ben H. Wyatt,

Ward P. Davis,
 Volney O. Clark,
 Gale A. Poindexter,
 Robert W. Fleming,
 William J. Morcock,
 Karl Keller,
 Robert E. Keating,
 John N. Walton,
 Evan G. Hanson,
 William G. Ludlow, jr.,
 Leonard B. Austin,
 John H. Jenkins,
 Emile Topp,
 Donald R. Evans,
 Frank J. Hanafée,
 John G. M. Stone,
 Clarence O. Ward,
 Thomas D. Ross,
 John V. Murphy,
 Peyton H. Park,
 Kenneth Floyd-Jones,
 William H. Ball,
 Seabury Cook,
 Constantine N. Perkins,
 Benjamin O. Wells,
 Herbert W. Jackson,
 Robert B. Dashiell,
 John O'D. Richmond,
 Andrew G. Shepard,
 Lisle F. Small,
 Edmund B. Caldwell,
 Nicholas Vytlačil,
 Edward B. Rogers,
 Charles L. Hayden,
 Robert G. Tobin,
 Herbert B. Knowles,
 Anson A. Bigelow,
 John C. Tyler,
 Benjamin Buchalter,
 Joseph W. Gregory,
 John T. Metcalf,
 Benjamin F. Staud,
 Francis C. Denebrink,
 Robert B. Matthews,
 Walter C. Calhoun,
 Lester J. Hudson,
 Samuel B. Brewer,
 Frank W. Lively,
 Davenport Browne,
 Franklin S. Irby,
 Colin DeV. Headlee,
 Merrill Comstock,
 Richard W. Gruelick,
 Paul U. Tevis,
 Wilbur V. Shown,
 George K. Weber,
 William F. Dietrich,
 Andrew G. Reaves,
 Richard H. Harper,
 John B. Heffernan,
 Harry C. Blodgett,
 Elliott M. Senn,
 Thomas R. Cooley, jr.,
 George L. Harriss,
 Homer W. Clark,
 Edward Sparrow,
 Robert L. Porter, jr.,
 Guido F. Forster,
 Edward H. Jones,
 Earl W. Morris,
 Thomas B. Hendley,
 Kenneth L. Coontz,
 Howard F. Councill,
 Phillip W. Warren,
 Allan R. McCann,
 Herbert W. Anderson,
 Carl W. Brewington,
 Chester M. Holton,
 Leonard P. Wessell,
 Frank L. Worden,
 Frederick L. Weis,
 Andrew R. Mack,
 Ralph F. Skylstead,
 Guy W. Clark,
 James P. Conover, jr.,

Francis A. Smith,
 Conrad L. Jacobsen,
 William M. Reifel,
 Laurence P. Sargent,
 Lewis L. Gover,
 Rollin Van A. Failing,
 Laurence E. Kelly,
 Douglas A. Spencer,
 John J. Bartholdi,
 Harold F. Ely,
 Stephen E. Dillon,
 William S. B. Claude,
 Guy B. Hoover,
 Charles W. Weltzel,
 Isidore Lehrfeld,
 John H. Forshew, jr.,
 William S. Heath,
 Kenneth M. Hoeffel, and
 Felix B. Stump.

The following-named officers to be lieutenants for temporary service:

Earl R. Morrissey,
 William G. Greenman,
 Horatio J. Peirce,
 Hugh C. Frazer,
 James A. Crutchfield,
 Charles P. Mason,
 Grady B. Whitehead,
 Campbell D. Edgar,
 Walter S. Haas,
 De Witt C. Ramsey,
 Roscoe E. Schuirman,
 Abraham C. Ten Eyck,
 Francis E. M. Whiting,
 John K. Richards, jr.,
 Stanley G. Womble,
 Paul S. Theiss,
 John Wilbur,
 Robert E. P. Elmer,
 George S. Gillespie,
 Hubert V. La Bombard,
 Edward H. McKitterick,
 Laurence R. Brown,
 Leonard N. Linsley,
 Henry L. Abbott,
 Elmer L. Woodside,
 Glenn B. Davis,
 Palmer H. Dunbar, jr.,
 Ray H. Wakeman,
 Carl E. Hoard,
 Charles N. Ingraham,
 Adolph v. S. Pickhardt,
 Paul A. Stevens,
 George W. Wolf,
 Robin B. Daughtry,
 Walter Seibert,
 Richard H. Knight,
 Hugh L. White,
 Norman C. Gillette,
 Thomas Shine,
 Neil H. Geisenhoff,
 Lloyd R. Gray,
 George D. Hull,
 Solomon H. Geer,
 Chapman C. Todd, jr.,
 Paul Cassard,
 Walter O. Henry,
 Carl T. Hull,
 Eric F. Zemke,
 Edward J. O'Keefe,
 Hamilton V. Bryan,
 Wilbur J. Ruble,
 John Le V. Hill,
 Robert H. Grayson,
 John L. Hall,
 James H. Strong,
 Stephan B. Robinson,
 Harold H. Little,
 Hamilton Harlow,
 Thales S. Boyd,
 Daniel E. Barbey,
 John J. Brown,
 Carl K. Martin,
 Harry P. Curley,
 John P. Bowden,

Baylis F. Poe,
 Charles K. Osborne,
 Ingram C. Sowell,
 Charles A. Lockwood, jr.,
 William H. Burtis,
 Hans Ertz,
 Aaron S. Merrill,
 Charles S. Alden,
 Charles F. Greene,
 Garnet Hulings,
 Charles W. McNair,
 Otto M. Forster,
 Louis R. Ford,
 William H. P. Blandy,
 James C. Jones, jr.,
 Herman E. Keisker,
 Bruce G. Leighton,
 Roy J. Wilson,
 Charlie P. McFeaters,
 Harold C. Van Valzah,
 Thomas M. Shock,
 Stewart F. Bryant,
 Kenneth R. R. Wallace,
 William B. Jupp,
 William I. Causey, jr.,
 Frank L. Johnston,
 George L. Greene, jr.,
 Reginald S. H. Venable,
 John A. Brownell,
 Roy Dudley,
 Laurence Wild,
 Herbert K. Fenn,
 James E. Brenner,
 Paul Hendren,
 Henry M. Briggs,
 Joseph Y. Dreisonstok,
 John M. Kates,
 Thomas G. Berrien,
 George M. Tisdale,
 William L. Wright,
 Elroy L. Vanderkloot,
 John R. Palmer,
 Hartwell C. Davis,
 Terry B. Thompson,
 Laurance T. Du Bose,
 Arthur G. Robinson,
 Frederic W. Dillingham,
 Hardy B. Page,
 George B. Junkin,
 Justin McC. Miller,
 Harry R. Gellerstedt,
 Oliver L. Downes,
 Roy Pfaff,
 Earl H. Quinlan,
 Lloyd H. Lewis,
 Samuel N. Moore,
 Stuart E. Bray,
 Arthur S. Walton,
 Arthur W. Dunn, jr.,
 Philip C. Ransom,
 Jerome A. Lee,
 Henry A. Seiller,
 Alfred H. Donahue,
 John D. Jones,
 William Masek,
 Edmund S. McCawley,
 Langdon D. Pickering,
 Andrew L. Haas,
 Franklin B. Conger, jr.,
 Ligon B. Ard,
 Joseph H. Hoffman,
 Robert D. Kirkpatrick,
 David R. Lee,
 Rawson J. Valentine,
 August Schulze,
 Frank Gunnell Kutz,
 Noel Davis,
 Carl H. Jones,
 Charles B. C. Carey,
 Carleton F. Bryant,
 Alfred P. H. Tawresey,
 John H. Buchanan,
 Joseph R. Redman,
 Franklin G. Percival,
 Theodore D. Ruddock, jr.,

Andrew H. Addoms,
 James D. Black,
 William H. Porter, jr.,
 Sherrod H. Quarles,
 William E. Malloy,
 John M. Creighton,
 Edmund W. Burrough,
 George F. Nelley,
 Byron B. Ralston,
 Herbert J. Ray,
 John G. Moyer,
 Bert F. Clark,
 Archibald N. Offley,
 Richard L. Conolly,
 Thomas L. Nash,
 William A. Teasley,
 Arthur E. Wills,
 Homer L. Ingram,
 Alexander R. Early,
 Vincent A. Clarke, jr.,
 Philip W. Yeatman,
 William J. Hart, jr.,
 Walter E. Doyle,
 Karl E. Hintze,
 William W. Meek,
 Ellsworth Davis,
 Charles J. Parrish,
 Paulus P. Powell,
 Benjamin H. Lingo,
 Louis J. Roth,
 Clarke Withers,
 Tunis A. M. Craven,
 William G. B. Hatch,
 Samuel S. Thurston,
 Valentine Wood,
 Leo H. Thebaud,
 Leman L. Babbitt,
 James R. Webb,
 Horace W. Pillsbury,
 Walker Cochran,
 Julian B. Timberlake, jr.,
 Laurence W. Clarke,
 Michael Hudson,
 Gordon Hutchins,
 Henry F. Floyd,
 Raymond Asserson,
 Leonard R. Agrell,
 Jesse H. Smith,
 Harold P. Parmelee,
 Frank Hindrelet,
 Ralph Martin,
 Maxwell Case,
 Warner W. Bayley,
 Conrad D. Fry,
 Henry P. Samson,
 William J. Larson,
 Thomas N. Vinson,
 Herman A. Spanagel,
 Frank L. Lowe,
 Theo. D. Westfall,
 Zeno W. Wicks,
 Albert G. Berry, jr.,
 George B. Wilson,
 William K. Harrill,
 Alfred H. Balsley,
 Greene W. Dugger, jr.,
 Charles D. Swain,
 Albert H. Rooks,
 Russell E. Perry,
 Stanley L. Wilson,
 Charles E. Rosendahl,
 Robert W. Hayler,
 Theodore W. Sterling,
 Hervey A. Ward,
 William A. Corn,
 Edwin T. Short,
 John B. W. Waller,
 Robert L. Vaughan,
 Thomas J. Doyle, jr.,
 Charles F. Martin,
 Kemp C. Christian,
 Samuel G. Moore,
 John L. Vaiden, and
 Swift Riche.

The following-named Lieutenants to be lieutenant commanders:

John H. Towers,
 Isaac C. Kidd, and
 Charles C. Hartigan.
 Lieut. (Junior Grade) Theodore H. Winters to be a lieutenant,
 Ensign Henry P. Samson to be a lieutenant (junior grade).
 Machinist Patrick J. Solon to be a chief machinist.
 Pharmacist Frank Fulton to be a chief pharmacist.

The following-named pay clerks to be assistant paymasters in the Navy:

Arthur G. King,
 Edward H. Littlefield,
 William R. Parker,
 Samuel B. Caldwell,
 Merritt C. Haff,
 Benjamin H. White,
 Eugene R. Walter,
 Eugene K. Brooks, jr.,
 Lester A. Dyekman,
 Walter E. Morton,
 William C. Colbert,
 Forest G. Lackland,
 Floyd J. Farber,
 Orly Tagland,
 George E. Lord,
 Percy J. Hutchison,
 Marcus E. West,
 Thomas C. Edrington,
 Samuel Mitchell,
 Matthew A. Mackie,
 Melvin E. Throneson,
 Houston S. Stubbs,
 Clarence B. Fuller,
 Frank E. Herbert,
 William R. Ryan,
 Walter T. Cronin,
 Nathaniel E. Disbrow,
 James C. Masters,
 Carl M. Johnson,
 James Fellis,
 Allen J. Marshall,
 William E. Lund,
 John Flynn,
 Arthur D. Turner,
 Joseph G. Stanton,
 William E. Todd,
 Albert S. Freedman,
 Leonard A. Klauer,
 Joseph O'Reilly,
 Harry H. Reynolds,
 William H. McKenna,
 Walter A. Thomas,
 Orville D. Foutch,
 Ernest W. Paynter,
 Beverly W. Jennings,
 Herbert H. Lowry,
 LeRoy Moyer,
 Edward R. McKenzie,
 William J. Smith,
 Benjamin Berkowitz,
 Palmer J. McCloskey,
 Edison H. Gale,
 Herman W. Johnson,
 Maurice T. Scanlan,
 John B. Daniels,
 Michael J. Dambacher,
 Harry E. Stengele,
 Robert C. Vasey,
 William H. Abbey,
 Herbert C. Lassiter,
 William C. Jahnke,
 Hilton P. Tichenor,
 Michael J. Kirwan,
 Arthur P. M. Shock,
 Jacques H. E. Everette,
 Charles W. White,
 John H. Theis,
 Harry W. Crider,
 Peter J. Penner,
 Wallace D. Chace,
 John E. Roberts,
 Cecil H. Jernigan,
 Clarence A. Miley,

Alexander Riggín,
Bernard A. Morrow, and
Walter R. Lowther.
Lieut. Col. William N. McKelvy to be a colonel in the Marine Corps.

Lieut. Col. John H. Russell to be a colonel in the Marine Corps.
Lieut. Col. Louis J. Magill to be an assistant adjutant and inspector in the Marine Corps with the rank of colonel.

Maj. William G. Powell to be an assistant paymaster in the Marine Corps with the rank of lieutenant colonel.

Maj. Logan Feland to be a lieutenant colonel in the Marine Corps.

Maj. William Hopkins to be a lieutenant colonel in the Marine Corps.

Maj. Dickinson P. Hall to be a lieutenant colonel in the Marine Corps.

Maj. Charles H. Lyman to be a lieutenant colonel in the Marine Corps.

Maj. Charles C. Carpenter to be a lieutenant colonel in the Marine Corps.

Maj. Louis McC. Little to be a lieutenant colonel in the Marine Corps.

Capt. Eugene P. Fortson to be a major in the Marine Corps.

Capt. Jesse F. Dyer to be a major in the Marine Corps.

Capt. James J. Meade to be a major in the Marine Corps.

Capt. Richard B. Creecy to be a major in the Marine Corps.

Capt. Davis B. Wills to be an assistant paymaster in the Marine Corps with the rank of major.

Capt. Fred D. Kilgore to be a major in the Marine Corps.

Capt. William P. Upshur to be a major in the Marine Corps.

Capt. Edward W. Banker to be an assistant quartermaster in the Marine Corps with the rank of major.

Capt. William M. Small to be a major in the Marine Corps.

Capt. Epaminondas L. Bigler to be a major in the Marine Corps.

Capt. Charles R. Sanderson to be an assistant quartermaster in the Marine Corps with the rank of major.

Capt. Walter N. Hill to be a major in the Marine Corps.

The following-named first lieutenants to be captains in the Marine Corps:

George A. Stowell,
Henry L. Larsen,
John C. Foster,
William H. Rupertus,
Keller E. Rockey,
Egbert T. Lloyd,
Allen H. Turnage,
George W. Hamilton,
David H. Miller,
Matthew H. Kingman,
Alphonse De Carre,
Cecil S. Baker,
John F. S. Norris,
Arthur Kingston,
Samuel L. Howard,
Lyle H. Miller,
Ralph J. Mitchell,
Robert O. B. Burwell,
Louis R. de Roode,
John A. Minnis,
De Witt Peck,
Archie F. Howard,
Raymond R. Wright,
Rupert M. Burstan,
Pedro A. del Vaile,
Owen E. O'Neill,
Walter H. Sitz,
William G. Hawthorne,
Oscar R. Cauldwell,
Edward C. Fuller,
Arnold W. Jacobsen, and
Earl H. Jenkins.

First Lieut. Anderson C. Dearing to be a captain in the Marine Corps.

The following-named first lieutenants to be first lieutenants in the Marine Corps:

Arthur H. Turner and
Roy C. Swink.
Col. Charles A. Doyen to be a brigadier general in the Marine Corps.

Lieut. Col. Melville J. Shaw to be a colonel in the Marine Corps.

Capt. Russell B. Putnam to be an assistant paymaster in the Marine Corps.

Maj. Frederic M. Wise to be a lieutenant colonel in the Marine Corps.

The following-named first lieutenants to be captains in the Marine Corps:

James L. Underhill, and
Bryan C. Murchison.
Alton A. Gladden to be a second lieutenant in the Marine Corps.

The following-named captains to be majors in the Marine Corps:

Frederick A. Barker,
Edward B. Cole,
William T. Hoadley,
Alexander M. Watson,
Emile P. Moses,
Harold F. Wirgman,
Joseph A. Rossell,
Clayton B. Vogel,
Edward H. Conger,
Henry N. Manney, jr.,
Franklin B. Garrett,
Samuel W. Bogan,
Calvin B. Matthews,
Albert E. Randall,
Arthur Racicot,
Frederick A. Gardener,
Tom D. Barber,
Edward W. Sturdevant,
Andrew B. Drum,
Victor I. Morrison,
Maurice E. Shearer,
Harry G. Bartlett,
Charles A. Lutz,
Calhoun Ancrum,
David M. Randall,
Holland M. Smith,
John R. Henley,
Henry S. Green,
Ralph L. Shepard,
Howard W. Stone,
William W. Buckley,
William C. Wise, jr.,
William D. Smith,
Harold B. Pratt,
Randolph Coyle,
Philip H. Torrey,
Robert L. Denig,
Charles S. McReynolds,
Charles F. B. Price, and
William C. Powers, jr.

The following-named assistant quartermasters with the rank of captain to be assistant quartermasters in the Marine Corps with the rank of major:

Jeter R. Horton,
Bennet Puryear, jr., and
Russell H. Davis.

The following-named first lieutenants to be captains in the Marine Corps:

Robert S. Hunter,
Glenn D. Miller,
Burwell H. Clarke,
Philip T. Case,
Walter G. Sheard,
Charles A. Wynn,
Thomas E. Watson,
Roger W. Peard,
Thad T. Taylor,
Herbert Rosenzweig,
Paul Brown,
Charles A. Howell,
John Denison Nevin,
Charles P. Gilchrist,
Lloyd L. Leech,
George C. Hamner,
James M. Bain,
Harold S. Fassett,
Karl I. Buse,
John R. Martin,
Gustav Karow,
Jesse H. Fugate, jr.,
Samuel A. Woods, jr.,
Raphael Griffin,
Horace C. Cooper,
Peter C. Geyer, jr.,

James E. Davis,
 James T. Moore,
 William C. Byrd,
 George B. Reynolds,
 David H. Owen,
 Joseph E. Brewster,
 Nimmo Old, jr.,
 Benjamin T. Cripps,
 Louis W. Whaley,
 John M. Arthur,
 James F. Jeffords,
 Jacob M. Pearce, jr.,
 Gordon Watt,
 Thomas P. Cheatham,
 Thomas E. Bourke,
 William C. James,
 Daniel E. Campbell,
 William B. Black,
 Maurice G. Holmes,
 Charles C. Gill,
 James E. Betts,
 Norman S. Hinman,
 George Faunce Adams,
 Wethered Woodworth,
 James W. Webb,
 John M. Tildsley,
 Le Roy P. Hunt,
 Louis E. Woods,
 Edward R. Rhodes,
 Harry K. Cochran,
 Donald R. Fox,
 William McN. Marshall,
 George H. Scott,
 Alexander Galt,
 Paul R. Cowley,
 Allen W. Harrington, jr.,
 Bailey M. Coffenberg,
 Eugene F. C. Collier,
 Evans O. Ames,
 Stanley M. Muckleston,
 William H. Davis,
 Richard N. Platt,
 William E. Williams,
 William W. Scott, jr.,
 Franklin A. Hart,
 George Franklin Adams,
 George W. Spotts,
 Bruce J. Millner,
 Emmett W. Skinner,
 Jesse J. Burks,
 William LaF. Crabbe,
 Harlan E. Major,
 Frank L. Morris,
 William P. Richards,
 Edward G. Hagan,
 Thomas B. Gale,
 Thomas F. Harris,
 Charles M. Jones,
 Lewis L. Gover,
 Willett Elmore,
 Arthur H. Turner,
 Roy C. Swink,
 Leon L. Dye,
 Lee W. Wright,
 Reuben B. Price,
 George P. Doane,
 John W. Mueller,
 John F. McVey,
 John T. Baugh,
 Harold H. Rethman,
 Walter J. Green,
 James E. Reich,
 Carl S. Schmidt,
 John F. Burnes,
 Charles Ubel,
 Charles C. St. Clair,
 John Waller,
 Harry Halladay,
 Eugene L. Pelletier,
 Otto Salzman,
 Harry V. Shurtleff,
 Fred G. Patchen,
 William F. Beattie,
 Francis E. Pierce,
 Harry W. Gamble,

Leslie G. Melville,
 Edwin P. McCaulley,
 Robert F. Slingluff,
 Roscoe Arnett,
 Francis C. Cushing,
 Charles L. Eickmann,
 Thomas Quigley,
 Patrick W. Guilfoyle,
 Frank Z. Becker,
 Nathan E. Landon,
 Eugene L. Mullaby,
 Robert H. Shiel,
 John J. Mahoney,
 Albert J. Phillips,
 Jacob Jacobowitz,
 James McCoy,
 Augustus B. Hale,
 Walter E. McCaughtry,
 William O. Corbin,
 Thomas J. Curtis,
 John P. McCann,
 Maurice A. Willard,
 Harry A. Ellsworth,
 Charles B. Hobbs,
 Warren C. Barnaby,
 Maurice C. Gregory,
 James T. Allen,
 Gustav F. Bloedel,
 John Strong,
 William A. McGinley,
 Thomas Dwight,
 John J. Haley,
 Walter Wooding,
 Frank D. Creamer,
 William Mills,
 Robert E. Williams,
 Harry E. Horner,
 Robert W. Maxwell,
 William F. Thalheimer,
 Thomas F. Carney,
 Benjamin F. Fogg,
 Howell Cobb,
 Charlie Dunbeck,
 Thomas F. Joyce,
 Charles Grimm,
 William F. Brown,
 James W. Lattin,
 Henry A. Riekers,
 Augustus T. Lewis,
 Edward McEvoy, and
 Charles D. Meginness.

The following-named second lieutenants to be first lieutenants
 in the Marine Corps:

Leon L. Dye,
 Lee W. Wright,
 Reuben B. Price,
 George P. Doane,
 John W. Mueller,
 John F. McVey,
 John T. Baugh,
 Harold H. Rethman,
 Walter J. Green,
 James E. Reich,
 Carl S. Schmidt,
 John F. Burnes,
 Charles Ubel,
 Charles C. St. Clair,
 John Waller,
 Harry Halladay,
 Eugene L. Pelletier,
 Otto Salzman,
 Harry V. Shurtleff,
 Fred G. Patchen,
 William F. Beattie,
 Francis E. Pierce,
 Harry W. Gamble,
 Leslie G. Melville,
 Edwin P. McCaulley,
 Robert F. Slingluff,
 Roscoe Arnett,
 Francis C. Cushing,
 Charles L. Eickmann,
 Thomas Quigley,
 Patrick W. Guilfoyle,
 Frank Z. Becker,

Nathan E. Landon,
 Eugene L. Mullahy,
 Robert H. Shiel,
 John J. Mahoney,
 Albert J. Phillips,
 Jacob Jacobowitz,
 James McCoy,
 Augustus B. Hale,
 Walter E. McCaughtry,
 William O. Corbin,
 Thomas J. Curtis,
 John P. McCann,
 Maurice A. Willard,
 Harry A. Ellsworth,
 Charles B. Hobbs,
 Warren C. Barnaby,
 Maurice C. Gregory,
 James T. Allen,
 Gustav F. Bloedel,
 John Strong,
 William A. McGinley,
 Thomas Dwight,
 John J. Haley,
 Walter Wooding,
 Frank D. Creamer,
 William Mills,
 Robert E. Williams,
 Harry E. Horner,
 Robert W. Maxwell,
 William F. Thalheimer,
 Thomas F. Carney,
 Benjamin F. Fogg,
 Howell Cobb,
 Charlie Dunbeck,
 Thomas F. Joyce,
 Charles Grimm,
 William F. Brown,
 James W. Lattin,
 Henry A. Riekers,
 Augustus T. Lewis,
 Edward McEvoy,
 Charles D. Meginness,
 James Keeley,
 Eugene B. Mimms,
 William H. Stevens,
 Henry Baptist,
 Francis Fisk,
 Robert W. Williams,
 Peter Conachy,
 Charles E. Mills,
 Wilbur G. Gunn,
 John Blanchfield,
 Carle E. Clark,
 Arthur J. Stout,
 Julius T. Wright,
 Andrew E. Creesy,
 Arthur H. Page, jr.,
 Donald Curtis,
 Jesse L. Perkins,
 Samuel J. Bartlett,
 Clarence N. McClure,
 Michael Kearney,
 Edward H. W. Holt,
 Bror G. Brodstrom,
 Kirt Green,
 Angus Wilson,
 Fred Lueders,
 Charlie Hansen,
 Charles S. Beale,
 Raymond F. Dirksen,
 Walter J. Eddington, jr.,
 Frank Whitehead,
 James P. Smith,
 Frank E. Verner,
 Norman M. Shaw,
 Joseph Watson,
 Abel E. LeBlanc,
 Oliver A. Dow,
 John P. Harvis,
 William Borghart,
 John F. Duffy,
 William R. Perry,
 William J. Holloway,
 Bert Pearson,
 Harry H. Couvrette,

Pink H. Stone,
 Harry T. Rodenhoffer,
 Frank Patterson,
 Charles G. Knoechel,
 Charles F. Merkel,
 John F. Evans,
 John A. McDonald,
 Ray W. Jeter,
 Albert J. Grimes,
 Clarence H. Medairy,
 Robert Yowell,
 Louie W. Putnam,
 Stephen F. Drew,
 Charles F. Finger,
 William S. Robinson,
 Edward G. Huefe,
 John Kearns,
 James H. McGan,
 James E. Snow,
 Harry L. Jones,
 Hans O. Martin,
 Robert J. Woodrich,
 Harry Paul,
 William Workman,
 Alvin J. Daigler,
 John W. Hingle,
 Augustus Aiken,
 Austin G. Rome,
 William Merrill,
 Joseph Jackson,
 Clate C. Snyder,
 William J. Borden,
 Earl C. Nicholas,
 Frank F. Zissa,
 Martin J. Kelleher,
 Martin Canavan,
 Joseph M. Swinnerton,
 Leslie G. Wayt,
 Charles A. Smith,
 Robert W. Winter,
 Edward P. Oliver,
 Sidney O. Thompson,
 Max Cox,
 William H. Haggerty,
 Walter J. White,
 Edgar S. Tuttle,
 Thomas L. Edwards,
 Charles McL. Lott,
 Joseph Reardon,
 Russell A. Presley,
 William L. Erdman,
 Ernest L. Russell,
 Frank N. Gilmore,
 William J. Flanagan,
 James F. Robertson,
 William F. Becker,
 Charles H. Martin,
 Rolin A. York,
 Charles F. Kienast,
 Harvey B. Mims,
 Earl B. Hammond,
 Charles G. Haas,
 Charles E. Rice,
 Mark A. Smith,
 Timothy J. Holland,
 Vincent E. Healy,
 Charles D. Sniffen,
 Walter A. Powers,
 William H. Abrams,
 Edmund G. Chamberlain,
 Clarence E. Nelson,
 George H. Martin, jr.,
 Benjamin DeW. Knapp,
 Robert J. Archibald,
 Gilder D. Jackson, jr.,
 Percy D. Cornell,
 Newton Best,
 Angus A. Acree,
 William A. Worton,
 Jonas H. Platt,
 James F. Rorke,
 Charles McK. Krause,
 Alan V. Parker,
 John F. Horn,
 Ross W. Davidson,

Glenn E. Hayes,
 Edmund L. Riesner,
 Robert L. Duane,
 Lynn B. Coovert,
 Robert A. Kennedy,
 John F. Talbot,
 Stanley A. Beard,
 John L. Garner, jr.,
 John W. Thomason, jr.,
 Stewart B. O'Neill,
 Clarence Ball,
 Kenneth E. Schwinn,
 Dan E. Root,
 Merritt B. Curtis,
 Charles T. Brooks,
 James L. Denham,
 Herbert Hardy,
 Richard B. Buchanan,
 Benjamin R. Avent,
 William H. McCormick,
 David R. Kilduff,
 James A. Connor,
 Einar W. Jacobsen,
 Hugh McFarland,
 Walter D. Shelly,
 Bert A. Bone,
 Charles B. Maynard,
 Carl F. Dietz,
 Oliver P. Smith,
 Hugh Shippey,
 Joseph G. Ward,
 Baptiste Barthe,
 Sidney R. Vandenberg,
 Robert C. Thaxton,
 James D. McLean,
 Thomas S. Whiting,
 Robert Blake,
 Henry D. Linscott,
 John G. E. Kipp,
 William T. Clement,
 Ralph E. West,
 Euvelle D. Howard,
 Alfred H. Noble,
 Keith E. Kinyon,
 Harlan Pefley,
 Frank D. Strong,
 Lyman Passmore,
 Louis W. Bartol,
 Donald Kenyon,
 Clifford O. Henry,
 John Sellon,
 Joseph T. Smith,
 Hiram R. Mason,
 Horatio P. Mason,
 Carleton S. Wallace,
 George B. Lockhart,
 John D. Macklin,
 Jack S. Hart,
 Omar T. Pfeiffer,
 Robert S. Pendleton,
 Drinkard B. Milner,
 Roscoe A. Parcel,
 Davis A. Holladay,
 Frank P. Snow,
 Samuel W. Freeny,
 Julius C. Cogswell,
 William H. Harrison,
 Campbell H. Brown,
 Fred W. Clarke, jr.,
 Edmund P. Norwood,
 Edwin R. Brecher,
 Thomas T. McEvoy,
 William H. Price,
 Lewie G. Merritt,
 Harry C. Savage, jr.,
 John Frost,
 George F. Smithson,
 John P. Adams,
 Henry E. Chandler,
 Otto E. Bartoe,
 Ernest E. Eller,
 Harold D. Shannon,
 Robert M. Johnson,
 Louis R. Jones,
 Ramond J. Bartholomew,

Bruce B. MacArthur,
 Claude A. Larkin,
 Macon C. Overton,
 Erwin Mehlinger,
 William B. Croka,
 Lothar R. Long,
 Gilbert D. Hatfield,
 Amos R. Shinkle,
 Bruce Gootee, jr.,
 George H. Morse, jr.,
 Marc M. Ducote,
 Wesley W. Walker,
 Lewis B. Freeman,
 Lucian W. Burnham,
 William K. Snyder,
 Shaler Ladd,
 Robert M. Montague,
 Alfred C. Cramp,
 James T. Yarborough, and
 John A. Willis, jr.

HOUSE OF REPRESENTATIVES.

TUESDAY, October 2, 1917.

The House met at 12 o'clock noon.

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

O Thou God and Father of us all, author of every best thought, of every best deed, in every age of the world's history, illumine our minds, quicken our aspirations, and strengthen every fiber of our moral being, that we may go forward day by day to greater achievements under the spiritual leadership of the great Captain of our salvation, the Lord Jesus Christ. Amen.

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

LEAVE TO ADDRESS THE HOUSE.

Mr. GILLETT. Mr. Speaker, I ask unanimous consent that after the completion of the Calendar for Unanimous Consent the gentleman from Illinois [Mr. WILLIAMS] may be allowed to address the House for 30 minutes.

The SPEAKER. The Chair will state to the gentleman from Massachusetts that there are four or five applications for recognition for motion to suspend the rules immediately following the Unanimous Consent Calendar.

Mr. GILLETT. Then I make my request to take place after that.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that after the disposition of the Unanimous Consent Calendar and motions to suspend the rules, the gentleman from Illinois [Mr. WILLIAMS] shall be allowed to address the House not to exceed 30 minutes. Is there objection?

Mr. PADGETT. Pending that, Mr. Speaker, I want to say that I have four little naval bills which we want to get through. They were reported yesterday and are upon the General Calendar, but not on the Unanimous Consent Calendar. I want to ask unanimous consent that those bills may be considered.

The SPEAKER. The Chair will recognize the gentleman to suspend the rules if they are war bills. Is there objection to the request of the gentleman from Massachusetts? [After a pause.] The Chair hears none.

Mr. GALLIVAN. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes at the conclusion of the address of the gentleman from Illinois [Mr. WILLIAMS].

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to address the House for 10 minutes after the conclusion of the address of the gentleman from Illinois [Mr. WILLIAMS]. Is there objection?

There was no objection.

Mr. HEFLIN rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. HEFLIN. To make a statement to the House in regard to a newspaper notice this morning pertaining to myself. The Washington Herald contains the statement—

The SPEAKER. Does the gentleman rise to a question of privilege?

Mr. HEFLIN. I rise to make request for unanimous consent—

Mr. GARNER. What is the request?

Mr. MOORE of Pennsylvania. Does the gentleman from Alabama make a request for unanimous consent?

The SPEAKER. He has not yet made it.

Mr. HEFLIN. I am trying to state my reason for making the request.

The SPEAKER. If the gentleman will prefer his request the Chair will put it.

Mr. HEFLIN. Mr. Speaker, I ask unanimous consent that to-morrow, immediately after the Journal is approved, I may address the House for two hours to name and discuss Members whose conduct I have said was questionable.

The SPEAKER. The gentleman from Alabama asks unanimous consent that to-morrow, immediately after the reading of the Journal and the clearing up of business on the Speaker's table, not to interfere with conference reports, he may be allowed to address the House for two hours. Is there objection?

Mr. GARNER. I object.

Mr. HEFLIN. Then, Mr. Speaker, I move that to-morrow, immediately after the Journal is approved, I be permitted to address the House on the subject I have stated for two hours, and I would like to have a roll call on that motion.

Mr. GARNER. Mr. Speaker, I make the point of order that that motion is not in order.

The SPEAKER. The point of order is sustained, and the Clerk will call the first bill on the Calendar for Unanimous Consent.

STATUE OF JAMES BUCHANAN.

The Clerk read as follows:

Joint resolution (H. J. Res. 70) authorizing the erection on the public grounds in the city of Washington, D. C., of a statue of James Buchanan, a former President of the United States.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, that is not a war bill, and I object.

The SPEAKER. The gentleman from Pennsylvania objects, and the bill will be stricken from the calendar.

NATURALIZATION.

The Clerk read as follows:

A bill (H. R. 3132) to amend section 2171 of the Revised Statutes of the United States relating to naturalization.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. I object.

Mr. RAKER. Will the gentleman reserve his objection?

Mr. MOORE of Pennsylvania. I will reserve it to ask the gentleman from California if this is a war bill.

Mr. RAKER. It is, absolutely; and I will be able to show it to the gentleman in a few words.

Mr. MOORE of Pennsylvania. I will reserve the objection, Mr. Speaker.

Mr. RAKER. Mr. Speaker, this bill authorizes those who declared their intention to become citizens of the United States to complete their naturalization, although they are alien enemies. There are many hundred cases of men who have filed their homestead claims—

Mr. MADDEN. Mr. Speaker, I object on the statement already made.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that the bill retain its place on the calendar.

The SPEAKER. The gentleman from California asks that the bill be passed without prejudice. Is there objection?

There was no objection.

RECLAMATION AND IRRIGATION.

The Clerk read as follows:

A bill (H. R. 4954) to provide for the application of the reclamation law to irrigation districts.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. I object.

Mr. SINNOTT. Will not the gentleman withhold his objection?

Mr. MOORE of Pennsylvania. I will reserve the objection in order to inquire of the gentleman from Oregon if this is a war bill.

Mr. SINNOTT. It certainly is a war measure. It is designed to put in cultivation some 500,000 additional acres upon the Government reclamation project.

Mr. MOORE of Pennsylvania. Would it have the effect of taking farmers away from fertile lands and putting them onto semiarid lands?

Mr. SINNOTT. It will enable the present farmers on irrigation projects to obtain the benefits of the farm-loan act, and thereby to put in larger acreage than they have at the present time. It would have the effect of increasing the crop production by something like \$15,000,000.

Mr. MOORE of Pennsylvania. Does this have the approval of the Secretary of the Interior?

Mr. SINNOTT. Yes.

Mr. MOORE of Pennsylvania. He desires to take farmers from other land and put them on semiarid land?

Mr. SINNOTT. No; that is another measure.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, is there any provision in this measure limiting its operation to the period of the war, or to any particular time, or does the bill change the permanent law? As I recollect reading over the measure and the report, it makes a permanent amendment to this arid-land law—changes that law altogether.

Mr. SINNOTT. Mr. Speaker, it does not change the land law. It is designed to provide farm loans on reclamation projects. Under the present law farmers on Government reclamation projects can not obtain the advantage of the farm-loan act, because there is a Government lien upon their land which militates against their securing money under the farm-loan act; but the passage of this bill would enable these men to obtain money under the farm-loan act and increase from year to year their crop production.

Mr. WALSH. Will the gentleman state what connection there is between permitting these men under the provisions of this bill to make application under the farm-loan act and the success of our armed forces on foreign soil?

Mr. SINNOTT. It will enable a greater crop production to be put in the coming year and the following year and the following year and increase the crop production. That has a direct connection with our success in the war and with our feeding our allies.

Mr. WALSH. If that is so, why not limit it to the period of the war? Why try to make a change in the permanent law?

Mr. SINNOTT. We want it to go in after years. We want the farmers on the reclamation projects to obtain farm loans just as the other farmers do, and not confine that advantage to the period of the war.

Mr. WALSH. Was any such proposition as this made when the farm-loan act was under consideration here by the House during the Sixty-fourth Congress?

Mr. SINNOTT. It did give some consideration to it.

Mr. WALSH. There was no amendment offered like this.

Mr. SINNOTT. There was no amendment offered at that time, but the subject was considered by the Banking and Currency Committee.

Mr. WALSH. Mr. Speaker, I object.

The SPEAKER. The gentleman from Massachusetts objects, and it is struck from the calendar.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that it remain on the calendar without prejudice.

The SPEAKER. The gentleman from California asks unanimous consent to pass this bill over without prejudice. Is there objection?

Mr. MADDEN. Mr. Speaker, I shall have to object to that.

The SPEAKER. The gentleman from Illinois objects, and it goes off the calendar.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon this bill.

The SPEAKER. The gentleman from Oregon asks unanimous consent to extend his remarks upon the bill. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the next bill.

BRIDGE ACROSS MISSOURI RIVER, KANSAS CITY, MO.

The next business on the Calendar for Unanimous Consent was the bill H. R. 4945, to extend the time for constructing a bridge across the Missouri River near Kansas City, Mo., authorized by an act approved June 17, 1914.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, this is a bill for the extension of time for the erection of a bridge. Is it imperative that it should be passed at this session of Congress?

Mr. ADAMSON. Mr. Speaker, my understanding is that it is an urgent matter. The gentleman from Missouri [Mr. ALEXANDER] can tell more about it than I can.

Mr. MOORE of Pennsylvania. Does the grant of time expire before the next session of Congress?

Mr. ADAMSON. I can not tell that from memory. I am told that it is about to expire.

Mr. MOORE of Pennsylvania. Is it such a matter as would not hold over until the next session?

Mr. ADAMSON. The gentleman from Missouri [Mr. BORLAND] is absent. He introduced the bill.

Mr. ALEXANDER. Mr. Speaker, this is a bill for the construction of a bridge across the Missouri River from Jackson County, in Mr. BORLAND's district, to Clay County, in my district. The time limit within which the bridge is to be constructed is about to expire. I do not recall just when, but it is not far away. This is a wagon and railroad bridge.

Mr. MOORE of Pennsylvania. Has anything been done to start construction?

Mr. ALEXANDER. I do not think so.

Mr. MOORE of Pennsylvania. How long since the grant to construct the bridge was made?

Mr. ALEXANDER. I think this is the second time that we have asked to have the time extended.

Mr. MOORE of Pennsylvania. How much time is asked for?

Mr. ALEXANDER. Three years, I think.

Mr. MOORE of Pennsylvania. If the gentleman states that the time is about to expire and that it is important to have it extended, I have no objection.

Mr. ALEXANDER. That, I think, is the fact.

Mr. MOORE of Pennsylvania. That is to say, if any rights would be lost between now and the next session of Congress.

Mr. ALEXANDER. I think so.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, the report on this bill shows that this company has had two prior authorizations for beginning the construction of this bridge, and that the time limit for the construction of the bridge expired June 17, 1917. I think it is highly objectionable to bring bills into the Congress providing for an extension of time for bridges that have no reality except in the conception of some people who are engaged in paper corporations. I would like to know something as to whether this is merely a paper corporation providing for a bridge across an important stream or if it is really contemplated to build the bridge?

The time has already expired. They have had two authorizations on prior occasions for the beginning of the construction of this bridge, and it never has been done. What is the use of taking up the time of Congress just merely perhaps to grant a franchise to some private corporation that is without capital?

Mr. ADAMSON. I can tell the gentleman, from the hearings on a great many similar cases, that in the case of a large river like the Missouri the financing is a very difficult matter. Very often when they start an enterprise and think they are going to succeed there is some slip in the game, and they fail to get the money. I am told these people are very anxious for this bridge, that it is a public necessity, and they were not able to finance it every time they thought they would be able to do so, and they are still trying.

Mr. STAFFORD. What railroad company desires to have this bridge?

Mr. ALEXANDER. It is some bridge company, not a railroad company. My interest has been all the while to see that this is not only a railroad bridge but a wagon bridge as well, and asked to have it amended in that regard, for if it is a railroad and wagon bridge, it will be of great interest to the people of Jackson and Clay Counties.

Mr. STAFFORD. Can the gentleman give any information whether the prior authorization, the time for construction of which this bill seeks to extend, authorized it to be a wagon bridge as well as a railroad bridge?

Mr. ALEXANDER. Well, that is the one point on which I am vitally interested.

Mr. ADAMSON. I might add that that brings about cooperation and renders more probable that they will be able to finance the building of it.

Mr. STAFFORD. Is there any corporation that has been formed to further the building of this bridge?

Mr. ALEXANDER. It is a bridge company at Leavenworth, Kans., that constructs bridges. I want to say, however, it is some time since my attention was called to it.

Mr. STAFFORD. The more you get into the facts of this case the more you are confirmed in the belief that it is largely a paper bridge.

Mr. ALEXANDER. My only interest is to see, if this bridge is built, that it shall be both a wagon bridge as well as a railroad bridge.

Mr. STAFFORD. While I do not think much will come of this bill, I am not going to interpose an objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. BENJAMIN L. FAIRCHILD. Mr. Speaker, I object to this bill.

Mr. ADAMSON. Mr. Speaker, I think that comes too late.

The SPEAKER. Oh, no; it does not.

BRIDGE ACROSS FLINT RIVER, GA.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 4232) extending the limit of time for the construction of a bridge across Flint River.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, has any effort been made to complete the work within the time allotted?

Mr. ADAMSON. I will say to the gentleman the people of the two counties which abut on the river wish to build the bridge. It takes considerable political machinery sometimes to work up all these matters. They are bona fide in their intent to build the bridge.

Mr. MOORE of Pennsylvania. I have no objection to the passage of these bridge bills or the extension of time if there has been a reasonable effort made to construct them.

Mr. ADAMSON. The people of these counties really want the bridge and intend to build it as soon as they can.

Mr. MOORE of Pennsylvania. Has any construction work been done?

Mr. ADAMSON. I can not tell the gentleman; it is the bill of the gentleman from Georgia [Mr. PARK], who was here a moment ago—I can not tell what progress has been made.

Mr. MOORE of Pennsylvania. Does the gentleman know as to whether the time allotted has expired?

Mr. ADAMSON. I think it has.

Mr. MOORE of Pennsylvania. When does it expire?

Mr. ADAMSON. I think it has already expired.

Mr. MOORE of Pennsylvania. Then it is necessary to pass this bill before the next session?

Mr. ADAMSON. That is my impression.

Mr. MOORE of Pennsylvania. I thought, perhaps, the gentleman was somewhat confused by the grave thought he has been giving to the new duties he is about to assume.

Mr. ADAMSON. No; I have not had time for that yet. I take things as they come. Sufficient unto the day is the evil thereof.

Mr. MOORE of Pennsylvania. Well, the gentleman always adorns any position he occupies.

Mr. ADAMSON. I thank the gentleman. [Applause.] The commendation of the gentleman is preferable either to the salary or the honor of the new position.

Mr. MOORE of Pennsylvania. On what date did the time limit expire?

Mr. ADAMSON. I was going to tell the gentleman before he gave that elegant and beautiful bit of persiflage about my personal service—

Mr. MOORE of Pennsylvania. Which the gentleman deserves.

Mr. ADAMSON (continuing). That this original bill was passed in 1916, in April, and one year must have expired some time ago.

Mr. MOORE of Pennsylvania. I thank the gentleman, and venture to suggest that he will have to be very careful about his facts and dates hereafter, because there are some pretty sharp people with whom he will shortly come in contact.

Mr. ADAMSON. No sharper than the able gentleman who interrogates me so frequently on this floor.

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

The Clerk read as follows:

Be it enacted, etc., That the act granting the consent of Congress to the county of Mitchell, or to the county of Baker, both of the State of Georgia, acting jointly or separately, and their successors and assigns, to construct a bridge across the Flint River, approved April 17, 1916, be amended by extending the time limit for the construction of said bridge two years from the passage of this act.

Also the following committee amendment was read:

Strike out all after the enacting clause from line 3, page 1, down to and including line 10, page 1, and insert in lieu thereof the following: "That the time for commencing and completing the construction of a bridge authorized by act of Congress approved April 17, 1916, to be built across the Flint River, Ga., by Mitchell County, or by Baker County, Ga., jointly or separately, are hereby extended one and three years, respectively, from the date hereof.

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

Mr. ADAMSON. Mr. Speaker, there is a typographical error, leaving off the letter "s" from the word "time" in the first line. I ask unanimous consent to modify the committee amendment by making the word plural instead of singular.

The SPEAKER. Without objection, the modification is agreed to.

There was no objection.

The SPEAKER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The SPEAKER. 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.

The title was amended so as to read: "A bill extending the time for the construction of a bridge across Flint River, in the State of Georgia."

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

BRIDGE ACROSS MISSISSIPPI RIVER, CASS COUNTY, MINN.

The next business on the Calendar for Unanimous Consent was the bill (S. 2434) authorizing the counties of Cass and Itasca, Minn., to construct a bridge across the Mississippi River between said counties.

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

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, has the time expired in this case?

Mr. KNUTSON. This is an original bill.

Mr. ADAMSON. I do not think it is a renewal.

Mr. KNUTSON. I will say to the gentleman that this is an original bill.

Mr. ADAMSON. That is my understanding of it.

Mr. MOORE of Pennsylvania. I will not object, Mr. Speaker.

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

The Clerk read as follows:

Be it enacted, etc., That the counties of Cass and Itasca, in the State of Minnesota, be, and they are hereby, authorized to construct, maintain, and operate a highway bridge and approaches thereto across the Mississippi River at a point suitable to the interests of navigation on or near the line between townships 144 and 145 north, range 26 west, fifth principal meridian, in the State of Minnesota, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

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

Also the following committee amendment was read:

Committee amendment: Page 1, line 5, strike out the word "highway."

The SPEAKER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read a third time, and passed.

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

BRIDGE ACROSS ARKANSAS RIVER, STATE OF OKLAHOMA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 4427) granting the consent of Congress to Webbers Falls Railroad Co., a corporation, its successors and assigns, to construct a bridge across the Arkansas River, between the town of Webbers Falls and Gore, in the State of Oklahoma.

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

Mr. FOSTER. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Georgia [Mr. ADAMSON] if that bill has not been passed?

Mr. ADAMSON. The author of this bill [Mr. HASTINGS] called up a Senate bill from the Speaker's desk and passed it here one day, but I have not had time to refer to it and see if it was identical. If it is identical this bill ought to have gone from the Speaker's table. Mr. Speaker, I ask to pass it over temporarily.

The SPEAKER. The gentleman from Georgia [Mr. ADAMSON] asks that the bill be passed over temporarily. Is there objection? [After a pause.] The Chair hears none.

STIMULATION OF FOOD PRODUCTION.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 4431) to provide for the common defense and general welfare by increasing the production of food upon public and private lands within United States reclamation projects, and for other purposes.

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

Mr. WALSH. Mr. Speaker—

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, there ought to be some explanation of this bill if anyone wants to give it.

The SPEAKER. Who has this bill in charge?

Mr. STAFFORD. The gentleman from Colorado [Mr. TAYLOR]. This is a bill he introduced and reported.

The SPEAKER. The gentleman from Pennsylvania [Mr. MOORE] demands an explanation on the penalty of objection.

Mr. TAYLOR of Colorado. Mr. Speaker, while the Interior Department is exceedingly anxious to pass this bill, and the Reclamation Service looks upon it as a very important war measure, at the same time there has been some objection to it. The gentleman from Illinois [Mr. MADDEN], I understand, expressed some objection the other day. And there is a minority report, signed by one member of the committee, so I think I ought not to try to take it up at this time. The bill is of great importance, and would, if enacted into law, be of tremendous

benefit in the development of the Government irrigation reclamation projects.

Mr. MOORE of Pennsylvania. The bill carries an appropriation of \$5,000,000?

Mr. TAYLOR of Colorado. Yes, sir. The bill should be thoroughly considered, and therefore I think it ought to go over and hold its place on the calendar. The Reclamation Service in the Department of the Interior has several times very urgently recommended the passage of this bill, or some measure of this kind, and I earnestly hope that I may secure early consideration of this bill in the next session of Congress. It is a departmental measure. I think it ought to go over until December, and I ask that it be passed over for this session and retain its place on this calendar.

Mr. MOORE of Pennsylvania. There is a minority report here?

Mr. TAYLOR of Colorado. Yes, sir.

The SPEAKER. The gentleman from Colorado [Mr. TAYLOR] asks unanimous consent that this bill be passed over without prejudice. Is there objection? [After a pause.] The Chair hears none.

SETTLEMENTS UPON RECLAMATION PROJECTS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 4958) to amend section 3 of an act entitled "An act providing for patents on reclamation entries, and for other purposes," approved August 9, 1912.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, may I inquire of the gentleman from Colorado [Mr. TAYLOR] what this has to do with the present emergency?

Mr. TAYLOR of Colorado. Strictly speaking, I doubt if this bill could be classed as a national emergency war measure, but it is an important measure. It is urgent to a good many deserving people. Settlers upon the Government reclamation projects of the West, in the protection of their homes, are urgently asking for this relief. My report on this bill is, I think, very clear and complete, and in order that there may be a full record upon this measure I will insert it, as follows:

This bill was referred to the Interior Department for report and the Secretary of the Interior reported thereon as follows:

DEPARTMENT OF THE INTERIOR,
Washington, July 31, 1917.

MY DEAR MR. TAYLOR: I have your letter of July 5, 1917, transmitting copy of the bill H. R. 4958, and requesting a report thereon.

The bill is as follows:

TO PROMOTE SETTLEMENT UPON RECLAMATION PROJECTS.

"A bill to amend section 3 of an act entitled 'An act providing for patents on reclamation entries, and for other purposes,' approved August 9, 1912.

"*Be it enacted, etc.*, That section 3 of the act of Congress approved August 9, 1912, entitled 'An act providing for patents on reclamation entries, and for other purposes,' be, and the same is hereby, amended so that any excess land acquired at any time in good faith by descent, by will, or by foreclosure of any lien may be held for four years and no longer after its acquisition, and the Secretary of the Interior is authorized to apply the same rule to unpatented public lands within reclamation projects acquired in the manner herein described."

The intent of the bill is to change from two to four years the period during which land subject to reclamation charges may be held by one who acquires it in good faith by descent, by will, or by foreclosure of any lien.

In many cases, especially where loans are made by mortgage companies or other investors, a difficulty has arisen due to the fact that the mortgagee finds it impossible to dispose of the land within the two-year period. The effect of this is that water users find it difficult to make loans, and therefore the settlers are hampered in making the necessary farm improvements and buying farming equipment.

As the law is so closely limited to cases of acquisition of title by descent, will, or foreclosure, there seems to be no opportunity for speculation that would be detrimental to the interests of the project or of the Government.

I am therefore strongly in favor of the passage of such a bill.

Cordially, yours,

FRANKLIN K. LANE,
Secretary.

HON. EDWARD T. TAYLOR,
Chairman Committee on Irrigation of Arid Lands,
House of Representatives.

The section 3 of the act of August 9, 1912 (37 Stat., 625), to which this amendment applies, is as follows:

"SEC. 3. That upon full and final payment being made of all amounts due on account of the building and betterment charges to the United States or its successors in control of the project, the United States or its successors, as the case may be, shall issue upon request a certificate certifying that payment of the building and betterment charges in full has been made and that the lien upon the land has been so far satisfied and is no longer of any force or effect except the lien for annual charges for operation and maintenance: *Provided*, That no person shall at any one time or in any manner, except as hereinafter otherwise provided, acquire, own, or hold irrigable land for which entry or water-right application shall have been made under the said reclamation act of June 17, 1902, and acts supplementary thereto and amendatory thereof, before final payment in full of all installments of building and betterment charges shall have been made on account of such land in excess of one farm unit as fixed by the Secretary of the Interior as the limit of area per entry of public land or per single ownership of private land for which a water right may be purchased, respectively, nor in any case

in excess of 160 acres, nor shall water be furnished under said acts nor a water right sold or recognized for such excess; but any such excess land acquired at any time in good faith by descent, by will, or by foreclosure of any lien may be held for two years and no longer after its acquisition; and every excess holding prohibited as aforesaid shall be forfeited to the United States by proceedings instituted by the Attorney General for that purpose in any court of competent jurisdiction; and this proviso shall be recited in every patent and water-right certificate issued by the United States under the provisions of this act."

Ever since the passage of the act there have been hardships occasioned under nearly all of the reclamation projects by the two-year limitation provided in this section 3. This provision of the act, requiring everyone who acquires title to land by descent, by will, or by foreclosure of any lien to convey the land to a person qualified to hold it under the provisions of the reclamation act within two years, works a great hardship upon the mortgagor as well as the mortgagee purchaser. While it is claimed that the law offers a way out to the mortgagee purchaser, if a corporation, or a capitalist with sufficient means for protection against a forfeiture of the property to the Federal Government, by the investment of what may be a considerable sum in addition to that already tied up in his claim, it does not relieve the situation as regards the mortgagee purchaser of small means, who are in fact the largest holders of such mortgages.

This limitation works a hardship upon the settlers under these projects by increasing the difficulty they have in borrowing money at low rates of interest to enable them to make necessary improvements, to buy live stock, or to pay off their indebtedness to the Government. Under the rules and regulations of the Reclamation Service, where there is an equity of redemption, an owner is only given practically one year in which to find a qualified purchaser.

It is very often impossible to obtain a qualified entryman within this very short time, and it is only fair to all parties concerned, and in the interest of the development of these projects, to give the mortgagee purchaser a reasonable time to find some legally qualified person who is willing to and can purchase and legally hold the land.

There is no longer any fear whatever of the acquisition for speculative purposes by corporations or others of large bodies of lands reclaimed by the Government. The great cost of the water under all of the reclamation projects has practically made impossible any speculation in such lands. In fact, the high cost of the water and the rules and regulations make any speculation an utter impossibility. Therefore the department itself and the reclamation officials have been for some time and are now thoroughly convinced that the present limitation is unnecessary and unreasonable and works an injurious hardship upon the borrowing power of the settler as well as upon the mortgage purchaser, or any purchaser; and for that reason the department has heartily joined in the recommendation of these reclamation officials to extend this limitation to a period of five years, and thus enable the settlers more readily to borrow money on the same terms as any other citizen. Many persons think the limitation ought to be entirely removed, and that no imposition, hardship, monopoly, or speculation would or could be occasioned if it were. But your committee is not disposed to go that far at this time and feels that a five-year limitation could safely and should be made in the interest of the development of all the reclamation projects, and would in no wise be subject to abuse or infringement on the rights of the Government.

The same reasoning applies exactly to excess land acquired at any time in good faith by descent or by will. In fact, the recipients of land acquired in that way might in many cases be justly entitled to ask for even a longer period of time, because often they are nonresidents, sometimes minors, and there are various other reasons why they should be given a reasonable time and ample opportunity to secure qualified entrymen. Upon the same principle the rule should also apply to unpatented public lands within the reclamation projects acquired in the manner herein described.

For the foregoing reasons your committee unanimously approves this measure and urgently requests its adoption as expeditiously as possible.

Mr. WALSH. It is not a war measure?

Mr. TAYLOR of Colorado. Not exactly a war measure.

Mr. WALSH. The time now is two years, and the committee made it five?

Mr. TAYLOR of Colorado. Yes. That is, the only amendment the Committee on Irrigation made was to raise or extend the time from two years to five years within which to obtain a qualified entrymen, so that they may not lose the property or their investment.

Mr. WALSH. What time is required to get a qualified entryman to go on there?

Mr. TAYLOR of Colorado. Under the present law there is often an equity of redemption, as the gentleman knows. That takes some nine months out of the two years. The members of the committee from the West thought it had better be five years. That is the sentiment of all those Representatives who represent districts where there are reclamation projects. We feel that as an emergency measure this bill ought to pass at this session of Congress, and I hope it will meet with the approval of the House.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

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

The SPEAKER. The gentleman from Colorado asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That section 3 of the act of Congress approved August 9, 1912, entitled "An act providing for patents on reclamation entries, and for other purposes," be, and the same is hereby, amended

so that any excess land acquired at any time in good faith by descent, by will, or by foreclosure of any lien may be held for four years and no longer after its acquisition, and the Secretary of the Interior is authorized to apply the same rule to unpatented public lands within reclamation projects acquired in the manner herein described.

With a committee amendment, as follows:

Amend, page 1, line 5, by striking out "four" and inserting in lieu thereof "five."

Mr. TAYLOR of Colorado. Mr. Speaker, I move the adoption of the amendment.

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

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

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

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speakers' table and referred to its appropriate committee, as indicated below:

S. 2719. An act to permit the reenlistment of Omer G. Paquet in the U. S. Army; to the Committee on Pensions.

PROPERTY LOST IN NAVAL SERVICE.

The next business on the Calendar for Unanimous Consent is the bill (H. R. 5647) to provide for the reimbursement of officers, enlisted men, and others in the naval service of the United States for property lost or destroyed in such service.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. FESS. Reserving the right to object, Mr. Speaker, I would like to ask the chairman what property is specifically referred to; whether that lost by submarines, accidentally, or what?

Mr. PADGETT. It is any loss that is due to the operations of war; all these articles that the regulations require the men to have with them. A man is on a merchant ship, and he has his clothing and his uniform, and things of that kind. The ship strikes a mine, for instance, and the ship is destroyed, and he loses his property.

Mr. FESS. The loss is therefore not due to contributory negligence?

Mr. PADGETT. No; the bill expressly provides that there shall be no contributory negligence.

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I understand that this proposed bill changes in a substantial way the policy that the Government has pursued heretofore in reimbursing sailors and officers for their outfits and uniforms when lost on the high seas. As I read the law, as embodied in the letter of the Secretary of the Navy to the Speaker, no reimbursement is obtainable by any seaman or any officer of the Navy for his clothes in case that loss occurs during a war. Am I correct?

Mr. PADGETT. That is the present law; and this allows them to recover during the war.

Mr. STAFFORD. The gentleman is well versed in the theory of naval warfare. What was the theory of the Government heretofore in not making any allowance whatsoever to enlisted seamen or officers in the Navy for their clothes and outfits?

Mr. PADGETT. During war?

Mr. STAFFORD. Yes; during war.

Mr. PADGETT. I have been unable to find the reason upon which that was based. I do not know. It occurs to me that it is a strange provision that was inserted in the act of 1895 that allowed for the recovery of the clothing and outfit in times of peace but in times of war prohibited it.

Mr. STAFFORD. As I understand, in the case of enlisted men wearing apparel and outfits are furnished by the Government, whereas—

Mr. PADGETT. The enlisted man on first enlistment gets an outfit to the value of \$60, but nothing after that.

Mr. STAFFORD. Whereas in the case of naval officers—

Mr. PADGETT. They furnish their own.

Mr. STAFFORD. Their own accouterments?

Mr. PADGETT. Yes.

Mr. STAFFORD. I notice in reading the Secretary's letter that for recovery in time of peace officers were limited to an amount not exceeding one month's compensation. Under the bill as proposed there is no limitation whatsoever on the amount which may be recovered from the Government for loss of personal outfit in case of war.

Mr. PADGETT. The limitation is provided in the bill. It is provided that "The liability of the Government under this act shall be limited to such articles of personal property as are required by the United States Naval Regulations," and so forth.

Mr. STAFFORD. Where is the gentleman reading?

Mr. PADGETT. From page 3, beginning on line 2, the first proviso. I read:

Provided, That the liability of the Government under this act shall be limited to such articles of personal property as are required by the United States Naval Regulations and in force at the time of loss or destruction for such officers, petty officers, enlisted men, or others engaged in the public service in the line of duty.

Mr. STAFFORD. Can the gentleman inform the House as to what the total value of such property is for the officers of the Navy?

Mr. PADGETT. I should guess that an outfit of an officer would be perhaps of the value of \$250 or \$300, and that of a petty officer would be less, and that of an enlisted man would be very decidedly less.

Mr. STAFFORD. Would the gentleman have any objection to an amendment substantially in this form, carrying out the idea of the existing law: "*Provided further*, That in the case of such loss by petty officers, seamen, and others not officers, the total reimbursement, including the allowance for such articles compensated for, shall not exceed \$60"—which is the existing law in times of peace—"and in the case of such loss by others than petty officers it shall not exceed the amount of his sea pay for one month"—which is the existing law in case of loss during peace?

Mr. PADGETT. There is a recommendation that the allowance be increased during the war to \$100. On account of the very great increase in the cost of outfits, \$60 will not outfit an enlisted man. I would not object to limiting the enlisted men to \$100 and the officers to one month's pay.

Mr. STAFFORD. I will be very glad, then, to offer that amendment when the bill is under consideration, with the support of the gentleman from Tennessee.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

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

Mr. WALSH. Mr. Speaker, reserving the right to object, how much time will there be for debate on that amendment?

Mr. GARNER. It will be under the five-minute rule.

Mr. PADGETT. It will be under the five-minute rule in the House, just as in Committee of the Whole. There will be no general debate, but there will be no objection to the discussion of meritorious amendments.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Paymaster General of the Navy be, and he is hereby, authorized and directed to reimburse such officers, enlisted men, and others in the naval service of the United States as may have suffered, or may hereafter suffer, loss or destruction of or damage to their personal property and effects in the naval service in battle with the enemy or by shipwreck or other marine disaster when such loss, destruction, or damage was without fault or negligence on the part of the claimant, or where the private property so lost, destroyed, or damaged was shipped on board an unseaworthy vessel by order of an officer authorized to give such order or direct such shipment, or where it appears that the loss, destruction, or damage of or to the private property of the claimant was in consequence of his having given his attention to the saving of the lives of others or of property belonging to the United States which was in danger at the same time and under similar circumstances. And the liability of the Government under this act shall be limited to such articles of personal property as the Chief of the Bureau of Navigation of the Navy Department, with reference to the personnel of the Navy, or the major general commandant of the Marine Corps, with reference to the personnel of that corps, in his discretion, shall decide to be reasonable, useful, and proper for such officer, enlisted man, or other person while engaged in the public service in line of duty, and the certificate of said chief of bureau or major general commandant, as the case may be, shall be sufficient voucher for and shall be final as to all matters necessary to the establishment and payment or settlement of any claim filed hereunder; and the action of the said chief of bureau or major general commandant, as the case may be, upon all claims arising under this act shall be final, and no right to prosecute a claim or action in the Court of Claims or in any other court of the United States, or before any accounting officer of the United States, or elsewhere, except as herein provided, shall accrue to any person by virtue of this act: *Provided*, That the liability of the Government under this act shall be limited to such articles of personal property as are required by the United States Naval Regulations and in force at the time of loss or destruction for such officers, petty officers, seamen, or others engaged in the public service in the line of duty: *Provided further*, That with reference to claims of persons in the Marine Corps filed under the terms of this act the paymaster of the Marine Corps shall make the reimbursement in money, and the quartermaster of the Marine Corps shall make the reimbursement in kind herein provided for: *And provided further*, That all claims now existing under this act shall be presented within two years from the passage hereof and not thereafter; and all such claims hereafter arising shall be presented within two

years from the occurrence of the loss, destruction, or damage: *And provided further*, That the term "in the naval service," as herein employed, shall be held to include service performed on board any vessel, whether of the Navy or not, provided the claimant is serving on such vessel pursuant to the orders of duly constituted naval authority: *And provided further*, That all claimants under this act shall be required to submit their claims in writing and under oath to the said Chief of the Bureau of Navigation or major general commandant, as the case may be: *And provided further*, That claims arising in the manner indicated in this act and which have been settled under the terms of previously existing law shall be regarded as finally determined and no other or further right of recovery under the provisions hereof shall accrue to persons who have submitted such claims as aforesaid: *And provided further*, That sections 288, 289, and 290, Revised Statutes, and the act of March 2, 1895 (28 Stat., p. 962), are hereby repealed: *And provided further*, That reimbursement for loss, destruction, or damage sustained and determined as herein provided shall be made in kind for such articles as are customarily issued to the service and shall be made in money for other articles at the valuation thereof at the time of their loss, destruction, or damage: *And provided further*, That in cases involving persons in the Navy reimbursement in money shall be made from the appropriation "Pay of the Navy," and reimbursement in kind shall be made from the appropriation "Outfits on first enlistment," and in cases involving persons in the Marine Corps reimbursement in money shall be made from the appropriation "Pay, Marine Corps," and reimbursement in kind shall be made from the appropriation "Clothing, Marine Corps," respectively, current at the time the claim covering such loss, damage, or destruction is paid.

Mr. HICKS. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk and ask to have read.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Amendment by Mr. HICKS: At the end of line 3, on page 5, add: "*And provided further*, That the provisions of this act shall apply to the personnel of the Coast Guard in like manner as to the personnel of the Navy, whether the Coast Guard is operating under the Treasury Department or operating as a part of the Navy, and all of the duties which under this act devolve upon the major general commandant of the Marine Corps with reference to the personnel of that corps shall devolve upon the captain commandant of the Coast Guard, and in cases involving persons in the Coast Guard reimbursement in money shall be made by a disbursing officer of the Coast Guard from the appropriation 'Coast Guard' and reimbursement in kind shall be made by the captain commandant from the appropriation 'Coast Guard.'"

Mr. STAFFORD. Mr. Speaker, I reserve a point of order on the amendment.

The SPEAKER. The gentleman from New York offers his amendment. The gentleman from Wisconsin reserves his point of order, and the Chair will inquire if there is any committee amendment to the bill.

Mr. PADGETT. No.

The SPEAKER. The Chair will hear the gentleman from Wisconsin on the point of order.

Mr. HICKS. I desire to make a statement if the gentleman from Wisconsin will reserve his point of order.

Mr. STAFFORD. The gentleman from New York asks me to reserve the point of order.

Mr. HICKS. I should like to say a word in regard to the proposed amendment. The Coast Guard now is a part of the Navy, having been taken over from the Treasury Department into the Navy in accordance with the act creating the Coast Guard. This amendment of mine merely extends the provisions of this act to cover a part of the service which is now a part of the Navy. It is to extend the provisions of the act to a most meritorious and efficient arm of the forces now fighting for the flag. It does not make an exception. It merely equalizes the various branches of the service in the Navy Department. This amendment, I understand, has the approval of Admiral Palmer, Admiral Benson, and the chairman of our Naval Committee [Mr. PADGETT], and I hope it may be adopted.

The SPEAKER. The Chair would like to ask the gentleman a question: Is not this amendment already covered in the bill?

Mr. HICKS. No; it is not, Mr. Speaker.

The SPEAKER. Here is the title of this bill:

To provide for the reimbursement of officers, enlisted men, and others in the naval service of the United States for property lost or destroyed in such service.

Does not the gentleman himself state that the Coast Guard is a part of the Navy?

Mr. HICKS. Yes; but a little bit further on in the bill it provides for the payment being made by the commandant of the Marine Corps, and so forth, and my amendment provides for payment to these officers and men by the commandant of the Coast Guard, merely extending the provision for payment so that the proper authorities will be able to act.

The SPEAKER. Does the gentleman from Wisconsin want to be heard?

Mr. STAFFORD. I merely reserved the point of order, and after the statement of the gentleman from New York I withdraw the point of order.

Mr. HICKS. I thank the gentleman from Wisconsin.

The SPEAKER. The point of order is withdrawn. The question is on the amendment offered by the gentleman from New York [Mr. HICKS].

The amendment was agreed to.

Mr. PADGETT. Mr. Speaker, I wish to offer an amendment, on page 1, line 8, to strike out the words "in battle with the enemy" and substitute the words "due to the operations of war," for the reason that a ship running over a mine or something of that kind might not be in battle with the enemy. To make the language clear I wish to substitute the words "due to the operations of war."

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

The amendment was agreed to.

Mr. WALSH. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 3, line 2, after the word "act," strike out all the proviso down to line 8.

Mr. WALSH. Mr. Speaker, I will say to the gentleman from Tennessee, chairman of the committee, that this is the matter about which I spoke to him this morning, and as to which he disagreed with me, but I desire to call the attention of the House to the fact that this proviso contradicts the language in lines 8 to 14, on page 2, which is as follows:

And the liability of the Government under this act shall be limited to such articles of personal property as the Chief of the Bureau of Navigation of the Navy Department, with reference to the personnel of the Navy, or the Major General Commandant of the Marine Corps, with reference to the personnel of that corps, in his discretion, shall decide to be reasonable, useful, and proper—

Now, if they decide that these men had articles aboard a naval vessel which they certify were reasonable, useful, and proper, the men can not be reimbursed for them unless under the terms of the proviso the Navy provide or require by regulation that the men may have these articles. So, when you say that the liability of the Government shall be limited to such articles of personal property as are required by the United States naval regulations in force at the time of the destruction of such property, you prevent men recovering for the loss of articles which are reasonable, useful, and proper, and which they may have been required to have under the custom or the order of the Captain Commandant of the Coast Guard or the Major General Commandant of the Marine Corps.

But if not provided for in the regulations, and in order to have them provided for, the Navy Department would have to set out in detail a long list of articles of personal property which these men would be required to have. But even then, if they are limited by the terms of the proviso, injustice would follow, because they might have omitted in the list some single article of property which was reasonable and proper and useful for them to have aboard a ship. It seems to me either the proviso should be stricken from the bill or the whole matter left to the Chief of the Bureau of Navigation, the Major General Commandant of the Marine Corps, or the Commandant of the Coast Guard, and in case of loss, permit them in their discretion to certify that the articles lost during the operations of war, shipwreck, or stress of storm were useful, reasonable, and proper, and in that case they could be reimbursed for them or have other articles of like value and quality issued to them.

I submit to the chairman of the committee that it is weakening the effect and purpose of the act by leaving the proviso in there, tying them down to things that are provided for by regulation and not permitting these men in this new departure in legislation and exhibition of generosity on the part of the Government to the men in not permitting them to recover for useful and reasonable articles of personal property. I trust that the gentleman will accept the amendment.

Mr. PADGETT. Mr. Speaker, I hope the amendment will not be agreed to. I do not think there is any conflict. This limits recovery to those articles that are required and provided by regulation, which is proper. Men should not carry everything aboard ship and expect the Government to compensate them for the loss of it. The Government provides certain things by regulation. Now, that is comprehensive. A man might be on a battleship and it would be proper for him to have many more things than it would be if he was on one of these submarine chasers, a small craft, and on it temporarily. The first provision says that they must certify that they were reasonable and proper, and they are limited in the total to the regulations that provide these articles. A man on a battleship might have all the articles provided by the regulations, and if they were all lost they would be paid for. But on a temporary duty, on a small craft, to unload all of his things for that small craft might not be proper and reasonable, and that is for the officer to pass upon. I hope the amendment will not be agreed to.

Mr. WALSH. Will the gentleman yield?

Mr. PADGETT. Certainly.

Mr. WALSH. If an enlisted man had all the articles which were required by the regulations and the Chief of the Bureau of Navigation refused to certify that they were reasonable and proper and useful, he could not be reimbursed for them, could he?

Mr. PADGETT. He could not if they were not proper for him to have at that particular place. For instance, if he took unnecessary things, although they might be necessary on a battleship or a cruiser—if he took unnecessary things on a small boat, took aboard everything he had, and they were lost by the destruction of the boat, it might not be proper.

Mr. WALSH. Does not the gentleman think that the Chief of the Bureau of Navigation and the commandant of the Marine Corps, the commandant of the Coast Guard, could be trusted to certify whether such articles were reasonable and useful and proper?

Mr. PADGETT. I have perfect confidence in their ability and integrity, but at the same time I think it is good legislation to prescribe limits and to define in a general way what they are to pay for.

Mr. WALSH. If the gentleman will permit me a further question, if the enlisted man has property which is not required by regulations and which the Chief of the Bureau of Navigation might certify was useful and proper for him to have, under the bill as drawn he could not be reimbursed?

Mr. PADGETT. If not provided for by regulations, it ought not to be paid for. If you adopt a different course, you subject the commandants of the Marine Corps and Coast Guard to all sorts of persevering political influence to allow this to that man and that to this man.

Mr. WALSH. Why not leave it entirely to regulation?

Mr. PADGETT. We do leave it to regulations within the scope of articles appropriate to existing conditions.

Mr. WALSH. And so you leave it open to the display of favoritism?

Mr. PADGETT. No; we leave it to the regulations.

The SPEAKER. The question is on the amendment offered by the gentleman from Massachusetts [Mr. WALSH].

The question was taken, and the amendment was rejected.

Mr. STAFFORD. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Insert after the Hicks amendment the following:

"And provided further, That in the case of such loss by a petty officer, seaman, and others not officers, the total reimbursement, including the allowance for such articles compensated in kind, shall not exceed \$100; and in case of such loss by officers other than petty officers, it shall not exceed the amount of his sea pay for one month."

DISPENSING WITH CALENDAR WEDNESDAY.

Mr. GARRETT of Tennessee. Will the gentleman from Wisconsin yield to me to make a request for unanimous consent?

Mr. STAFFORD. I yield to the gentleman.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that the business under the rule for Calendar Wednesday be dispensed with to-morrow.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to dispense with Calendar Wednesday to-morrow. Is there objection?

Mr. WALSH. Reserving the right to object, I would like to ask the gentleman if it is intended to have a session of the House to-morrow?

Mr. GARRETT of Tennessee. Yes.

Mr. WALSH. What business will be taken up?

Mr. GARRETT of Tennessee. There will be a report from the Committee on Rules.

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

There was no objection.

REIMBURSEMENT OF OFFICERS AND MEN IN THE NAVY FOR PROPERTY LOST.

Mr. STAFFORD. Mr. Speaker, this is a proposal that was called to the attention of the House when the bill was under consideration a few minutes ago. The purpose is to place the same restriction as to the amount for the recovery of personal property of enlisted seamen and of officers which is now the existing law when that property is lost in time of peace, except, at the suggestion of the chairman of the committee, the total amount that may be recovered by the enlisted seamen has been raised from \$60 to \$100.

The purpose is to place a further restriction upon the amount to be recovered by officers and seamen—particularly officers—in case of the loss of their personal effects. Never before in the history of the Government have we reimbursed officers or enlisted men for personal effects which they have lost in time

of war. I have known instances where private bills have been presented here for consideration providing for the reimbursement for loss of private effects in various services, when the loss occurred through no fault of the owner, and those bills have been strenuously objected to upon the ground that it was not the policy of the Government to be an insurer. This bill adopts a different policy. In this war we are proceeding under the idea that the Government should be an insurer to a large extent, and this merely places a limitation so that there can not be any recovery, particularly by officers, for effects that might not be warranted otherwise, if it were presented to the attention of the House. Certainly a month's salary of an officer should be the maximum amount that should be recovered in case he loses his personal effects. I understand the amendment has the support of the chairman of the committee.

Mr. PADGETT. Mr. Speaker, I just want to say to the House that a moment ago when the bill was called up the House heard the gentleman ask me if I would object to the amendment, and I told him that I would not.

Mr. KING. Mr. Speaker, I understand that this amendment does not have the approval of the chairman of this committee nor of the committee. The gentleman has stated that he does not object to the amendment which has been offered by the gentleman from Wisconsin. It seems to me this amendment should be voted down. It is certainly most stingy and parsimonious, in view of present conditions. This bill provides that the loss shall be limited to such articles of personal property as are required by United States naval regulations in force at the time of the loss or destruction. In other words, we require an officer or enlisted man to purchase so much of supplies or clothing or equipment as is necessary for him; but if he is on shipboard and they strike a mine and he barely escapes in his underclothes with his life, and loses his effects, then he can recover only, according to the gentleman's amendment, the sum of \$100 or a month's salary, when, in fact, he may lose \$250 worth of clothing and equipment.

Mr. STAFFORD. Mr. Speaker, the gentleman is mistaken. He is not stating the amendment properly. It is limited to one month's salary, if he is an officer.

Mr. KING. Why should he not be compensated for his entire equipment?

Mr. STAFFORD. Because I do not believe the Government should compensate an officer connected with the naval service for, say, gold hair brushes or the like.

Mr. KING. The gentleman does not believe that a man who is about to lose his life for his country—

Mr. STAFFORD. Oh, it is not a question of losing his life. The gentleman can not arouse sympathy with that kind of an argument.

Mr. KING. I am simply asking for justice for the man.

Mr. STAFFORD. This simply provides adequate protection for the Government.

Mr. KING. Are gold hairbrushes required by the naval regulations?

Mr. STAFFORD. Brushes would be required; but these men wearing epaulettes might have some extravagant notions with respect to manicure sets.

Mr. KING. Does the gentleman know whether manicure sets are required by the naval regulations?

Mr. STAFFORD. I suppose the gentleman from Illinois does, and I yield to him upon that.

Mr. KING. If they are required by the naval regulations, should they not be paid for if the officer loses them?

The SPEAKER pro tempore (Mr. GARRETT of Tennessee). The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken; and on a division (demanded by Mr. STAFFORD) there were—ayes 16, noes 32.

So the amendment was rejected.

Mr. WALSH. Mr. Speaker, I move to strike out the last word for the purpose of asking the chairman of the committee a question. Why does not this measure comprehend all other classes of service vessels which have been transferred to the Navy?

Mr. PADGETT. It does. That is what it is intended for. It reimburses the officers of merchant vessels and others. That is one of the purposes of the bill. Under existing law an officer serving on a merchant vessel who loses his effects through submarine or mine gets nothing, and under this bill he gets something.

Mr. WALSH. Does this law cover the case of the lighthouse tenders?

Mr. PADGETT. It covers everything that is in the Navy.

Mr. WALSH. Why was it necessary to adopt the Hicks amendment?

Mr. PADGETT. They are in the Navy temporarily.

Mr. WALSH. So are the lighthouse vessels there temporarily.

Mr. PADGETT. The amendment of Mr. HICKS puts the Coast Guard there permanently, not only during the war, but as they are going out on hazardous business, risking their lives all the time, it makes them permanently able to recover compensation. The others would get it only when they are operating in the Navy.

Mr. WALSH. Including the Naval Reserve and scout patrols?

Mr. PADGETT. Yes; all of those.

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent that to-morrow, after the reading of the Journal and the disposition of privileged matters, I may be allowed to address the House for 20 minutes.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent that to-morrow, after the reading of the Journal and the disposition of privileged matters, he be allowed to address the House for 20 minutes. Is there objection?

Mr. GILLETT. Upon what subject?

Mr. BANKHEAD. Upon the subject of our justification for entrance into this war—free of any personalities, and I am sure I shall not say anything to offend any Member of the House.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Mr. Speaker, I am sure the gentleman will make a good speech, but we are very anxious to get up the soldiers' and sailors' civil rights bill to-morrow, and I would not want any speech to come in ahead of that.

Mr. BANKHEAD. The basis upon which I made the request was after the disposition of privileged business.

Mr. WEBB. But this is not a privileged matter, whether Calendar Wednesday is on or not on. I do not want to object to my friend making a speech—

Mr. BANKHEAD. I have taken very little of the time of the House.

Mr. WEBB. I understand; but the soldiers' and sailors' civil-rights bill is one of the most important measures to a million boys of which the gentleman could think, and is pending and ought to be passed.

The SPEAKER pro tempore (Mr. GARRETT of Tennessee). The Chair will suggest to the gentleman from Alabama to withhold his request for the moment and confer with the gentleman from North Carolina.

Mr. BANKHEAD. Would the gentleman have any objection after the disposition of that measure?

Mr. WEBB. No.

Mr. BANKHEAD. I make the request after the disposition of that bill, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent—

Mr. CANNON. Would not the gentleman say if it takes all the day, then the next day?

Mr. STAFFORD. Mr. Speaker, that bill may take more than one day. It may be the last bill under consideration, and we can not forecast what will be under consideration then. I have no objection to the gentleman taking 20 minutes to-morrow morning.

Mr. BANKHEAD. I just wanted to get the privilege before the adjournment of Congress to deliver this short address.

Mr. STAFFORD. Can the gentleman go ahead to-day?

Mr. BANKHEAD. Yes; I would be glad to have that privilege.

Mr. STAFFORD. Two gentlemen have already obtained permission. Why does not the gentleman ask for unanimous consent to proceed after the other two gentlemen who have already obtained consent?

Mr. BANKHEAD. That, Mr. Speaker, is about the best bargain I can strike, and I desire to modify my request to that extent.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent that to-day, after the conclusion of the speeches unanimous consent for the delivery of which has been already granted, he may be permitted to address the House for 20 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. POU. Mr. Speaker, I ask unanimous consent that when the gentleman from Alabama concludes I may have unanimous consent to address the House for 40 minutes.

The SPEAKER pro tempore. The gentleman from North Carolina [Mr. POU] asks unanimous consent that after the conclusion of the remarks of the gentleman from Alabama [Mr. BANKHEAD] he may be permitted to proceed for not exceeding 40 minutes. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, may I ask the gentleman from North Carolina upon what subject he intends to speak?

Mr. POU. Upon practically the same subject. I want to take up the question of why America entered the war and a review of the work of this Congress.

Mr. MOORE of Pennsylvania. The gentleman does not intend to speak as chairman of the Committee on Rules on any personal subject?

Mr. POU. Absolutely not.

The SPEAKER pro tempore. Is there objection?

Mr. HEFLIN. Mr. Speaker, reserving the right to object, the Washington Herald this morning contained a statement to the effect that Representative MASON, of Illinois, would take the floor to-day to denounce HEFLIN unless he corrected his statement, and so forth.

Mr. STAFFORD. Mr. Speaker, regular order.

The SPEAKER pro tempore. The regular order is demanded. The regular order is, Is there objection?

Mr. HEFLIN. I want to couple with that a request, Mr. Speaker—

The SPEAKER pro tempore. Does the gentleman object?

Mr. HEFLIN. I have not objected; but I want to couple with that a request to address the House in order that I may name certain Members of Congress—

The SPEAKER pro tempore. But the gentleman from Wisconsin demands the regular order, and the regular order is, Is there objection to the request of the gentleman from North Carolina?

Mr. HEFLIN. Mr. Speaker, I do not object.

Mr. WEBB. Mr. Speaker, a few moments ago, when I was out at lunch, I understand the gentleman who occupies the chair got permission to set aside Calendar Wednesday to-morrow. I want to state to the Speaker and the House that I tried to arrange with the Speaker, the floor leader, Mr. GILLET, and other Members to take up the soldiers' and sailors' civil-rights bill to-morrow, and, unless there is some urgent reason for not doing so, I ask permission to set aside the order and that Calendar Wednesday may have its place to-morrow as usual.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent to set aside the order—

Mr. STAFFORD. Mr. Speaker, later in the day that may be done, but we can not forecast conditions that may arise, and for the time being I object.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that the order setting aside Calendar Wednesday to-morrow may be dispensed with, and the gentleman from Wisconsin for the time being objects.

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

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

BRIDGE ACROSS ARKANSAS RIVER, WEBBERS FALLS, OKLA.

Mr. ADAMSON. Mr. Speaker, a few moments ago the bill H. R. 4427 was passed temporarily in order to ascertain the condition of a Senate bill. I find the Senate bill is still on the House Calendar, and I ask that the bill H. R. 4427 be now taken up.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. ADAMSON. And, Mr. Speaker, I ask unanimous consent that in lieu of that bill the House consider the Senate bill.

The SPEAKER pro tempore. The gentleman asks unanimous consent to consider the Senate bill in lieu of the House bill. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, what is the title of the bill?

Mr. ADAMSON. Report the bill, please.

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

The Clerk read as follows:

A bill (H. R. 4427) granting the consent of Congress to Webbers Falls Railroad Co., a corporation, its successors and assigns, to construct a bridge across the Arkansas River between the towns of Webbers Falls and Gore, in the State of Oklahoma.

The SPEAKER pro tempore. Now, the gentleman from Georgia [Mr. ADAMSON] asks unanimous consent to consider the Senate bill in lieu of the House bill. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the Senate bill.

The Clerk read as follows:

An act (S. 2710) granting the consent of Congress to Webbers Falls Railroad Co., a corporation, its successors and assigns, to construct a bridge across the Arkansas River between the towns of Webbers Falls and Gore, in the State of Oklahoma.

Be it enacted, etc., That the consent of Congress is hereby granted to Webbers Falls Railroad Co., a corporation, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Arkansas River, at a point suitable to the interests of navigation, at or near the town of Webbers Falls, in the county of Muskogee, in the State of Oklahoma, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

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

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

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

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

By unanimous consent, a House bill (H. R. 4427) of similar title was laid on the table.

EXTENSION OF REMARKS.

Mr. LONERGAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the number of registrants in Connecticut under the conscription law.

The SPEAKER pro tempore. The gentleman from Connecticut asks unanimous consent to extend his remarks in the RECORD on the subject of the number of registrants in Connecticut under the conscription law. Is there objection? [After a pause.] The Chair hears none.

Mr. BLAND. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the coal and car shortage.

The SPEAKER pro tempore. The gentleman from Indiana [Mr. BLAND] asks unanimous consent to extend his remarks in the RECORD upon the car-shortage question. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the next bill.

HOMESTEAD AND OTHER PUBLIC LAND AFFIDAVITS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 5082) providing for an amendment to section 2293 of the Revised Statutes, allowing homestead and other public-land affidavits to be taken before the military commander of any person engaged in military or naval service of the United States.

Be it enacted, etc., That during the continuance of the present war with Germany, and until his discharge from service, any man serving in the armed forces of the United States, who is an applicant or entryman under the land laws of the United States, or who has, prior to enlistment, filed a contest, with the view of exercising preference right of entry therefor, may make any affidavit required by law or regulation of the department, affecting such application, entry, or contest, or necessary to the making of entry in the case of the successful termination of such contest awarding him preference right of entry, before his commanding officer as provided in section 2293 of the Revised Statutes of the United States.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MOORE of Pennsylvania. Reserving the right to object, I assume that this a war bill, but there should be some explanation of it, if the author of the bill will give it.

Mr. TIMBERLAKE. Mr. Speaker, replying to the question as to whether or not this is a war measure, I will say that it is so regarded by the Interior Department, as there are a great many cases now pending before the department that would be affected by this, where applicants for entry under the homestead, desert-land, and other public-land laws have initiated proceedings and have been called to the front to serve in the Army or the Navy of the United States. The laws governing these entries are such that the affidavits required have to be made within the land districts affected. These boys, some of them, are now in the training camps, and a good many of them are across the water and engaged actively, and it is necessary for us to protect their rights to their entries. And there are a great many cases now pending where contests have been instituted, where squatters' rights have been made upon withdrawn public lands, and it is impossible for them to complete their entries without a provision of this kind.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. TIMBERLAKE. I yield.

Mr. MOORE of Pennsylvania. Does this law empower a commanding officer to take an affidavit in a foreign country?

Mr. TIMBERLAKE. Anywhere. Yes, sir.

Mr. MOORE of Pennsylvania. Would the gentleman have any objection to having his bill amended so that an affidavit might be taken by a commanding officer anywhere in any foreign country, affecting any matter apart from the land laws?

Mr. TIMBERLAKE. Well, it seems to me, Mr. Speaker, that that is a broader ground than my bill contemplates. This only applies to affidavits that will be required to be made within the land-office districts and before certain officers.

Mr. MOORE of Pennsylvania. Is the gentleman familiar with the bill—

Mr. WINGO. I will state that the proposition the gentleman from Pennsylvania proposes is already covered by law, but the proposition the gentleman from Colorado is trying to reach is not covered by law, but the law requires the affidavits to be made in the respective counties.

Mr. TIMBERLAKE. In the land district?

Mr. WINGO. Yes. In the land district. Now, the proposition the gentleman from Pennsylvania [Mr. MOORE] suggests is covered by existing law.

Mr. MOORE of Pennsylvania. A bill has been introduced by the gentleman from Pennsylvania [Mr. STRONG] covering this very point. The gentleman from Pennsylvania made some inquiry as to whether existing law covered this question—

Mr. WINGO. I had occasion to look into that. The only case I was able to find where there is not any provision under existing law is the homestead case, and the provision requires the affidavits to be made at a specific place.

Mr. MOORE of Pennsylvania. I do not want to interfere with what the gentleman from Colorado [Mr. TIMBERLAKE] is trying to accomplish. I think it is a very proper purpose and made necessary by the exigency of war, but there are others besides land claimants whose interests will be affected when they are in the service in foreign countries, and it may be very inconvenient for them to reach the office of consuls and others, and it may be convenient for them to make affidavits before their commanding officers. If the law does not provide for that—the gentleman from Arkansas [Mr. WINGO] says it does—it ought to provide for the convenience of these men in the service who can not reach men qualified in foreign countries to make affidavits.

Mr. WALSH. Will the gentleman yield?

Mr. TIMBERLAKE. I yield.

Mr. WALSH. Is the gentleman from Colorado aware that the soldiers and sailors civil-rights bill, so called, carries the identical provision that is in the bill the gentleman is now reporting?

Mr. TIMBERLAKE. I will say to the gentleman from Massachusetts, I am aware of that. I appeared before the Judiciary Committee with reference to that, and that committee has incorporated primarily this provision. But I understand that this bill is not on the calendar. It is now growing late in the session, and my only object in bringing this in now is in order to get, without question, action upon it, and I understand there may be a question with reference to whether or not the other bill is enacted into law because of its vital necessity to so many of our people who are now serving in the Army.

Mr. WALSH. But does not the gentleman think that it will be better, inasmuch as the civil-rights bill has several sections—I think two or three sections—relating to rights in lands, desert lands, mining claims, and homestead entries, to have it all incorporated in one law, rather than to have a separate bill for this provision and the rest of it covered in a general bill? The bill, it is expected, will be taken up and passed by the House before this session adjourns. I am sure I have heard of no opposition to the principle which the gentleman is advocating, and I think it was incorporated into the bill unanimously after the gentleman from Colorado and the gentleman from Wyoming and one or two others called the attention of the Committee on the Judiciary to it. There is no opposition to it, and if it is already in that bill, and it is expected that that bill is to pass, my query is, Would it not be better to have it all in one law?

Mr. MONDELL. Does the gentleman from Massachusetts think that a general moratorium bill will become a law during this session?

Mr. WALSH. I understand that it is expected that it will. I do not know what the plans of the administration are in that respect.

Mr. MONDELL. In the event—rather improbable, it seems to me—that it does become a law, it would be entirely feasible, when that bill is finally considered, to strike from it the last paragraph or the section that deals with these matters if in the meantime this bill has become a law.

Mr. WALSH. Does the gentleman from Wyoming think that this bill will become a law at this session?

Mr. MONDELL. I feel confident that it will, and I understand that the gentleman from Colorado has assurance that it will be promptly enacted.

Mr. WALSH. I am not objecting, understand. I was only wanting to direct the attention of the House to the fact that this was incorporated in the civil-rights bill, which it was expected would come up and be passed this week.

Mr. TIMBERLAKE. I will say to the gentleman that the incorporation of that provision in this bill would be entirely satisfactory to me, but I have assurance that if this bill is en-

acted to-day in the House it will go through the Senate, and there are so many people in my district and in many other of the Western States affected that I would like to see it passed.

The SPEAKER pro tempore. Is there objection?

Mr. MONDELL. Reserving the right to object—and I shall not object, because I think the bill ought to pass—when the bill is taken up I desire to offer two small amendments.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

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

Mr. TIMBERLAKE. Mr. Speaker, the bill being on the Union Calendar, I ask unanimous consent that it be considered in the House as in Committee of the Whole.

Mr. STAFFORD. It is on the House Calendar.

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

Mr. MONDELL. Mr. Speaker, I offer an amendment.

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

The Clerk read as follows:

Amendment offered by Mr. MONDELL: Page 1, line 5, after the word "who," strike out the word "is" and insert the words "prior to the beginning of his service was a settler."

Mr. MONDELL. Mr. Speaker, the amendment which I have offered does two things. First, it makes it very clear—and we should make it very clear in this legislation—that the affidavits which may be made are affidavits which relate only to rights initiated prior to entry upon the service. We have had several bills before the Congress dealing with soldiers' rights, and in every case the House has been very careful to make it clear that no rights were granted to initiate an entry after the beginning of the service. Then, in addition to that—

Mr. TAYLOR of Colorado. Mr. Speaker, will the gentleman yield there?

Mr. MONDELL. Yes.

Mr. TAYLOR of Colorado. How does that affect applications for 640 acres unless the claims are allowed? Of course that would not be called even an initiation, would it?

Mr. MONDELL. Yes; it is an initiation. The gentleman will recollect that in the bill which we passed, giving the settler credit for his residence and cultivation during his service, we amended by providing that the privilege should apply to those who by settlement application or entry had initiated rights prior to the beginning of the service; as the bill would read if amended, it would provide that a soldier in the armed forces of the United States "who, prior to the beginning of his service, was a settler, an applicant, or an entryman," and so forth.

Mr. TAYLOR of Colorado. I do not dispute the gentleman's position. The only question is whether the gentleman is sure himself that he is safeguarding these initiated rights. That is the only thing.

Mr. MONDELL. I am absolutely as sure of it as I was of the other case that we discussed at some length here. I think it is highly important, now that the laws authorize the making of an application without going upon the land under the 640-acre law, that we shall make it clear that those applications can not be initiated by men after they enter the service. We went over all of that some time ago.

Mr. GANDY. I want to ascertain if my understanding is correct on this. Do you intend this to read, "the settler"—

Mr. MONDELL. We are not now discussing that word "settler." We are discussing the other feature of the amendment. The amendment is intended to cover two things. One is intended to make it very clear—and of course there should be no difference of opinion in regard to that matter; we will discuss the "settler" matter later—make it very clear that those affidavits allowed to be made before a commanding officer were relative to claims initiated and established one way or another prior to the beginning of the service.

Mr. GANDY. I was trying to clear my mind on this word "settler."

Mr. MONDELL. In addition to that, the bill as drawn authorizes affidavits by those who are applicants or entrymen. But it does not cover, as the bill did which granted credit for constructive residence, the right of the man who had settled on unsurveyed land or who had settled on land which at the time was withdrawn for resurvey. If we do not include him, we exclude a considerable class of people.

Mr. GANDY. That is the point I have been trying to get the gentleman to make clear.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Wyoming.

Mr. FERRIS. Mr. Speaker, at first I thought the gentleman from Wyoming was in error, and that he was proposing to amend this bill in a way that I thought perhaps he would not want to amend it; but as I now understand it, he seeks to do two things: First, to make it clear that some sort of settlement was initiated prior to the man's going into the service.

Mr. MONDELL. Yes.

Mr. FERRIS. And then you want to add to it a provision that will cover a man who has settled on unsurveyed land, or on land withdrawn for resurvey, and who had no application pending in the land office.

Mr. MONDELL. Yes.

Mr. TIMBERLAKE. The amendment is a very proper one.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Wyoming [Mr. MONDELL].

The amendment was agreed to.

Mr. MONDELL. Mr. Speaker, I offer the following amendment, to come in at the end of the bill.

The SPEAKER pro tempore. The gentleman from Wyoming offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MONDELL: Page 2, line 5, after the word "State," strike out the period and insert the following: "which affidavit shall be as binding in law and with like penalties as if taken before the register of the United States Land Office."

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Wyoming.

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, and was accordingly read the third time and passed.

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

REQUEST TO EXTEND REMARKS.

Mr. MADDEN. Mr. Speaker, I ask that the gentleman from Pennsylvania [Mr. ROSE] be given unanimous consent to extend his remarks in the RECORD by printing a patriotic speech made by Theodore Roosevelt at Johnstown on Sunday, and the remarks made by the gentleman from Pennsylvania [Mr. ROSE] in introducing him to the meeting.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that the gentleman from Pennsylvania [Mr. ROSE] be permitted to extend his remarks in the RECORD by printing the matter referred to. Is there objection?

Mr. KEATING. Reserving the right to object—

Mr. MADDEN. This was at a meeting of the labor men.

Mr. KEATING. I realize that, but objection has been made uniformly here to requests of this kind.

Mr. MADDEN. Oh, no; not for that.

Mr. KEATING. Just the other day my colleague from Colorado requested the privilege of extending in the RECORD a patriotic address by Gov. Adams, of my State, welcoming the Belgian Commission to this country. The gentleman from Massachusetts [Mr. WALSH] objected to that, as he had to others.

Mr. MADDEN. This is quite a different proposition.

Mr. KEATING. It is exactly a similar proposition.

Mr. MADDEN. No; a Member of the House—

Mr. KEATING. It is to insert an address by Theodore Roosevelt.

Mr. MADDEN. And also to insert the remarks made by a Member of the House in introducing him.

Mr. KEATING. I must object.

The SPEAKER pro tempore. The gentleman from Colorado objects. The Clerk will report the next bill on the Calendar for Unanimous Consent.

BRIDGE ACROSS MISSISSIPPI RIVER, ITASCA AND CASS COUNTIES, MINN.

The next business on the Calendar for Unanimous Consent was the bill (S. 2435) authorizing the counties of Itasca and Cass, Minn., to construct a bridge across the Mississippi River in said counties.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, I should like to ask if this bridge is anywhere near the other bridge that was the subject of a prior bill?

Mr. KNUTSON. They are about 20 miles apart.

Mr. WALSH. It is not the same bridge?

Mr. KNUTSON. No; they are two different bridges.

Mr. WALSH. Across the same stream?

Mr. KNUTSON. Yes.

Mr. WALSH. Both are highway bridges?

Mr. KNUTSON. Yes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

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

The bill was read, as follows:

Be it enacted, etc., That the counties of Itasca and Cass, in the State of Minnesota, be, and they are hereby, authorized to construct, maintain, and operate a highway bridge and approaches thereto across the Mississippi River at a point suitable to the interests of navigation in township 144 north, on or near the range line between ranges 25 and 26 west, fifth principal meridian, in the State of Minnesota, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

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

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

The bill was ordered to a third reading, and was accordingly read the third time and passed.

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

NATURALIZATION.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to recur to No. 12 on the Unanimous Consent Calendar for the purpose of taking up H. R. 3132. I do not believe the gentleman from Illinois will object now.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent to return to Unanimous Consent Calendar No. 12.

Mr. KNUTSON. Reserving the right to object—

Mr. MOORE of Pennsylvania. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Pennsylvania objects. The Clerk will report the next bill.

PUBLIC BUILDING AT DURANT, OKLA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 6094) amending the act to increase the limit of the cost of certain public buildings, etc.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MOORE of Pennsylvania. Mr. Speaker, I should like to know something about this bill.

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

The bill was read, as follows:

Be it enacted, etc., That the public buildings act, approved March 4, 1913, entitled "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes" (Public, No. 432), and all other authorizations and appropriations passed in pursuance thereof for the construction of a post office at Durant, Okla., be, and the same are hereby, amended so as to authorize and appropriate the use of funds apportioned to Durant, Okla., for the construction and equipment of a United States post office and other Government offices at Durant, Okla.

Mr. MOORE of Pennsylvania. Mr. Speaker, this bill is so clearly not a war bill that I object.

Mr. CARTER of Oklahoma. Will the gentleman reserve his objection?

Mr. MOORE of Pennsylvania. I reserve the right to object until the gentleman from Oklahoma explains the bill.

Mr. CARTER of Oklahoma. The situation is just this: The public-building act of 1913 provided for a post-office building at Durant, Okla. At that time there were no other Government activities at the city of Durant. Since that time there have been established other Government agencies there which embrace probably 12 or 15 people. Under the authorization of 1913 this money can not be used to provide for these other offices. The money that was appropriated for the construction of a post office at Durant can be used only for the construction of a post office, but not for the construction, for instance, of an Indian agency or an agricultural agency.

Mr. MOORE of Pennsylvania. May I ask the gentleman the necessity for passing this bill at this session of Congress?

Mr. CARTER of Oklahoma. The contract has already been made with the contractor for a one-story building in conformity with the present law. The Treasury Department holds that it can not provide for a building for these other Government activities there.

Mr. MOORE of Pennsylvania. Is the work being impeded?

Mr. CARTER of Oklahoma. The work is being impeded and the contractor is being held up now, after he has the excavation made and is preparing for the foundation.

Mr. MOORE of Pennsylvania. What is the attitude of the Committee on Public Buildings and Grounds toward this bill?

Mr. CARTER of Oklahoma. The bill has a unanimous favorable report from the Committee on Public Buildings and Grounds.

Mr. BURNETT. There is a unanimous favorable report from the Committee on Public Buildings and Grounds, and this does not require another dollar of appropriation. They will build it within the appropriation, but if they do not get this action they will have to pay for the rent of outside buildings.

Mr. MOORE of Pennsylvania. While it is not a war measure it relieves a situation that impedes a public work.

Mr. BURNETT. The contract was let on the 15th of June, and they have been held up ever since.

Mr. ROBBINS. I would like to ask the gentleman if this increases the appropriation?

Mr. CARTER of Oklahoma. It does not.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. This bill is on the Union Calendar.

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

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

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

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 5839. An act extending the time for the construction of a bridge across the Mississippi River in Aitkin County, Logan Township, State of Minnesota; and

H. R. 4280. An act to provide revenue to defray war expenses, and for other purposes.

SIX MONTHS' GRATUITY FOR BENEFICIARIES OF RETIRED OFFICERS OR ENLISTED MEN ON ACTIVE DUTY.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6306) to provide for the payment of six months' gratuity to the widow, children, or other previously designated dependent relative of retired officers or enlisted men on active duty.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, I wish to propound a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. STAFFORD. On yesterday the gentleman from North Carolina [Mr. KITCHIN] asked unanimous consent that the business on the Calendar for Unanimous Consent be transferred from to-day until to-morrow, and that order was agreed to by unanimous consent of the House. The parliamentary inquiry I wish to submit is whether under that order the consideration of business to-day was limited to the consideration of bills on the Unanimous Consent Calendar?

The SPEAKER pro tempore. The Chair has not examined the language, but the Chair heard the request, and the Chair is of the opinion that the spirit and purpose was to make all business that would be in order yesterday in order to-day.

Mr. STAFFORD. I am not going to raise the question of order now, but I was here and listened to the request and paid particular attention to the form in which the request was made. The request as made by the gentleman from North Carolina was not that business in order to-day shall be in order to-morrow, but only as stated here and as repeated by the Speaker in submitting the request. "The gentleman from North Carolina asks unanimous consent that the business in order to-day on the Calendar for Unanimous Consent shall be transferred to to-morrow."

There is a further objection to considering bills reported yesterday. These bills were not on any calendar yesterday. They were merely reported by the committee, being then dropped into the basket. These bills would not have been considered yesterday even under suspension of the rules, because they were not on any calendar. This order, as submitted by the gentleman from North Carolina and submitted by the Chair and agreed to, limited it merely to bills on the Unanimous Consent Calendar.

The SPEAKER pro tempore. The Chair will state to the gentleman from Wisconsin that the Speaker was called from the room, and he left with the present occupant of the chair a list of gentlemen to be recognized to move to suspend the rules. The present occupant of the chair infers from that that the Speaker was of the opinion that under the order made yesterday all the business would be in order to-day, and the question rests

with the House whether it will consider it. The gentleman from Tennessee asks unanimous consent for the present consideration of the bill H. R. 6306. Is there objection?

Mr. WALSH. Reserving the right to object, may we have the bill reported?

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

Be it enacted, etc., That the paragraph of the act approved August 22, 1912, entitled "An act making appropriations for the Naval Service for the fiscal year ending June 30, 1913, and for other purposes," as amended by the act of March 3, 1915, which provides for the payment of six months' gratuity to the widow or children or other previously designated dependent relative of a deceased officer or enlisted man on the active list of the Navy and Marine Corps, be, and the same is hereby, amended by inserting after the words "on the active list of the Navy or Marine Corps" a comma and the words "or of any retired officer or enlisted man serving on active duty during the continuance of the present war."

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, I ask unanimous consent that the letter of the Secretary of the Navy be read to the committee, and I make that request for the reason that this bill was reported only yesterday, and no copies of the bill or the report could be obtained until this morning, and no Member of the House has probably had time to read it.

Mr. PADGETT. I am perfectly willing that the letter should be read. I want to say that the only effect of this bill is not to change existing law except to give the benefit of existing law to officers on the retired list who are called into active duty during the present war. In other words, if an officer on the active list is killed, his widow or beneficiary under existing law gets six months' pay. If a retired officer is called into active service and he is killed, his widow would not get anything. This simply provides that he shall have the same benefit that the officer on the active list would have under the same circumstances, and it also applies to enlisted men. It does not change the law at all, except as I have stated.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I reserve the right to object until the letter from the Secretary of the Navy to the Speaker be read.

The SPEAKER pro tempore. Without objection, the Clerk will read the letter.

The Clerk read as follows:

DEPARTMENT OF THE NAVY,
Washington, May 2, 1917.

MY DEAR MR. SPEAKER: The naval appropriation act of August 22, 1912 (37 Stat., 328), reads in part as follows:

"That hereafter immediately upon official notification of the death, from wounds or disease not the result of his own misconduct, of any officer or enlisted man on the active list of the Navy and Marine Corps the Paymaster General of the Navy shall cause to be paid to the widow, and if no widow, to the children, and if there be no children, to any other dependent relative of such officer or enlisted man previously designated by him, an amount equal to six months' pay at the rate received by such officer or enlisted man at the date of his death, less \$75 in the case of an officer and \$35 in the case of an enlisted man, to defray expenses of interment, and the residue, if any, of the amount reserved shall be paid subsequently to the designated person."

The act of March 3, 1915 (38 Stat., 938), contains the following proviso:

"That no deduction shall hereafter be made from the six months' gratuity pay allowed under the naval act of August 22, 1912, on account of expenses for preparation and transportation of the remains."

It will be noted that the laws quoted do not cover the cases of retired officers and enlisted men when on active duty. When a retired officer or enlisted man is on active duty, he is subject to orders for the performance of like duties and to exposure to the same hazards as an officer or enlisted man on the active list. The department therefore believes that their beneficiaries should be accorded the same benefits as the beneficiaries of officers and enlisted men on the active list of the Navy and Marine Corps, and it is recommended that appropriate legislation be enacted to allow them these benefits.

There is inclosed herewith a proposed draft of a bill which, if enacted into law, would accomplish the above purpose, and same is commended to your favorable consideration and to that of the committee to which you may deem it proper to refer same with a view to its enactment. A similar provision is contained in the bill (S. 1786) "To amend certain sections of the act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, and for other purposes," now pending in the Senate.

Sincerely, yours,

JOSEPHUS DANIELS,
Secretary of the Navy.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object, I wish to propound to the chairman of the committee a case and inquire whether it would be within the scope of this amended act. Suppose a retired naval officer in active service should collapse, drop dead, while in the performance of his duty; would the widow under the provisions of this act, or the widow of an active naval officer, be entitled to six months' pay?

Mr. PADGETT. I am not prepared to answer definitely whether either one of them would. I am under the impression that if an officer dies while in the line of active duty, regardless of the cause of the death, his widow gets six months' pay.

Mr. STAFFORD. Does the six months' pay extend to the enlisted man?

Mr. PADGETT. Yes; and it does now.

Mr. STAFFORD. Why is it the purpose to extend the provision of the amendment so as to include enlisted men now on active duty during the continuance of the present war?

Mr. PADGETT. In introducing the bill I added the words "during the continuance of the present war." That was not in the draft as sent down by the Secretary. I do not think there ought to be an indefinite extension. They have the right to call retired officers and assign them to active duty, and those officers get full pay when so assigned. It might be interpreted that if they died after the war from any cause, that would give that six months' insurance or gratuity, so I limited it to the continuance of the war. It places them upon the same basis identically with the men upon the active list.

Mr. STAFFORD. I direct the gentleman's attention to the words "enlisted men." If under existing law the beneficiaries of an enlisted man are entitled to six months' pay, what is the necessity for inserting a provision here?

Mr. PADGETT. Enlisted men retire, and under the law passed three or four years ago all enlisted men who retire after that, receiving retired pay, are subject to be called into active duty, the same as officers. Before that time when an enlisted man retired he was not subject to be called back into active service. When called back into active service he has to perform the same duties as a man upon the active list.

Mr. STAFFORD. And when he is called back he does not reenlist?

Mr. PADGETT. No; he is called back as a retired man.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. PADGETT. Mr. Speaker, this is on the Union Calendar, and I ask unanimous consent that it may be considered in the House and in Committee of the Whole.

The SPEAKER pro tempore. Is there objection?

There was no objection.

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

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

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

OFFICERS ON NAVAL COURTS.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6363) to provide for the service of officers of auxiliary naval forces on naval courts, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That when actively serving under the Navy Department in time of war or during the existence of an emergency, pursuant to law, as a part of the naval forces of the United States, commissioned officers of the Naval Reserve Force, Marine Corps Reserve, National Naval Volunteers, Naval Militia, Coast Guard, Lighthouse Service, Coast and Geodetic Survey, and Public Health Service are hereby empowered to serve on naval courts-martial and deck courts under such regulations necessary for the proper administration of justice and in the interests of the services involved, as may be prescribed by the Secretary of the Navy: *Provided,* That so much of the act approved August 29, 1916 (39 Stats., p. 556), as reads as follows is hereby repealed, *viz:*

"That when serving under the call of the President, officers of said Volunteers may serve on courts-martial for the trial of officers and men of the United States Naval or Naval Militia service, or of said Volunteers, but in the cases of courts-martial convened for the trial of officers or enlisted men of the United States Navy or Marine Corps the majority of the members shall be officers of the Regular Naval service, and officers and enlisted men of the said Volunteers may be tried by courts-martial, the members of which are members of the Regular Naval service or of said Volunteers, or any or all of the same."

Provided further, That so much of the Naval Militia act of February 16, 1914 (38 Stats., p. 283), as reads as follows is hereby repealed:

"That when in the service of the United States officers of the Naval Militia may serve on courts-martial for the trial of officers and men of the Regular or Naval Militia service, but in the cases of courts-martial convened for the trial of officers of the Regular service the majority of the members shall be officers of the Regular service; and officers and men of the Naval Militia may be tried by courts-martial the members of which are officers of the Regular or Naval Militia service, or both."

And provided further, That any act or parts of acts in conflict with the provisions hereof are hereby repealed.

With the following committee amendments:

Page 2, line 5, after the word "follows," strike out the words "is hereby repealed, *viz:*"

Page 2, line 17, after the words "all of the same," insert the words "is hereby repealed."

Page 2, line 21, strike out, after the word "follows," the words "is hereby repealed."

Page 3, line 5, after the words "or both," insert the words "is hereby repealed."

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, as I understand this bill, it seeks to provide for certain officers from various branches of the naval service for the trial by court-martial of certain offending seamen and subordinates.

Mr. PADGETT. Yes.

Mr. STAFFORD. And it is pressingly recommended by the Secretary of the Navy.

Mr. PADGETT. Yes; and by the Judge Advocate General. I had a personal letter from him, saying that the exigency of the service called for it.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. STAFFORD. Will the gentleman have any objection to inserting in the RECORD the letter of the Secretary of the Navy approving of this bill?

Mr. PADGETT. I shall be glad to have that done, and I ask unanimous consent that it may be done.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent that the letter of the Secretary be inserted in the RECORD. Is there objection?

There was no objection.

The letter referred to is as follows:

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, August 1, 1917.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

MY DEAR MR. SPEAKER: I am transmitting herewith a proposed draft of a bill, which I desire to commend to your favorable consideration and to that of the committee to which you may deem it proper to refer same.

The purpose of this bill is to render it lawful for officers of the Naval Reserve Force and other kindred auxiliary forces, now serving with the Navy under the Navy Department in conformity with law, to act as members of courts-martial or as deck court officers. Cases arise frequently in which the crews of vessels engaged in patrol service are of the regular Navy, whereas the only officers attached to the vessel are from the Naval Reserve Force or National Naval Volunteers. These officers may not, under existing law, sit as members of a naval court for the trial of members of the regular service unless a majority of the members of the court belong to the latter service. Deck courts can not be held on such men until the vessel on which they are serving falls in with the senior officers present afloat. This involves delay and impedes the normal and proper administration of justice. It would appear that both reason and efficiency require that all officers placed in command afloat, of whatever service, whether regular or reserve, should be afforded equal opportunities for enforcing discipline in their respective commands; and officers of these auxiliary services should be authorized to sit on courts under the same conditions that prevail with regard to regular officers.

At present cases are frequently arising in which, by reason of the present restrictive legislation, the discipline of the various branches of the Naval Establishment is being seriously impaired. I always have in mind regulations that will suitably protect the interests of the several services involved, while at the same time giving the necessary latitude to permit of that prompt administration of justice which is such a strikingly necessary feature to naval efficiency. I therefore hope that this proposed legislation will be considered as urgently and immediately necessary for the welfare of the Navy, and that it may be practicable to have the measure enacted at an early date. It is equally important with those matters which this department recently brought to the attention of the chairman of the Committee on Naval Affairs of the House of Representatives by special letter.

Sincerely, yours,

JOSEPHUS DANIELS,
Secretary of the Navy.

The committee amendments were severally read, severally considered, and severally 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. PADGETT, a motion to reconsider the vote whereby the bill was passed was laid on the table.

EFFICIENCY OF THE NAVY.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6362) to promote the efficiency of the United States Navy, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That in construing the provisions of sections 12 and 13 of the selective-draft act, approved May 18, 1917, the word "Army" shall extend to and include "Navy"; the word "military" shall include "naval"; "Article of War" shall include "Articles for the Government of the Navy"; the words "camps, station, cantonment, camp, fort, post, officers' or enlisted men's club," in section 12, and "camp, station, fort, post, cantonment, training, or mobilization place," in section 13, shall include such places under naval jurisdiction as the President may prescribe, and the powers therein conferred upon the Secretary of War with regard to the military service are hereby conferred upon the Secretary of the Navy with regard to the naval service.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I ask unanimous consent that sections 12 and 13 of the selective-draft act, referred to in the bill and which are contained in the report, may be read.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent that the sections referred to by him may be read. Is there objection?

Mr. PADGETT. Mr. Speaker, I join in the request, and, pending that, I desire to make this statement: The only effect of this bill is to make clear that the provisions of the Army bill apply to the Navy. It does not change existing law at all. It merely puts the Navy and the Army upon identically the same status with respect to the selective-draft act.

Mr. MONDELL. If the gentleman will permit, the gentleman would hardly think that it did not change existing law. If a law now applying only to the Army is made to apply to the Navy, that would be some change of existing law?

Mr. PADGETT. I am speaking of changing existing law in substance. It just embraces the Navy as well as the Army. The Attorney General delivered an opinion in which he said that under the law the Navy was embraced in it, but there is some doubt about that and it is in order that the two services may be identically alike. This simply puts the Navy under the provisions of the law with reference to the Army.

Mr. STAFFORD. Will the gentleman yield?

Mr. PADGETT. Yes, sir.

Mr. STAFFORD. As I understand from a hurried reading of sections 12 and 13, they are the provisions that sought to throw the protecting arm of the Government over the enlisted men of the Army so that intoxicating liquors would not be sold to them, and also authorized the establishment of a nonvice zone in the neighborhood of Army posts.

Mr. PADGETT. Yes, sir.

Mr. STAFFORD. Mr. Speaker, from the explanation that has been made by the gentleman from Tennessee, I withdraw the request to have sections 12 and 13 read.

The SPEAKER pro tempore. The gentleman withdraws his request for the reading of the section. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

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

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

EXTENSION OF REMARKS.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that Mr. Rose extend his remarks on the subject matter referred to a few moments ago. The gentleman who made the objection has withdrawn it, I understand.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that the gentleman from Pennsylvania may have permission to extend his remarks in the RECORD on the subject indicated a few moments ago. Is there objection? [After a pause.] The Chair hears none.

AIR-STATION SITE, UNITED STATES NAVY.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 2437.

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

To provide for the acquisition of an air-station site for the United States Navy.

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized to acquire, by purchase or condemnation, including all easements, riparian and other rights appurtenant thereto, for use for naval purposes, the tract of land situate at Cape May, N. J., lying between Princeton and Kansas Avenues and the water front and Cape May Avenue, comprising, exclusive of Pennsylvania Avenue, which intersects the tract and is to remain a public thoroughfare, approximately 57.73 acres, or such enlarged area for which he may be able to contract within the appropriation, and there is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the acquisition of said property and of all easements, riparian and other rights appurtenant thereto, the sum of \$150,000: *Provided,* That the Secretary of the Navy shall authorize the payment of no part of this sum, except for perfecting the title and dredging Cold Spring Harbor and the entrance thereto, in order to make it more available for naval purposes: *And provided further,* That the Secretary of the Navy be, and he is hereby, empowered, in his discretion, to acquire, if possible, additional acreage without increased cost, and to exact guaranties for the maintenance of the electric railway now running through the above-described land; and power is hereby conferred upon the Secretary of the Navy to condemn the land for naval, aviation, and kindred purposes on the New Jersey coast adjacent to Cold Spring Harbor; and the Secretary of the Navy is hereby directed, in conducting his negotiations with the Cape May Real Estate Co., to maintain intact the obligation existing between the United States and the Cape May Real Estate Co., executed by the said company June 25, 1907; and that this contract shall not be regarded as a waiver of either the obligation of the company or the rights of the United States.

The committee amendment was read, as follows:

Page 2, line 16, after the word "condemn," insert the words "the said tract of."

The SPEAKER pro tempore. Is there objection?

Mr. MADDEN. Mr. Speaker, reserving the right to object—

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I believe this bill should be amended. If the gentleman proposes to move to suspend the rules, it would probably save time—

Mr. PADGETT. Under unanimous consent, the bill will be open for consideration for amendment, and if there are any proper amendments I will be glad to have them.

Mr. MADDEN. Who is supposed to decide what is a proper amendment?

Mr. MOORE of Pennsylvania. Mr. Speaker, I would like to state what the proposition is—

Mr. PADGETT. The House would decide as to the propriety of amendment.

Mr. MADDEN. I would like to have an opportunity to ask the gentleman from Tennessee a question or two.

Mr. MOORE of Pennsylvania. Mr. Speaker, I would ask the gentleman from Tennessee to make a statement. I do not want to delay the passage of the bill, but I believe the bill ought to be amended, and I do not think it can be amended under unanimous consent.

Mr. PADGETT. Under unanimous consent it is open for amendment.

Mr. MOORE of Pennsylvania. If there is no objection, I will proceed now.

Mr. PADGETT. Just ask unanimous consent.

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask unanimous consent for five minutes.

The SPEAKER pro tempore. Pending the request of the gentleman from Tennessee for unanimous consent for the consideration of the bill, the gentleman from Pennsylvania asks unanimous consent to address the House for five minutes upon the bill. Is there objection?

Mr. MADDEN. That will be with the understanding that the right to object is reserved?

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. Mr. Speaker, this bill proposes to authorize the Secretary of the Navy to acquire, by purchase or condemnation, a tract of land 57.73 acres in extent in the vicinity of Cold Spring Harbor, Cape May, N. J., for the purposes of an aviation station. I believe the location is an entirely proper one and approve of its selection. The price that has been fixed in this bill for the purchase of this 57.73 acres is \$150,000, which is nearly \$3,000 an acre. It is proposed that this \$150,000 shall be used to perfect title to and to dredge Cold Spring Harbor and entrance thereto in order to make it more available for naval purposes. Now, I have no objection to the use of the money provided if the Government gets full title for this land. Nor do I object to the use of this money for dredging purposes. But I understand the bill to mean that the owner of the property gets nothing except indirect benefits that would incidentally enhance the value of other property in the neighborhood.

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

Mr. MOORE of Pennsylvania. Yes.

Mr. MADDEN. Does the gentleman from Pennsylvania know that the Secretary of War has already expended \$100,000 on this property before he had any authority from anybody to expend it?

Mr. MOORE of Pennsylvania. The report sets that out.

Mr. PADGETT. That has been expended, as it has been in numbers and numbers of other places, under the general authority of the President in the expenditure of lump-sum appropriations for war purposes.

Mr. MOORE of Pennsylvania. Well, my recollection is that it was proposed in the beginning that the lump sum of \$150,000 should be paid without reference to dredging this 57 acres—

Mr. PADGETT. One hundred and seventy-five thousand dollars.

Mr. MOORE of Pennsylvania. Then it was much more than \$3,000 an acre.

And now it is proposed to reserve to the Government the use of the money, the owners to get nothing except the incidental benefits to be derived from the dredging of Cold Spring Harbor.

Mr. PADGETT. The \$150,000 is to be expended in the dredging and improvement of the harbor so that it can be used for submarines, torpedo-boat destroyers, and hydroplanes.

Mr. MOORE of Pennsylvania. Yes; and I approve of that heartily. But I would like to ask why, having said in the first part of the bill that the Secretary of the Navy "is hereby authorized to acquire, by purchase or condemnation, including all ease-

ments," and all that sort of thing, it is proposed in a proviso that additional land is to be acquired without increased cost; that is to say, without increased cost, which apparently is fixed in this bill at less than \$3,000 per acre?

Mr. PADGETT. It is without any additional cost. If you want to change the word "increased" and put it "additional"—

Mr. MOORE of Pennsylvania. Would the gentleman consent to strike out the words "without increased cost" and insert the words "within the appropriation," as applied to any additional lands to be acquired?

Mr. PADGETT. I would have no objection if you can not make it more clear by other language.

Mr. STAFFORD. Will the gentleman yield? What is the proposed amendment?

Mr. MOORE of Pennsylvania. I propose to amend line 13, page 2, by striking out the words "without increased cost" and inserting "within the appropriation."

I would also ask the gentleman why, general power to condemn having been conferred in the first page, this proviso is inserted on line 13, page 2, "and power is hereby conferred on the Secretary of the Navy to condemn"—I am leaving the committee amendment out now—"to condemn land for naval, aviation, and kindred purposes on the New Jersey coast adjacent to Cold Spring Harbor"? Does that mean a new condemnation, or is it the condemnation mentioned in the first paragraph?

Mr. PADGETT. It means here the condemnation provided in the first paragraph of the bill. You notice the committee reports the amendment limiting the condemnation to the said tract of land, inserting those words. There seemed to the committee to be a general power in the bill as it came from the Senate. The Naval Affairs Committee did not want to confer unlimited power, and for that reason we inserted the amendment limiting the powers of condemnation to the said tract of land authorized to be purchased.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I desire to ask the gentleman from Tennessee [Mr. PADGETT] a question or two. I do not understand here why, when provision is made in the opening of the bill for the power to condemn easements, riparian and other rights appurtenant thereto, and the land itself, that it then should have been inserted in the bill in a subsequent paragraph "that power is hereby conferred on the Secretary of the Navy to condemn land for naval, aviation, and kindred purposes on the New Jersey coast adjacent thereto," and so forth.

Mr. PADGETT. That is not in a different paragraph. It is in the same paragraph and is just an express authority to exercise the power of condemnation.

Mr. MOORE of Pennsylvania. Let us have it clear, if the gentleman pleases, because I have been informed that a gentleman who owns 400 acres of land in the vicinity of this tract has tendered it to the Government for this purpose, for a nominal consideration, which makes this a rather important transaction of the Government. Is it the purpose of this bill to confine the expenditure to \$150,000, and is that \$150,000 to cover all that is to be spent for the acquisition of land for this particular purpose?

Mr. PADGETT. That was stated over and over again by Admiral Benson, who appeared before the committee, and it is shown in the hearings, and also by Capt. Irvin, who has charge of aviation work. We asked them specifically if there was contemplated the purchase of any other land, or the acquirement of any other land, or the condemnation of any other land, and they said "No." And in order to make it specific, so that there would be good authority, and that authority would be limited to the acquisition of this land, it says here:

And power is hereby conferred upon the Secretary of the Navy to condemn—

And the committee inserted:
the said tract of.

Which is the only tract that is mentioned in the same paragraph.

Mr. MOORE of Pennsylvania. Does the gentleman object to striking out the words?—

And power is hereby conferred upon the Secretary of the Navy to condemn the said tract of land for naval, aviation, and kindred purposes on the New Jersey coast adjacent to Cold Spring Harbor.

Mr. PADGETT. I think he ought to have explicit power. Mr. MOORE of Pennsylvania. But agrees that whatever additional land is to be acquired it is to be acquired within the appropriation of \$150,000?

Mr. PADGETT. Yes, sir.

Mr. MOORE of Pennsylvania. And the gentleman does not object to the inclusion of the words "within the appropriation" on line 13? I think it had better come in after "without increased cost." If the gentleman will accept that amendment—

Mr. PADGETT. I will join with the gentleman in asking for it.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GRAHAM of Illinois. Mr. Speaker, reserving the right to object, I want to ask a question about this. Is it the object of this bill to spend this \$150,000, if necessary, for dredging Cold Spring Harbor and perfecting the title?

Mr. PADGETT. It is for the dredging? The perfecting of the title is an incidental part of it there. If there is anything to be perfected in making the title good, the Government would see that it was done and paid out of this money. But the purpose of it is to have this \$150,000 expended for the benefit of the Government in dredging this harbor, which is a harbor of refuge, and on which the Government has heretofore expended large sums of money, and to make it available for the use of submarines, torpedo-boat destroyers, and hydroplanes.

Mr. GRAHAM of Illinois. Well, am I right in supposing that under the language of this bill no part of this \$150,000 can be expended for the acquisition of new land?

Mr. PADGETT. You are right, sir.

Mr. GRAHAM of Illinois. Now, the right of condemnation presupposes payment of compensation, does it not?

Mr. PADGETT. Yes. But under this bill the condemnation will be paid, and the parties have given an option or made a contract in which they state that this money will be expended for that purpose, and unless it is expended in that way it can not be expended at all.

Mr. GRAHAM of Illinois. The question in my mind is, if the power of condemnation is given some one, will you not necessarily have to pay something for the land condemned? In other words, the starting of the condemnation proceedings presupposes that they are going to pay for it.

Mr. PADGETT. Yes; and you have to under the Constitution. But the parties owning the land have made a contract with the Government, stipulating that among themselves—

Mr. GRAHAM of Illinois. And there is a stipulation that you are cognizant of that will cover that proposition?

Mr. PADGETT. Exactly so.

Mr. BROWNING. Mr. Speaker, I would like to state for the benefit of the two gentlemen who have spoken that there is no doubt about the title to this land at all. This land was sold at receiver's sale, and when the title came from the receiver of the State of New Jersey the title was perfectly good.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, as I take it from the chairman of the committee, this is really a harbor-improvement proposition, so far as the \$150,000 appropriation is concerned?

Mr. PADGETT. This \$150,000, which is the purchase price of the land under stipulation, is to be expended for the benefit of the Government in the improvement of this harbor. The Government is getting the benefit of that \$150,000 in the improvement of one of the important harbors upon the coast.

Mr. STAFFORD. The Cold Spring Harbor project is not new to this House.

Mr. PADGETT. No. We have spent a good deal of money up there under the administration of Mr. Burton, when he was chairman of the Committee on Rivers and Harbors.

Mr. STAFFORD. When Mr. Burton was chairman the item was first brought up in this House, and it involved a serious controversy. At that time a great number questioned whether the appropriation was anything more than a land-project scheme, rather than a harbor scheme. I recall distinctly the acrimonious debate that was participated in when that appropriation was under consideration.

I wish to inquire what agreement has been entered into between the Secretary of the Navy and this real estate company toward the improvement or development of this site?

Mr. PADGETT. There is no agreement, except the stipulation, as I understand it, that this \$150,000 is to be used in the dredging of the harbor. The harbor has 30 feet and above, except that there are certain spots that are shallow, and this is to dredge out these shallow spots, so that the whole harbor will have the 30 feet or more—have a minimum of 30 feet.

Mr. STAFFORD. Has there been any estimate as to the total appropriations that will be needed for dredging these spots so as to have the available depth for naval purposes?

Mr. PADGETT. No, sir. You see, if the Government purchases this property the money is the property of the vendors

of the property, and they are allowing their money to be expended for the benefit of the Government, and this act provides that all of it shall be expended in dredging and improvement of the harbor, so that the Government gets the whole \$150,000.

Mr. STAFFORD. Well, as I understood the gentleman, there has been no estimate made as to the total appropriation that will be needed to put this land in condition for naval purposes?

Mr. PADGETT. Yes. There was one made, about \$203,000, for the improvement of the land for naval purposes. This \$150,000 is for the dredging of the harbor, and that would be the other man's money; but the Government has already expended something like \$100,000 in putting up war improvements on the land which they have under lease, with the right to take them off. They are going to spend about \$203,000, as is estimated. Now, then, the question is between the purchasing of the land and owning it, where we say we must have it, and it is intended not only for war purposes but, after the war, for peace purposes, and owning the land and saving our \$203,000, or, when the war is over, taking off our \$203,000 worth of improvements that would be thrown into the heap.

Mr. STAFFORD. Do I understand the War Department has expended the \$203,000, or the Navy Department?

Mr. PADGETT. The Navy Department has expended about \$100,000, and is going to spend about \$100,000 more.

Mr. STAFFORD. What has that money that has been expended up to this time been used for?

Mr. PADGETT. For hangars and barracks and other improvements; provisions for taking care of the men and handling the airplanes and minor repairs of airplanes in use at the station; things along that line.

Mr. STAFFORD. Of course, the consideration of this bill brings up the question as to the policy of the Navy Department in renting land or owning land for these respective aviation sites. I wish to inquire of the gentleman what is its policy, if he is not disclosing any secrets that should not be given to the public?

Mr. PADGETT. No, sir. Some of the places the Government has leased and others of them it is trying to purchase. This is one of them that is regarded as of such prime importance that the Army board and the Navy board, acting together, inspected the circumstances of the case and recommended very strongly the acquisition of a site for the protection of Delaware Bay at the mouth of Delaware River, and this is the site that has been selected under that recommendation of the Army board and the Navy board acting jointly. Admiral Benson stated before the committee, as you will find in the printed hearings, that not only for the purposes of the war, but after the war, it is one of the sites that the Government must have on account of its geographical position and its proximity to insure the protection of Delaware Bay and the Delaware River. It is about 10 or 12 miles, I think, from that location, and it is needed for a submarine harbor, a harbor for torpedo-boat destroyers, and a safe place for our airplanes.

Mr. STAFFORD. I notice in the report submitted with this bill that there is no letter of the Secretary of the Navy approving it, although the report refers to its approval at a hearing by Admiral Benson, Chief of Naval Operations, and Admiral Taylor, Chief of the Bureau of Construction and Repair.

Mr. PADGETT. Yes; the Secretary does approve it very strongly and recommends it very urgently. I do not remember whether I have his letter or not. However, I saw the Secretary personally. I invited him to come before the committee when we had the hearing, but he was out of the city and could not come, and sent Admiral Benson, Admiral Taylor, and Capt. Irvin, who appeared before the committee with reference to the matter and submitted all of the facts.

Mr. FESS. I would like to ask the chairman how near the famous million-dollar hotel there at Cape May this land is located?

Mr. BROWNING. Adjoining it.

Mr. FESS. It does not include that property?

Mr. BROWNING. No; it adjoins it, on what we used to call Sewells Point.

Mr. STAFFORD. I should like to have a positive statement, if gentlemen can give it, as to the amount of money that will be required to place this harbor in condition for naval purposes.

Mr. PADGETT. There is an itemized statement in the report, and I think it is \$203,000.

Mr. STAFFORD. Oh, that has nothing to do with the harbor at all. That is merely for the improvement of the land.

Mr. PADGETT. I do not know a thing in the world about the improvement of the harbor. I do not know whether the Committee on Rivers and Harbors are going to report a dollar. However, this \$150,000 will put it in condition for better use than it is now. It can be used now.

Mr. STAFFORD. Does not the gentleman think that the House is entitled to some positive information as to the total cost that will be required to put this harbor in condition before we launch permanently on this scheme?

Mr. PADGETT. I do not know anything about the work of the Committee on Rivers and Harbors.

Mr. STAFFORD. You are providing in this bill for the improvement of the harbor.

Mr. PADGETT. No; I am not. I am simply asking that these men shall be permitted to use their private money.

Mr. STAFFORD. To a certain amount, and burden the Government to the extent of \$150,000, and if we launch upon this scheme it may involve us in an appropriation of \$1,000,000 or \$2,000,000 for aught we know.

Mr. BROWNING. I should like to say for the benefit of the gentleman that the harbor is in good condition now. There are some shoals in the harbor. At the present time there are some submarines in the harbor. This \$150,000 is merely for the purpose of dredging the harbor so that they will have a little deeper water where these shoals are.

Mr. STAFFORD. How much money will be required, I will ask of the gentleman who formerly represented this district and who may represent it now?

Mr. BROWNING. No; it is not in my district.

Mr. MOORE of Pennsylvania. The gentleman from New Jersey [Mr. BACHARACH] represents it.

Mr. STAFFORD. The late Mr. Loudenslager represented it at the time this appropriation was originally procured for the improvement of Cold Spring Harbor.

Mr. BROWNING. Yes.

Mr. STAFFORD. I should like to know as to the amount of appropriation that will be required to put this harbor in condition for naval purposes.

Mr. BROWNING. The harbor is already in condition, excepting a few shoals, and this \$150,000 will dredge it out and leave it in absolutely good condition. I do not know what will come in there afterwards. The submarines are already in the harbor.

Mr. STAFFORD. Oh, yes; I do not question that they are there, but I should like to have some definite statement from some Member as to how much money will be required to put this harbor in condition when we once undertake to use this property as a permanent naval base.

Mr. PADGETT. I do not know that anyone knows.

Mr. MOORE of Pennsylvania. The report indicates that \$203,000 has already been spent.

Mr. STAFFORD. It does not say that amount has already been spent. That is for the future.

Mr. MOORE of Pennsylvania. Then that answers the gentleman's question.

Mr. STAFFORD. No; I am seeking for information which the gentleman from Pennsylvania ought to be able to give to the House, because he is a river and harbor expert, particularly on the Delaware River and Delaware Bay, as to how much will be required for the improvement of this naval base at Cold Spring Harbor.

Mr. PADGETT. There is no way in the world of answering the gentleman's question, because there is no project now submitted, and we do not know whether in the future they would want 30 feet of water, or 35 feet, or 40 feet, for the accommodation of ships of a greater or less depth.

Mr. MONDELL. What depth of water do they now have?

Mr. PADGETT. They have 30 feet and above in all of the harbor except a few points that jut up, and this \$150,000 is to be used in dredging out those jutting points.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I see here the gentleman who represents this district [Mr. BACHARACH], who has been listening very attentively, and perhaps he may be able to furnish the information which I have been seeking for the last few minutes.

Mr. BACHARACH. What is it the gentleman from Wisconsin wishes to know about?

Mr. MOORE of Pennsylvania. It is all in the report. Apparently the gentleman from Wisconsin has not read it.

Mr. STAFFORD. The gentleman certainly has not read the report. Otherwise he would not make that flippant remark, which I will not take from the gentleman.

Mr. MOORE of Pennsylvania. Yes; the gentleman will take it from me, because I love him so much.

Mr. STAFFORD. I love the gentleman personally.

Mr. WALSH. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. The gentleman from Massachusetts demands the regular order.

Mr. STAFFORD. If I can not get the information I desire, I will object.

The SPEAKER pro tempore. The regular order is, Is there objection to the request of the gentleman from Tennessee [Mr. PADGETT]?

Mr. STAFFORD. I desire to get certain information.

Mr. ROBBINS. I will object unless I can get some information.

The SPEAKER pro tempore. But the gentleman from Massachusetts [Mr. WALSH] demands the regular order, and the regular order is, Is there objection?

Mr. ROBBINS. Then I object, if I can not get the information.

Mr. PADGETT. Mr. Speaker, I move to suspend the rules and pass the bill S. 2437.

Mr. ROBBINS. I withdraw my objection.

Mr. STAFFORD. I will object unless I can get the information I desire.

Mr. PADGETT. There is no way of getting the information the gentleman desires.

Mr. STAFFORD. I want to inquire about another matter.

Mr. PADGETT. Go ahead, then.

The SPEAKER pro tempore. The regular order is demanded.

Mr. PADGETT. The gentleman will withdraw the demand for the regular order for a moment, I am sure.

The SPEAKER pro tempore. That is for the gentleman to say. The regular order is demanded. The regular order is—

Mr. WALSH. Mr. Speaker, I will temporarily withdraw my demand for the regular order, but I shall renew it if we are going into river and harbor and other matters which have no relation to the bill.

Mr. BACHARACH. Mr. Speaker, I will state that the first time this bill was before the committee an appropriation of \$175,000 was considered. It was then thought necessary to dredge the harbor and expend some additional money on a bulkhead. Since then the department has agreed that \$150,000 would make it of sufficient depth to allow submarines and torpedo-boat destroyers to get into the harbor. The amount of money to be spent would depend entirely on the depth that they propose to make it. I will say for the benefit of the Members of the House that there is plenty of water inside the harbor; the difficulty is, as the chairman of the committee has stated, that there are a few bar sections that require some dredging. In the last river and harbor bill was an appropriation to make the channel 20 feet in depth, and I think about \$15,000 was thought necessary for the inlet of Cold Spring Harbor itself, the whole appropriation being \$45,000 for that and Absecom Inlet, of which \$15,000 was estimated as being sufficient for the Cold Spring Inlet.

Mr. STAFFORD. Mr. Speaker, there is another inquiry I wish to make. The phraseology found on page 2, lines 15 to 18:

And power is hereby conferred upon the Secretary of the Navy to condemn land for naval aviation and kindred purposes on the New Jersey coast adjacent to Cold Spring Harbor.

There is no limit whatever as to the extent of the land which the Secretary of the Navy may condemn for this purpose.

Mr. PADGETT. The committee reported an amendment which the gentleman will see in italics, on page 2, line 16, where the words "the said tract of" is inserted. So the power of condemnation is limited absolutely to the condemnation of the tract of land mentioned in this bill.

Mr. STAFFORD. And that is 57 acres.

Mr. PADGETT. Fifty-seven acres and such as may be necessary in addition to it.

Two years ago we had a bill authorizing the acquiring of 88 acres of land, and when it was measured out it was found to consist of 102 acres. We had to come in and get an amendment to the bill authorizing the acquiring of that tract of land because it embraced more than 88 acres. This is simply to allow them to acquire the 57 acres and seventy-three one-hundredths, and such additional land without additional cost. The gentleman from Pennsylvania wanted to know if there was any objection to adding the words "within the appropriation," and I said to him that I would favor it.

Mr. MOORE of Pennsylvania. "Within the appropriation herein authorized."

Mr. PADGETT. Yes.

Mr. STAFFORD. I direct the gentleman's attention that the language which he seeks to amend does not limit the authority of the Secretary as to the extent of the land that he may condemn. I think there ought to be some limit as to extent of the power of the Secretary of the Navy as to the amount of land he may condemn.

Mr. PADGETT. Does it not make it as plain as the gentleman wants when it says it is limited to the said tract of land?

Mr. STAFFORD. Where is the amendment that the gentleman states? I have a copy of the bill as reported.

Mr. PADGETT. The committee has reported an amendment which will be found on page 2, line 16.

Mr. MOORE of Pennsylvania. The gentleman from Wisconsin has the wrong print of the bill.

Mr. ROBBINS. I would like to ask the gentleman what is the contract referred to in lines 23 and 24 as executed by the Cape May Real Estate Co., June 25, 1907?

Mr. PADGETT. That is a contract with reference to a line of railway that runs through there and is to be maintained.

Mr. ROBBINS. The company went into a receivership, as I understood.

The SPEAKER pro tempore. Is there objection?

Mr. MONDELL. Reserving the right to object, and I shall not object, I want to further call the attention to the contradiction in the legislation. The bill authorizes the Secretary to condemn a certain tract of land, assumed to be 57 acres and a little over, near Cold Spring Harbor, although that is not very clear. The bill also appropriates \$150,000 for the acquisition of said property. It also provides that no part of this \$150,000 shall be spent except to perfect the title, which the gentleman from New Jersey [Mr. BROWNING] says is perfect, and for the dredging of Cold Spring Harbor. So that if this very important provision of the bill—it occurs twice—is utilized, if the Government should condemn this property referred to in the bill, no part of the appropriation could be used.

Mr. PADGETT. That is correct under condemnation.

Mr. MONDELL. Is it true that the double provision for condemnation is to be used as a club over the Cape May Real Estate Co. to compel them to stand by an agreement which has been entered into?

Mr. PADGETT. I do not know as I should put it in that way but I can not say that the gentleman is very far afield.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The bill is on the Union Calendar.

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

The SPEAKER. Is there objection?

There was no objection.

The bill was again reported.

Mr. MOORE of Pennsylvania. Mr. Speaker, I offer the following amendment which I send to the Clerk's desk.

The Clerk read as follows:

Page 2, line 13, after the word "cost," insert the words "and within the appropriation herein authorized."

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

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

Mr. FOSS. Mr. Speaker, I move to strike out the last word. I would like to ask if there is any disposition to make this more than an aviation station.

Mr. PADGETT. And in connection with it a harbor for submarines, torpedo boats, and small craft that may be operating up there. It is largely a place of refuge for them.

Mr. FOSS. All the land that the department contemplates purchasing is this 57 acres?

Mr. PADGETT. Fifty-seven acres, and it might measure a little more.

Mr. FOSS. There is no disposition to purchase a larger tract?

Mr. PADGETT. No; Admiral Benson and Capt. Irwin stated time and again in the hearings that this was all that they expected or contemplated purchasing.

Mr. FOSS. I notice in the report that there has been an Army and Navy board which made an inspection along the coast for other aviation fields. Is that true?

Mr. PADGETT. They took in the whole coast, and this one they recommended especially. It is the one that the department has asked for immediately.

Mr. FOSS. And they have in contemplation aviation stations at other points.

Mr. PADGETT. I should say so, yes; but they have not been submitted, and I could not give the gentleman any detailed information.

Mr. FOSS. I want to say, Mr. Speaker, that I believe this an excellent site for an aviation station; but I do not want to see navy yards or naval stations, in a general sense, built up on the Atlantic coast any more than we have at present.

Mr. PADGETT. The gentleman is no more averse to that than I.

Mr. MADDEN. Mr. Speaker, I move to strike out the last two words. I would like to ask the gentleman from Tennessee [Mr. PADGETT] to what contract he refers when he calls attention to the necessity of the Secretary of the Navy maintaining the contract existing between the Government and the real

estate company at Cape May, made in 1907. Is that the contract under which the Government of the United States appropriated \$1,000,000 for the improvement of Cape May, to create a lot of city lots, on which a great many people who like to attend summer resorts built their homes and furnished facilities for the railroad company and its terminals, and all that?

Mr. PADGETT. I am not familiar with the details of the legislation or with the contract in 1907. That was under the administration of Mr. Burton, when he was chairman of the Committee on Rivers and Harbors, and was entered into by the Government under authority granted. What the details are I do not know.

Mr. MADDEN. It seems to me that in presenting a bill some one on the floor of the House ought to know what the contract is that we are legislating about.

Mr. PADGETT. This simply provides that the contract shall remain intact, and not be abrogated or changed, so that it was unnecessary to go into the details of it.

Mr. MADDEN. Who knows what it is?

Mr. PADGETT. The gentleman can get the information from the department.

Mr. MADDEN. It seems to me, now, there are Members on the floor of the House who were not here in 1907, who are entitled to know what the contract is, and when the gentleman comes here with a bill proposing to ratify a contract made in 1907—

Mr. PADGETT. We do not ratify it. This simply says that it will not be changed, and leaves it in statu quo.

Mr. MADDEN. Even so, it ought to be explained to the Members of the House who do not understand about it.

Mr. PADGETT. I confess to the gentleman frankly that I can not give him the details of it, because I did not think it important to go into it, when it was to be left unchanged and in statu quo.

Mr. MADDEN. We are asked to legislate about something that the chairman himself does not know anything about.

Mr. PADGETT. I do not think we are asked to legislate about that. You are asked to legislate about this land. The other is an incidental statement of a contract existing between the Government and that company is not in any way altered, modified, or affected.

Mr. MADDEN. Then there ought not to be anything in the bill about it, if it does not make any difference.

Mr. PADGETT. I think I can safely say that we leave it as it is.

Mr. MADDEN. There is one thing I do know about, and that is that we appropriated \$1,000,000 to create a lot of city lots down there that were advertised at the time the money was appropriated and afterwards expended, and whether the United States Government is going to get any advantage—

Mr. PADGETT. And the Cape May company at the same time under that contract agree to expend a certain amount of money in addition to and in cooperation with the Government expenditure.

Mr. MADDEN. The question is, Have they expended that money?

Mr. PARKER of New Jersey. Mr. Speaker—

Mr. BROWNING. Mr. Speaker—

Mr. MADDEN. Mr. Speaker, I have the floor.

The SPEAKER. The gentleman from Illinois has the floor.

Mr. BROWNING. They have expended that amount of money and a great deal more. They have the largest dredge that was ever built in the United States.

Mr. PARKER of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. PARKER of New Jersey. Is not this the fact, that while not legislating about that contract, there is simply a reservation that it shall remain in statu quo?

Mr. MADDEN. Why should we have anything in the bill about something that is already settled? Nobody seems to know why it is in the bill or what it pertains to, and it seems to me it is asking a good deal of the Congress to vote on a question about which even the chairman of the committee who presents the bill says he does not know anything.

Mr. FESS. Mr. Speaker, I rise in opposition to the amendment of the gentleman from Illinois [Mr. MADDEN]. I want to know whether we confine the aviation activities in the Navy wholly to hydroaeroplanes?

Mr. PADGETT. Yes; the Navy uses only hydroaeroplanes; it does not use land planes.

Mr. FESS. Will this be one of the training stations?

Mr. PADGETT. I would not say it would be a regular training station. It will be one of the smaller stations, largely used as an operating base.

Mr. FESS. A hydroaeroplane station would not take any great amount of territory.

Mr. PADGETT. No. They have their hangars alongside the water, where they have their inclined planes running into the water, and off them they get into the water.

Mr. FESS. My first impression was that the 57 acres would not be a very large station, since the average aviation field contains 2,500 acres.

Mr. PADGETT. Yes; that is for Army planes—land planes.

Mr. FESS. For hydroplanes, of course.

Mr. PADGETT. For hydroplanes. The hydroplane has its field out on the water.

Mr. FESS. Well, I have been on this coast, and I think it is one of the most beautiful locations for a station of this sort on the Atlantic coast.

Mr. PADGETT. It is one of the most desirable also. Mr. Speaker, I will ask for a vote.

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

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

STATUS OF UNITED STATES CITIZENS IN FOREIGN MILITARY SERVICES.

Mr. GORDON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 2623.

The SPEAKER. The gentleman from Ohio asks unanimous consent for the consideration of the bill the title of which the Clerk will report.

The Clerk read as follows:

An act (S. 2623) defining the status of citizens of the United States who have entered the military or naval services of certain countries during the existing war in Europe.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I ask that the bill be read.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That no person who while a citizen of the United States and during the existing war in Europe entered the military or naval service of any country at war with a country with which the United States is now at war shall be deemed to have lost his citizenship by reason of any oath or obligation taken by him for the purpose of entering such service.

The committee amendment was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

That any person formerly an American citizen who may be deemed to have expatriated himself under the provisions of the first paragraph of section 2 of the act approved March 2, 1907, entitled "An act in reference to the expatriation of citizens and their protection abroad," by taking, since August 1, 1914, an oath of allegiance to any foreign State engaged in war with a country with which the United States is at war and who took such oath in order to be enabled to enlist in the armed forces of such foreign State and who actually enlisted in such armed forces and who has been or may be duly and honorably discharged from such armed forces, may upon complying with the provisions of this act reassume and acquire the character and privileges of a citizen of the United States: *Provided, however,* That no obligation in the way of pensions or other grants because of service in the army or navy of any other country, or disabilities incident thereto, shall accrue to the United States.

Any such person who desires so to reacquire and reassume the character and privileges of a citizen of the United States shall, if abroad, present himself before a consular officer of the United States, or, if in the United States, before any court authorized by law to confer American citizenship upon aliens, shall offer satisfactory evidence that he comes within the terms of this act and shall take an oath declaring his allegiance to the United States and agreeing to support the Constitution thereof and abjuring and disclaiming allegiance to such foreign State and to every foreign prince, potentate, State, or sovereignty. The consular officer or court officer having jurisdiction shall thereupon issue in triplicate a certificate of American citizenship, giving one copy to the applicant, retaining one copy for his files, and forwarding one copy to the Secretary of Labor. Thereafter such person shall in all respects be deemed to have acquired the character and privileges of a citizen of the United States. The Secretary of State and the Secretary of Labor shall jointly issue regulations for the proper administration of this act.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object—and I do not intend to object, because I am in hearty sympathy with the purpose of the bill—I take it that the purpose of the bill is to grant repatriation to the American boys who enlisted in the allied armies, large numbers of whom went across the border and enlisted in the American Legion and other companies of Canadian battalions.

Mr. GORDON. That is correct.

Mr. STAFFORD. I wish just simply to make the inquiry as to the purpose of the last paragraph where this repatriation is authorized of those domiciled abroad.

Mr. GORDON. The last paragraph of the amendment?

Mr. STAFFORD. Yes; I assume the House will adopt the amendment.

Mr. GORDON. Well, the purpose, of course, is to accomplish the purpose sought. The real truth is the bill as passed by the Senate is wholly ineffective to accomplish the purpose.

Mr. STAFFORD. I quite agree with the gentleman, and I am directing this inquiry as to why it is desirable to have this power vested in American officials living outside the country. I thought these American boys would apply for repatriation when they return to this country.

Mr. GORDON. They might want to join our forces over there, and they can not do it until they are made American citizens.

Mr. STAFFORD. I had that surmise and thought that might be the purpose. Also that it might be for their readmission to this country to avoid the requirements of the immigration law.

Mr. GORDON. Unquestionably that is also one of the purposes.

Mr. FESS. Will my colleague yield?

Mr. GORDON. Yes.

Mr. FESS. Has my colleague any information as to the number of American citizens who have taken service abroad?

Mr. GORDON. I will say to the gentleman there is no definite information upon that subject. I think the estimate is 15,000 or 20,000, although I have heard it estimated higher; but there is no reliable data as to the exact number.

Mr. STAFFORD. I have seen it stated before we entered the war that there were at least 50,000 Americans who had entered the foreign service.

Mr. GORDON. That statement has been made, but Capt. Benson, of the British service, was before our committee at the hearing on the draft law, and he was interrogated upon that subject. He was asked if there were as many as 50,000, and he said there were not; that his best judgment was that there were between 15,000 and 20,000 American citizens in the British armies.

Mr. CANNON. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. CANNON. And it is discretionary with the former American citizen as to whether he avails himself of this act?

Mr. GORDON. Oh, absolutely. You can not make a man a citizen without his consent, as the Senate bill seeks to do.

Mr. CANNON. Of course, if he does avail himself of this act, he would forfeit the pension that is granted by Canada, for instance, or any other country?

Mr. GORDON. That would depend upon the terms of the act granting the pension. I am not so sure. If they confine their pensions wholly to British subjects he would forfeit it, but our laws do not confine pensions to citizens of the United States.

Mr. CANNON. Anyway, it is up to him?

Mr. GORDON. Exactly; he has the option.

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

Mr. GORDON. I will.

Mr. IGOE. Does this take care of only those who have enlisted in these foreign armies prior to the passage of this act, or, also, does it take care of those who may subsequently join these foreign armies for some reason or other?

Mr. GORDON. Well, it is intended to take care of those who have already joined, because they are the only ones interested.

Mr. IGOE. There are a great many young men who joined, for instance, the flying corps of Canada, they having been rejected here for some reason. I was just wondering if the bill was that broad.

Mr. GORDON. Undoubtedly it would include those.

Mr. ROGERS. Will the gentleman yield on that point?

Mr. GORDON. Yes.

Mr. ROGERS. There is another provision of the immigration laws to the effect that a man can not lose his American citizenship while the United States is at war. So that, I think, would probably dispose of what was in the gentleman's mind.

Mr. RAKER. I would like to ask the gentleman having charge of the bill whether or not this matter was submitted to the Department of Labor?

Mr. GORDON. It was submitted to the Department of State, I will say to the gentleman.

Mr. RAKER. It is purely a matter in the jurisdiction of the Committee on Immigration and Naturalization.

Mr. GORDON. Well, no; not quite. It is perhaps a matter that would come within the purview of that committee ordinarily, but this is a question purely for the State Department—a question of citizenship. Now, the Senate bill simply provides that although a man may have forsworn his allegiance to the United States and become a foreign subject, he shall not be deemed to have done so. We concluded, and the State Department so advised, that if a man had renounced his allegiance he had renounced it, and the only way he could become a citizen again would be by complying with the provisions of the statutes for naturalization of foreigners; hence the reason for this bill.

Mr. RAKER. You have no report from the Secretary of State that you have printed?

Mr. GORDON. We have a report—

Mr. RAKER. Have you a letter from the Secretary of State to this committee that has been printed or can be presented to the House?

Mr. GORDON. No; I do not know that we have.

Mr. RAKER. I want to call the gentleman's attention to the fact that all the departments, if I recollect correctly, reported adversely on this legislation. The Committee on Immigration had this matter under investigation for some three or four weeks, and had hearings, and had a report from the Department of Labor, and they seemed to be all adverse, as my recollection is. It is purely a matter within the jurisdiction of the Committee on Immigration and Naturalization, because it relates to the naturalization of the man who has expatriated himself by his own act. Now, the gentleman does not intend to tell the House that this man can not become a citizen by his own act under the law as it now stands, does he?

Mr. GORDON. No. I do not claim that. What I intended to say was that under the Senate bill it undertook to make him a citizen without his own act. What we seek to do by this legislation is to facilitate his repatriation.

Mr. RAKER. Let me ask the gentleman, does he know of any cases that are concrete—that have applied for repatriation or naturalization?

Mr. GORDON. Do I know of any?

Mr. RAKER. Any cases; yes.

Mr. GORDON. Oh, a great many.

Mr. RAKER. From what department did they come? Now, I want to tell the gentleman that this matter has had a good deal of investigation by the committee—

Mr. GORDON. We have investigated it, too. We are entirely satisfied with this bill. This is a unanimous report; and I think we know as much about it as your committee does.

Mr. RAKER. That does not spell anything here; it does not bring any results. Let us get down to the facts.

Mr. GORDON. All right.

Mr. RAKER. Does the gentleman know to what nationalities this will apply?

Mr. GORDON. It will apply to all nationalities who come within the terms of the bill.

Mr. RAKER. What ones are they?

Mr. GORDON. British subjects is one. There may be others. There is no reason why a man who joins the French forces or the Italian forces, for example, should be discriminated against. This applies to all of them.

Mr. RAKER. Let me ask the gentleman this question—

Mr. GORDON. Of course, he must come within the terms of the act. He must have been a citizen of the United States, and must have been required to renounce his allegiance in order to get into the military forces of the allied nation.

Mr. RAKER. Just what would a man do if he were an American citizen who joined the English Army?

Mr. GORDON. He would have to comply with our naturalization law, like any other foreigner.

Mr. RAKER. You do not quite understand me. He joined the English Army; what did he do?

Mr. GORDON. He had to take an oath of allegiance to the King and renounce his American citizenship.

Mr. RAKER. Let me ask the gentleman this question: Did this man take the oath of allegiance to the English King when we were neutral and at peace with all the world?

Mr. GORDON. I suppose he did. Certainly.

Mr. MADDEN. He could not get in the army without.

Mr. GORDON. An American citizen has a perfect right to abandon his own country and become a citizen of another country.

Mr. RAKER. You think it right and proper, when the President of the United States sent out a message that we should be neutral; that this man, notwithstanding that, renounced his allegiance to his own country, forswore his right to be a citizen, and went to a foreign country to fight?

Mr. GORDON. Certainly. That was right. He renounced his allegiance so that he would not violate our neutrality. Just as soon as he became a British subject he was no longer under any obligations to the United States. [Applause.] Certainly that is a very proper thing to do. If I were going to fight in a foreign army, that is exactly what I would do.

Mr. RAKER. What you would do would not affect the bill.

Mr. GORDON. You asked me my opinion about it, and I was trying to give it to you.

Mr. RAKER. The gentleman is doing it nicely and in a very clear way. I appreciate it very much. [Laughter.] Was there any law that this man would violate by thus leaving—

Mr. GORDON. Oh, no. There was a statute passed in 1907 by Congress defining the duties of an American citizen, and this statute is referred to in the committee's report on this bill in the amendment reported by the committee.

Mr. RAKER. What was the offense?

Mr. GORDON. It was an act defining the duties of citizens of the United States. There is no law that prevents a man from abandoning his country and becoming a citizen of another country.

Mr. RAKER. If that is the case, when we were neutral, when it became absolutely necessary to remain neutral to keep this country out of trouble with other countries that were belligerent, will you state now to the House the necessity why this act should be passed immediately to repatriate these men?

Mr. GORDON. It is to be passed simply for the purpose of affording them an opportunity expeditiously to become American citizens. Many of them want to join our Army in this war, and they can not do it in Europe. They want to fight for the United States. The United States was not at war when they expatriated themselves, and the United States had no special reason then for their services.

Mr. RAKER. Have they withdrawn from the English Army?

Mr. GORDON. No. They will obtain their discharge from the English Army. They will have to do that, because if they take the oath of allegiance to the United States their English allegiance will be abandoned. The English are allies of the United States in this war.

Mr. RAKER. Oh, no; they are fighting—

Mr. GORDON. The gentleman must suppose that they are.

Mr. MADDEN. Mr. Speaker, we are all interested in this colloquy. Let the gentleman from California speak up.

Mr. WALSH. The regular order, Mr. Speaker.

The SPEAKER. The regular order is demanded.

Mr. RAKER. Mr. Speaker, I object.

Mr. MADDEN. You can not object when the regular order is demanded.

Mr. RAKER. Yes; I can.

Mr. GORDON. Mr. Speaker, I move you that the rules be suspended and that the bill S. 2623 be passed with an amendment as reported.

The SPEAKER. The gentleman from Ohio moves to suspend the rules and pass Senate bill 2623 as amended. Is a second demanded?

Mr. STAFFORD and Mr. MOORE of Pennsylvania demanded a second.

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

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

There was no objection.

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

Mr. STAFFORD. Mr. Speaker, the question is, the gentleman from Ohio is entitled to 20 minutes and the gentleman from Pennsylvania [Mr. MOORE] to 20 minutes.

The SPEAKER. No one seemed to want to debate, and the Chair is not cultivating oratory here. [Laughter and applause.] If anybody wants time, the gentleman from Ohio [Mr. GORDON] has 20 minutes, and the gentleman from Pennsylvania [Mr. MOORE] has 20 minutes.

Mr. MOORE of Pennsylvania. I think the Chair is not cultivating any unfairness to Members of the House.

The SPEAKER. The gentleman has 20 minutes if he wants it.

Mr. MOORE of Pennsylvania. The practice is for the Chair to state—

The SPEAKER. The Chair knows what the practice is as well as the gentleman does. The gentleman from Ohio [Mr. GORDON] is recognized for 20 minutes.

Mr. GORDON. If I do not use the floor now, can I take any of that 20 minutes later?

The SPEAKER. The gentleman can reserve his time.

Mr. GORDON. Then I reserve it.

Mr. MOORE of Pennsylvania. Mr. Speaker, I like to see bills passed in legislative form, and it seems to me proper, when a suggestion is made to amend a bill time should be allowed to consider it. On page 2, lines 13 to 16, there is a proviso that might be subject to change if the House should see fit to accept it. It might be accepted under a unanimous-consent arrangement; but as it was not accepted, I bring it up in this way, so that the House may have the advantage of the suggestion for what it is worth.

The proviso referred to is:

Provided, however, That no obligation in the way of pensions or other grants because of the service in the army or navy of any other country, or disabilities incident thereto, shall accrue to the United States.

That is not good legislative language.

Mr. GORDON. What is your objection to it?

Mr. MOORE of Pennsylvania. My objection to it is that the phrase "in the way of pensions" is not very elegant language in a bill of this kind.

Mr. GORDON. Is that your only objection?

Mr. MOORE of Pennsylvania. And the word "accrue" means accretion. It means "an addition to." I question whether "accrue" is the proper word there.

Mr. GORDON. What would you use? Would you use the word "result"?

Mr. MOORE of Pennsylvania. I would suggest the words "devolve upon."

Mr. GORDON. I do not know but that that would be all right.

Mr. MOORE of Pennsylvania. "Or incurred by the United States." That is not sarcasm, I will say to the gentleman, but it is one of the things that arise in the course of a discussion of this kind to which the attention of the House should be called.

Mr. GORDON. Do I understand you to say that this bill is not open to amendment?

Mr. MOORE of Pennsylvania. No.

Mr. GORDON. Certainly it is.

The SPEAKER. You can not amend a bill under suspension of the rules.

Mr. MOORE of Pennsylvania. I could not get the right to amend without unanimous consent; but I will make a request now, Mr. Speaker, that the words "by way of" be stricken out and the words "with respect to" inserted, and that the words "to accrue" shall be stricken out and that the words "shall not be imposed upon the United States" be inserted in lieu thereof.

Mr. GORDON. I think they all mean the same thing. The new language may be a little more elegant, but I do not think your suggestion would change it. I do not believe it is material.

The SPEAKER. The gentleman from Pennsylvania can ask unanimous consent to modify it. That is the only way it can be done.

Mr. MOORE of Pennsylvania. I ask unanimous consent, Mr. Speaker, that those substitutions may be made.

The SPEAKER. The gentleman will please repeat them, so that the Clerk can get them.

Mr. MOORE of Pennsylvania. I suggest that the words "in the way of" be stricken out in line 14, page 2, and that the words "in respect to" be inserted; that the words "accrue to," in line 16, page 2, be stricken out and that in lieu thereof there be inserted the words "incurred by."

Mr. GORDON. "Devolves upon" would be better. Of course, the United States does not incur an obligation for a pension.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent for the modification of this bill in the respect which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Pennsylvania: Page 2, line 14, strike out the words "in the way of" and insert in lieu thereof the words "with respect to"; and in line 16, page 2, strike out the words "accrue to" and insert in lieu thereof the words "devolve upon."

The SPEAKER. Is there objection?

Mr. GORDON. I have no objection.

Mr. WINGO. Reserving the right to object, as I gather, the gentleman proposes a change of meaning of the bill with respect to pensions.

Mr. MOORE of Pennsylvania. You do not want to assume any pension obligations of any foreign country, as I understand it. The word "accrue" might mean that you wanted to add to—

Mr. GORDON. It might, but it does not.

Mr. WINGO. In line 14, page 3, you propose to strike out the words "in the way of" and to substitute "with respect to."

Mr. MOORE of Pennsylvania. Yes.

Mr. WINGO. The way the language reads now it is—

No obligation in the way of pensions.

You propose to make it read—

No obligation with respect to pensions.

Mr. MOORE of Pennsylvania. Yes.

Mr. WINGO. There is a clear distinction in law between the two expressions. The words used by the committee express

exactly what they propose to do. Your expression is a restrictive term. The committee expression is much broader. For that reason I object.

Mr. MOORE of Pennsylvania. Very well, Mr. Speaker; if the committee does not care to accept the amendment, the objection settles it.

Mr. GORDON. We can not accept it as long as there is objection.

The SPEAKER. Is there objection?

Mr. WINGO. I objected, Mr. Speaker.

The SPEAKER. The gentleman from Arkansas objects.

Mr. MOORE of Pennsylvania. How much time have I left?

The SPEAKER. The gentleman has 15 minutes.

Mr. MOORE of Pennsylvania. This is a very important bill, which ought to be discussed if anyone wants to discuss it, and I yield five minutes to the gentleman from Illinois [Mr. DENISON].

Mr. DENISON. Mr. Speaker, I am heartily in favor of this bill, and I want to give the House, and particularly the gentleman from California [Mr. RAKER], who was speaking a moment ago, a concrete instance that will show the importance of passing this bill. I refer to the case of Lieut. Lester Elliott, a young man, just 27 years old, who formerly lived in my own district in Illinois, and who before the war went down to Australia on a matter of business and was living at Sydney, Australia, when the war broke out in Europe. He wanted to get into the war on the side of the allies, and so he enlisted in the Australian Army and was sent to the Dardanelles and was in the first landing forces at the Dardanelles when every commissioned officer in the landing party was killed. He landed, although twice wounded. He served during the campaign in the Dardanelles and was afterwards sent back to Australia on account of disability. He then returned to France and served 10 months in the trenches, fighting with the Australian forces. Of course, he had to take the oath of allegiance in Australia, and by so doing he, in a sense, expatriated himself as a citizen of this country. He served 10 months in the trenches in France, received a lieutenant's commission, and became an expert in bombing. He was a leader of a bombing squad at the battle of the Somme, made a good record, and was finally invalided back to Australia on account of what they call "trench" feet. His feet were swollen from standing in the mud and dampness so long. He became disabled in that way and had to go back, but he subsequently recovered and spent some time in Australia training recruits and getting them ready for service in the war. I mention these facts to show that he is a very competent man; he proved his ability to fight and to train others to fight, and became an expert in scout work, in bombing in the trenches, and in other present-day methods of trench warfare.

When the United States entered the war Lieut. Elliott naturally wanted to come home and join the United States forces; so at his own request he was discharged from the Australian Army and came all the way from Sydney, Australia, to Washington at his own expense for the purpose of going into the American Army as a commissioned officer and helping to drill or train our new army, and with the hope of going back to France and fighting there again with the soldiers of his own country. After he came here it was held that he could not get a commission in the National Guard because of his having taken the oath of allegiance to Australia. It was also held that he could not get a commission in the Regular Army for the same reason. The Judge Advocate General gave an opinion that he was disqualified from holding a commission either in the National Guard or in the Regular Army, although he has been offered a commission in the National Guard of at least two States.

Mr. MONDELL. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. MONDELL. Is there any law which would prevent the enlistment of such a man after he made his first application for citizenship?

Mr. DENISON. He can enlist but can not become a commissioned officer.

Mr. MONDELL. Had he not been discharged from service in the Australian Army?

Mr. DENISON. Yes; but he wanted a commission in our Army.

Mr. MONDELL. He could have entered our service as an enlisted man.

Mr. DENISON. Yes; but having served for three years in the war in Europe, having become a commissioned officer in the Australian Army, and having become an expert along certain lines of trench warfare, he thought he was competent to receive a commission in our own Army and to help drill our

troops for service in France, where he wants to go as soon as possible with the soldiers of his own country.

Mr. RAKER. As soon as he landed he could have declared his intention to become an American citizen, and 10 minutes afterwards he could have entered either the Army or Navy.

Mr. DENISON. Not as a commissioned officer.

Mr. RAKER. I am not saying he could as a commissioned officer. That is not what I am talking about.

Mr. DENISON. I am.

Mr. RAKER. He could have entered the Army 10 minutes after he declared his intention to become an American citizen.

Mr. DENISON. He could have entered the Army as a private, of course. But, Mr. Speaker, I think that loyal Americans, who, like Lieut. Elliott, have proven what is in them, who have been on the firing line, and who are trained in actual warfare are entitled to a commission. We are to-day taking men from civil life, who have never had a gun in their hands, and giving them commissions after three months' training in the training camps. Why should we not have the benefit of the services of men who have had three years' training in actual war? Lieut. Elliott was examined by officers of our War College, and found well qualified for a commission. His application was indorsed by several Members of the Senate and of this House, as well as by military men with whom he had talked and who had become convinced of his loyalty and the valuable service he could render in helping to train our new army.

Mr. MOORE of Pennsylvania. Mr. Speaker, how much time is there remaining?

The SPEAKER. Ten minutes.

Mr. MOORE of Pennsylvania. I yield three minutes more to the gentleman from Illinois.

Mr. DENISON. Now, I was going to say the Judge Advocate General held that the only way he could get a commission to serve in our Army was to have the commission given him in the new National Army by the Secretary of War. The Secretary of War, through The Adjutant General, insisted upon his furnishing a statement or recommendation from his superior officers in the Australian Army, which it would require several months to obtain. So this is a case where if it was not for his expatriation he could be given a commission in the National Guard of Illinois or some other State, or could have entered the service as a commissioned officer in the Regular Army. I think this bill ought to pass so that men such as Lieut. Elliott—patriotic, brave, competent men who have served in foreign armies and who want to serve in our Army—can obtain a commission to help train our troops for the service upon which they are to enter on the other side. Mr. Speaker, I confess my admiration for those Americans who felt the call to espouse the cause of our allies so strongly that they were willing to enter the military service of the countries that were fighting Germany before our own country was drawn into the struggle. I admire even more those who, when we entered the war, came home to serve their own country. Lieut. Elliott traveled all the way from Australia to join the forces of his own country. He was deeply disappointed to find that by a technicality he was disqualified for a commission. I am sure there are many other cases similar to his, and I hope this bill may become a law at once without opposition, so that we may have the benefit of their service now when we need them.

Mr. RAKER. I wish the gentleman from Pennsylvania would yield me five minutes.

Mr. MOORE of Pennsylvania. I have promised to yield five minutes to the gentleman from Nebraska, and if there is any further time left I will yield to the gentleman from California. Mr. Speaker, I now yield five minutes to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Speaker, I regret that the gentleman in charge of the bill [Mr. Gordon] did not agree to accept the second amendment suggested by the gentleman from Pennsylvania. Without stopping to discuss the first amendment, as I probably would not have the time, I want to call the attention to the purpose of the last sentence in that paragraph:

Provided, however, That no obligation in the way of pensions or other grants because of service in the army or navy of any other country, or disabilities incident thereto, shall accrue to the United States.

That last clause should read "shall be incurred by the United States." The word "accrue," of course, does not relate to a burden; it relates to an addition; it has relation to benefits or valuable attachments, while "incur" relates to taking on of burdens or responsibilities. This will relate to pensions or grants, and if it says shall not be incurred by the United States, it disavows the purpose of the legislators to allow any burden by the way of pensions or grants to be incurred or taken on by the Government of the United States.

With your permission I shall read a definition of the word "accrue":

Accrue: To come as a natural result or increment, as by growth, business, etc.; come into existence, as a right or the like; arise, as an addition, accession, or advantage; accumulate, as six months' interest has accrued.

The word "incur" means—

To bring upon oneself indirectly by some act, as to incur a liability as distinguished from a debt by contract; to render liable for something.

The purpose is to prevent this liability coming against the Government, which might be incident to the passage of this bill. So it seems to me that all gentlemen should agree that the amendment suggested by the gentleman from Pennsylvania—that is, the second one, at least—should be adopted in the interest of good language, precision of diction, and wholesome legislation.

Mr. GORDON. Will the gentleman yield?

Mr. SLOAN. Yes.

Mr. GORDON. The definition that the gentleman read of the word "accrue," as I understood, brings it squarely and fairly within the language the committee has used, and that it was the right word to use.

Mr. SLOAN. That is what I have been arguing, that it does nothing of the kind, and if these definitions do not make it clear, then Mr. Webster wrote and I have spoken in vain.

Mr. MOORE of Pennsylvania. Mr. Speaker, I am not opposed to the bill; I am in favor of it. I am in favor of discussion on bills of this importance, and do not like to see anyone cut off because some one gets tired. Many of us get tired sitting here listening to debate, but we have to endure it, and when great bills come along gentlemen should not get restless. I yield the balance of my time to the gentleman from California [Mr. RAKER].

Mr. RAKER. Mr. Speaker, how much time is there remaining?

The SPEAKER. The gentleman from Pennsylvania has two and a half minutes.

Mr. RAKER. I would like five minutes.

Mr. GORDON. I will yield two and a half minutes to the gentleman from California.

The SPEAKER. The gentleman from California is recognized for five minutes.

Mr. RAKER. Mr. Speaker, it is easy to rush a bill through and give it but little consideration. Mr. MEEKER, a member of the committee, for instance, spent at least two months investigating this matter and gathering data from all countries of the world. It is all right now, because this country is joined with England and France, but gentlemen, you forget that when these men joined the belligerent armies the President of the United States and all public officials enjoined on our people to be neutral. It was an offense to participate in many of the things that were done by some of these men according to the testimony which we had before us when the country was neutral.

Mr. DENISON. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. DENISON. Does the gentleman recall the men who came over and helped us in our war for independence?

Mr. RAKER. We are dealing with another thing. Sentiment I know will appeal because our boys have joined the Army, but you forget that this country was neutral, that the man owed allegiance to the United States and that he left his country, forswore it, and took the oath to support the King of England and all her laws and all her powers as against the United States. Now, no one knew at the time what the result would be. Two years had to elapse before we knew, and now without any restrictions, without any safeguards that any man who entered these foreign armies as named in the bill, becomes a citizen of the United States. Wounded, the Government they fought for does not provide for them, but they come as citizens without making any application, without being heard, without even coming to this country, something that has never been permitted in any other piece of legislation that has ever been enacted.

They go before a consul or some other officer in a foreign country and make affidavit, and he issues a certificate in triplicate. The applicant then gains all his rights of American citizenship that he was willing to forego and set aside when he swore allegiance to a foreign country. It is war time, and because of a few statements of men who have come back, the House seems to have forgotten just the exact effects of this bill. While the statement of the gentleman from Illinois [Mr. DENISON] that one man came back is all right, yet, after investigation by the Committee on Immigration and Naturalization, it was found that there was not one case which anyone was able

to present where the man could not comply with the law and become a citizen of the United States. Within 10 minutes after he landed on our shores he could have taken the oath of allegiance and could have entered the Army or the Navy and obtained all of the other rights pertaining to those who file their first papers. But the only suggestion made is that he might desire a commission that would give him a higher rank and more salary. I feel impressed with the feature that once the country needed the men again when we should have any further trouble, he can forswear his own country, leave his own home, and neglect all of the rights and duties that he had to maintain, and go to some other country and swear allegiance to some foreign prince, king, or potentate and become a subject of that country, and then the moment that trouble starts here it is said that we should repatriate him.

The SPEAKER. The time of the gentleman from California has expired.

Mr. RAKER. Mr. Speaker, I will take the leave granted me by the House, and on a later date make a statement of my position on this bill.

Mr. GORDON. Mr. Speaker, I yield three and one-half minutes to the gentleman from Ohio, Mr. FESS.

Mr. FESS. Mr. Speaker, if the membership of the House will indulge me for just a moment, I would like to call attention to a specific case that is of interest in this discussion. Soon after the war broke in Europe, one of the brilliant young physicians of Ohio went into one of the convalescent camps of Canada to assist in taking care of the wounded. After being there for a while he learned that he did not have very much discipline over the returning wounded soldiers because he did not have the military position of a soldier. He was a mere civilian, wearing civilian clothing, and was not considered with authority of an officer. He was advised by those in charge that it would be better for him to apply for a commission and therefore secure the needed discipline on the part of these convalescents. The young doctor took up the matter through me. I took it up with the State Department, and asked the Secretary whether if the physician should take a commission he would have to renounce his allegiance to our own country. The Secretary said that he would, and he advised that it would be unwise to do so, as it might lead to complications and result in some inconvenience and probably embarrassing conditions for the physician if he desired to remain a citizen of this country although resident of Canada.

The physician acted upon my recommendation that he remain a civilian and not renounce his allegiance. He has written me several times that the position he occupies is rather nil, that he can not do what otherwise he might do. If this bill or something like it had been on the statute books, there would have been no embarrassment whatever. He could go on with his work and take a commission, and if he had wanted to return when war broke upon us he could very easily have relieved the situation by making application of this law. It seems to me that the law can do no harm, and it surely can do a great deal of good. I mention this one specific case because it shows what the law will be in its effect. Not only that, but it will make a better community of interest between us and our allies, and will be proper treatment of the patriot who responded to the call of patriotism in the hour when he thought his ideals were in jeopardy.

Mr. GORDON. Mr. Speaker, there does not seem to be anyone opposed to this bill except the gentleman from California [Mr. RAKER], and I shall not detain the House more than a few minutes in making some observations in reference to objections. Of course, there is the matter of pride, it seems, for the Committee on Naturalization had this bill under consideration and smothered it. That ought not to weigh one way or the other. This bill is a good bill and ought to pass. If the Committee on Naturalization overlooked its merits, that is its fault and not ours. The objection which he makes to the bill is, first, that it would apply to those who had violated the neutrality laws of the United States. It does not apply to those at all; it applies to those who did not violate the neutrality laws of the United States, but who joined the forces of these nations when it was necessary for them to renounce their allegiance to the United States in order to do it. They did not violate any neutrality law of the United States. They took an oath of allegiance, we will say, to Great Britain, for the purpose of going into her Army. They did it solely to fight in this war. Now, we are in the war and they want to come back. The gentleman from California [Mr. RAKER] says they could make application to become a citizen within 10 minutes. Of course they could make application, but they could not become a citizen for two years under our present law.

Mr. ROGERS. Five years,

Mr. HOWARD with Mr. ELSTON.
 Mr. HOUSTON with Mr. GEORGE W. FAIRCHILD.
 Mr. STEVENSON with Mr. HAMILTON of Michigan,
 Mr. STEPHENS of Nebraska with Mr. HAYES,
 Mr. STEAGALL with Mr. HEATON,
 Mr. THOMAS F. SMITH with Mr. HUSTED,
 Mr. SHOUSE with Mr. HUTCHINSON,
 Mr. SHERWOOD with Mr. JAMES,
 Mr. SCULLY with Mr. KELLEY of Michigan,
 Mr. SCHALL with Mr. KENNEDY of Iowa,
 Mr. SAUNDERS of Virginia with Mr. KIESS of Pennsylvania,
 Mr. HARRISON of Virginia with Mr. FRANCIS,
 Mr. HAMILL with Mr. FRENCH,
 Mr. GRIFFIN with Mr. FULLER of Illinois,
 Mr. GRAY of Alabama with Mr. FULLER of Massachusetts,
 Mr. GOODWIN of Arkansas with Mr. GLYNN,
 Mr. GODWIN of North Carolina with Mr. GOULD,
 Mr. GARD with Mr. GRAHAM of Pennsylvania,
 Mr. FLYNN with Mr. GRAY of New Jersey,
 Mr. FLOOD with Mr. GREENE of Vermont,
 Mr. SULLIVAN with Mr. LANGLEY,
 Mr. FIELDS with Mr. LEHMBACH,
 Mr. FERRIS with Mr. McCULLOCH,
 Mr. DUPRE with Mr. McFADDEN,
 Mr. DOOLITTLE with Mr. MCKENZIE,
 Mr. DOOLING with Mr. McLAUGHLIN of Pennsylvania,
 Mr. DILL with Mr. MAGEE,
 Mr. DIES with Mr. MEEKER,
 Mr. DICKINSON with Mr. MORIN,
 Mr. DEWALT with Mr. MOTT,
 Mr. DENT with Mr. PARKER of New Jersey,
 Mr. DALE of New York with Mr. PORTER,
 Mr. CONNELLY of Kansas with Mr. POWERS,
 Mr. COADY with Mr. PRATT,
 Mr. CAREW with Mr. PURNELL,
 Mr. BURNETT with Mr. RAMSEY,
 Mr. HASTINGS with Mr. FREEMAN,
 Mr. BUCHANAN with Mr. FAIRFIELD,
 Mr. BRUCKNER with Mr. BROWNE,
 Mr. BORLAND with Mr. CARY,
 Mr. BELL with Mr. CLARK of Pennsylvania,
 Mr. BARKLEY with Mr. CLASSON,
 Mr. BAER with Mr. COPLEY,
 Mr. ASHERBROOK with Mr. COSTELLO,
 Mr. FITZGERALD with Mr. LONGWORTH,
 Mr. SHERLEY with Mr. GILLET,
 Mr. KITCHIN with Mr. MANN,
 Mr. ESTOPINAL with Mr. KENNEDY of Rhode Island,
 Mr. GANDY with Mr. JOHNSON of South Dakota,
 Mr. CHURCH with Mr. RANDALL,
 Mr. SEARS with Mr. DOWELL,
 Mr. BLACKMON with Mr. KAHN,
 Mr. LEE of Georgia with Mr. STEENERSON,
 Mr. BROWNING. Mr. Speaker, I have a pair with my colleague, Mr. TALBOTT. I think if he were present he would vote "aye," the same as I have, and therefore I shall let my vote stand.

Mr. SEARS. Mr. Speaker, I have a pair with the gentleman from Iowa, Mr. DOWELL, and therefore I answer "present."

Mr. BUTLER. Mr. Speaker, I would like to keep my session pair with my colleague, Mr. STEELE, by withdrawing my vote of "aye" and answering "present."

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

The result of the vote was announced as above recorded.

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

Mr. GORDON. Mr. Speaker, I move that the House insist on its amendments, and that the Speaker be authorized to appoint conferees on behalf of the House.

The SPEAKER. Before we do that, we want to get rid of the call.

Mr. GORDON. I move that the House dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. The gentleman from Ohio [Mr. GORDON] asks unanimous consent that the House insist on its amendments to the Senate bill and asks for conferees. Without objection, it is so ordered. The Clerk will announce the conferees.

The Clerk announced the following conferees: Mr. DENT, Mr. FIELDS, and Mr. GREENE of Vermont.

BRIDGE ACROSS MAHONING RIVER, OHIO.

Mr. COOPER of Ohio. Mr. Speaker, I ask unanimous consent that the House consider the bill H. R. 6310 at this time.

The SPEAKER. The Clerk will report it.
 The Clerk read as follows:

A bill (H. R. 6310) granting the consent of Congress to the Trumbull Steel Co., its successors and assigns, to construct, complete, maintain, and operate a bridge and approaches thereto across the Mahoning River, in the State of Ohio.

The SPEAKER. Is there objection?

Mr. BRITTEN. Reserving the right to object, Mr. Speaker, before this bill is considered I would like to make a unanimous-consent request. I have just returned from the Congressional Library—

Mr. MOORE of Pennsylvania. Mr. Speaker—

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

Mr. MOORE of Pennsylvania. To reserve the right to object to this unanimous-consent request. I would like to ask the gentleman whether he proposes to speak on a personal matter?

Mr. BRITTEN. No, sir. I want to try to get some time on a personal matter for to-morrow after I have explained to the House the reason for my unanimous-consent request. I have just come from the Congressional Library on a little matter, and I think the House ought to hear me for a minute or two.

Mr. MOORE of Pennsylvania. I ask the gentleman whether this has any reference to any pending personal controversy?

Mr. BRITTEN. Not so far as I am concerned.

Mr. GARLAND. I move that the gentleman be permitted to proceed.

Mr. BRITTEN. I have not made my request yet.

Mr. HEFLIN. I object.

The SPEAKER. The gentleman from Alabama [Mr. HEFLIN] objects.

Mr. BRITTEN. I have not made my request yet.

The SPEAKER. I know; but he seems to know what it is to be.

Mr. BRITTEN. I am sure if the gentleman knew he would not object.

The SPEAKER. The gentleman from Alabama, whether he knew or not, objected. It is not debatable.

Mr. BRITTEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BRITTEN. Can I not make a request for a unanimous consent, and can a Member object to that before he knows what the request is?

The SPEAKER. Well, he did object, whether he knew or not. The Chair is not a mind reader.

Mr. POU. The gentleman from Alabama [Mr. HEFLIN] can not object before the House knows what the request is.

The SPEAKER. The gentleman did object.

Mr. POU. I mean as a parliamentary proposition.

Mr. GARRETT of Tennessee. Mr. Speaker, I wish, if I may have a moment, to submit this suggestion to the gentleman from Illinois [Mr. BRITTEN]: It does not seem to me it is good practice where a request is made for the consideration of a bill for gentlemen to reserve the right to object to the consideration of that bill in order to present a request for consent to make a speech. Now, I am not making any suggestion as to any objection to the gentleman from Illinois speaking. It does seem to me, however, that perhaps we are falling into a rather bad practice in the House about that. Now, the gentleman from Ohio [Mr. COOPER] has asked unanimous consent for the consideration of a bill. That is business. I submit for the consideration of the gentleman from Illinois [Mr. BRITTEN] that he ought to make that request at some other time, and get it acted upon, and then, at the proper time, obtain the floor.

Mr. BRITTEN. I think the suggestion of the gentleman from Tennessee is perfectly proper. It is not my intention to make a speech. My intention only is to make a unanimous-consent request. I will be glad to defer it until this bill is passed.

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

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Trumbull Steel Co. and its successors and assigns to construct, complete, maintain, and operate, at a point suitable to the interests of navigation, a bridge and approaches thereto across the Mahoning River, near the city of Warren, in the county of Trumbull, in the State of Ohio, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

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

With a committee amendment, as follows:

Amend, page 1, line 5, by striking out the word "complete."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.
The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

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

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

The SPEAKER. Without objection, the title will be changed so as to conform to the text.

There was no objection; and the title was changed so as to read, "A bill granting the consent of Congress to the Trumbull Steel Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mahoning River, in the State of Ohio."

REQUEST FOR UNANIMOUS CONSENT.

Mr. BRITTEN rose.

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

Mr. BRITTEN. I desire to make a unanimous-consent request. I have just returned from the Congressional Library, and I have looked over several newspapers coming from all parts of the United States. Some of those papers have me generally linked with gentlemen on this side and on the other side of the Capitol who are opposing certain legislation for which I voted and for which I talked on the floor of the House. I wanted to have my own position in the House defined clearly for the benefit of myself and for the benefit of the country at large. If there is any suspicion held against me by Mr. HEFLIN, I want it pointed out in a perfectly friendly way. There is nothing personal about this with me. I want to be taken away from any company that is opposed to legislation for which I voted and for which I talked on the floor of the House.

My unanimous-consent request is this: That to-morrow, after the Speaker's table has been cleared of its usual business, the gentleman from Alabama [Mr. HEFLIN] be given 5 or 6 or 7 or 10 or 15 minutes—as many as he desires—to single me out and not talk about anybody else on the floor of the House, and say wherein my actions have been suspicious to him. He says he has no proof of anything; but let him give his own opinion as to my actions. It will then be my pleasure to reply to him direct on his assumption.

Mr. GARNER. Mr. Speaker, I think the gentleman has gone far enough to justify me in saying I will not give my consent to any such arrangement. I demand the regular order; I object.

Mr. BRITTEN. Will you not reserve your objection for a moment?

Mr. GARNER. I will not reserve it.

The SPEAKER. The gentleman from Texas objects.

COMMISSIONS IN RESERVE CORPS AND NATIONAL ARMY.

Mr. SHALLENBERGER rose.

The SPEAKER. The gentleman from Nebraska is recognized.

Mr. SHALLENBERGER. Mr. Speaker, I ask for the immediate consideration of the bill (H. R. 6350) to authorize the issuance of Reserve Corps and National Army commissions in the lower grades of staff corps, and to remove the fixed age limits requiring the discharge of Reserve Corps officers.

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

The Clerk read as follows:

A bill (H. R. 6350) to authorize the issuance of Reserve Corps and National Army commissions in the lower grades of staff corps, and to remove the fixed age limits requiring the discharge of Reserve Corps officers.

The SPEAKER. Is there objection?

Mr. MADDEN. Reserving the right to object, I would like to ask the gentleman from Nebraska to explain just what this does.

Mr. SHALLENBERGER. Mr. Speaker, the law at present does not authorize the appointment of officers in The Adjutant General's Department under the rank of major, or in the Quartermaster's Department under the rank of captain, or in the Signal Corps under the rank of first lieutenant in the Reserve Corps or the Regular Army.

This bill proposes to allow the appointment of men to the rank of first lieutenant and second lieutenant and captain in these respective departments. Also, the Signal Corps has a provision that when a man becomes an aviator, a first lieutenant immediately commences to rank as captain and to draw the pay of captain. We are taking a great many aviators into the Signal Corps now because of the development of aviation, and the Chief of the Signal Corps, Gen. George O. Squier, has stated in a letter contained in this report that he has about 150 candidates who have completed satisfactorily the prescribed aviation course and are awaiting commissions to become aviators,

and that this number will be increased to about 700 in six weeks, and further increased to about 2,000 in three months. The Adjutant General has ruled that a man can not be commissioned as an aviator under the rank of first lieutenant, and under the present law as soon as he is commissioned as first lieutenant he takes the rank and pay of captain. These men coming in at present and the thousands to follow would have to take the rank of captain.

This bill enables them to take the rank of second lieutenant. Gen. Squires says that in his department it will result in a saving of at least \$1,500,000 a year and will permit the appointment of lieutenants and captains into offices where the law now requires higher rank. It is for the economy of the service that this bill should pass, and it will promote efficiency also.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That during the existing emergency the President is authorized, in addition to the grades now authorized, to appoint in the Officers' Reserve Corps and the National Army in the grades of second and first lieutenant in the Quartermaster Corps; second lieutenant in the Ordnance Corps and Signal Corps; second lieutenant, first lieutenant, and captain in The Adjutant General's Department, such citizens as shall be found physically, mentally, and morally qualified for appointment.

The SPEAKER. 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. SHALLENBERGER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

ISSUE OF NOTES OF SMALL DENOMINATIONS.

Mr. GLASS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill H. R. 6180, having reference to an increase in the issue of notes of one and two dollar denominations.

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

The Clerk read the title of the bill (H. R. 6180) to amend the laws relating to the denominations of circulating notes by national banks, and to permit the issuance of notes of small denominations, and for other purposes.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I expect to support this bill, but it involves one or two questions that I think the chairman of the committee ought to explain. I have not had a chance to read the bill, but one of the questions that I have in mind relates to the charge which, I understand, this bill may make against the banks for the printing of the notes.

Mr. GLASS. It is proposed to make the usual charge against the banks for printing the notes.

Mr. MOORE of Pennsylvania. Let the bill be read, Mr. Speaker.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the act of June 3, 1864 (Rev. Stats., sec. 5175), which prohibits national banks from being furnished with notes of less denomination than \$5, be, and it is hereby, repealed.

Sec. 2. That that part of the act of March 14, 1900, which provides "that no national banking association shall, after the passage of this act, be entitled to receive from the Comptroller of the Currency, or to issue or reissue, or place in circulation more than one-third in amount of its circulating notes of the denomination of \$5, be, and it is hereby, repealed.

Sec. 3. That from and after the passage of this act any national banking association, upon compliance with the provisions of law applicable thereto, shall be entitled to receive from the Comptroller of the Currency, or to issue or reissue, or place in circulation notes in denominations of \$1, \$2, \$5, \$10, \$20, \$50, and \$100 in such proportion as to each of said denominations as the bank may elect: *Provided, however,* That no bank shall receive or have in circulation at any one time more than \$25,000 in notes of the denominations of \$1 and \$2.

Sec. 4. That all acts or parts of acts which are inconsistent with this act are hereby repealed.

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I know there is an urgent demand for more \$1 and \$2 notes, of which there has been a great scarcity in recent times, probably due to war necessities and war business. But can the gentleman explain whether the repeal of the act of March 14, 1900, involves the question of a charge for the printing of the notes?

Mr. GLASS. This does not at all alter the law or the practice in the matter of the charge for printing the notes. It simply gives to the national banks the right that they have not heretofore had of issuing their notes in denominations of \$1 and \$2 in order to facilitate the business of pay rolls throughout the country. There has been a very universal demand from the banks of the country for this legislation.

Mr. MOORE of Pennsylvania. That is true; but does the act of March 14, 1900, which I have not had time to produce here, provide that the banks shall pay for the printing of \$5 notes?

Mr. GLASS. The charge of one-half of 1 per cent, the tax on circulation, covers the charge for printing.

Mr. MOORE of Pennsylvania. That now applies only to \$5 notes?

Mr. GLASS. Yes. They are the lowest denomination that national banks can now issue.

Mr. MOORE of Pennsylvania. And the effect of the enactment of this bill would be to apply that charge to the issuance of \$1 and \$2 notes?

Mr. GLASS. Precisely so.

Mr. MOORE of Pennsylvania. It would simply be carrying over to the one and two dollar notes the charge that now applies to the \$5 notes.

Mr. GLASS. That is the situation. Under existing law there is a limitation upon national banks in the issuance of \$5 notes. No national bank can issue more than one-third of its entire circulation in \$5 notes. The Treasury Department is engaged in the conversion of \$5 Treasury notes into denominations of \$1 and \$2, and in order to supply the amount of \$5 notes the limitation on national banks as to \$5 notes is removed.

Mr. MOORE of Pennsylvania. May I ask the gentleman why the issue of \$1 and \$2 notes is limited to \$25,000 for each bank?

Mr. GLASS. It is thought that only the smaller banks will care to issue these notes at all. The gentleman understands that the national banks have no such privilege now and never have had the privilege of issuing ones and twos. With the 8,000 national banks in the country, it was thought that the limitation of \$25,000 ought to be made.

Mr. MOORE of Pennsylvania. Will the \$25,000 limit be for the \$1 and \$2 notes separately or for both?

Mr. GLASS. Both the ones and twos.

Mr. MOORE of Pennsylvania. It would not mean \$50,000 of both?

Mr. GLASS. No; \$25,000 for each bank.

Mr. MOORE of Pennsylvania. The \$25,000 covers both ones and twos?

Mr. GLASS. Yes.

Mr. MOORE of Pennsylvania. Is this bill unanimously reported by the Committee on Banking and Currency?

Mr. GLASS. Yes.

Mr. MOORE of Pennsylvania. I know there is a very urgent demand on the part of the banks and business men of the country for the issuance of notes of the smaller denominations.

The SPEAKER. Is there objection to the consideration of this bill?

Mr. DENISON. Reserving the right to object, Mr. Speaker, I want to ask the chairman of the committee if he happens to know the reason why national banks have been forbidden heretofore to issue ones and twos?

Mr. GLASS. No; I do not.

Mr. CANNON. If the gentleman will allow me, I think the object was to force the silver dollar into circulation; but, as I understand it, the silver dollar is now represented substantially by the silver certificates, is it not?

Mr. GLASS. Yes.

Mr. CANNON. I take it there is no reason to prevent the Government from printing \$1 and \$2 silver certificates.

Mr. GLASS. Not at all. There are \$277,000,000 silver certificates in ones and twos now.

Mr. CANNON. Yes; and the silver bullion and silver dollars in the Treasury now are represented almost entirely by silver notes, are they not?

Mr. GLASS. Yes; almost entirely.

Mr. CANNON. And it is supposed that the banks will pay the one-half of 1 per cent for the privilege of issuing \$1 and \$2 notes?

Mr. GLASS. It is thought that they will, in order to facilitate the transaction of local business.

Mr. DENISON. Will not this have a tendency to do away with the silver dollar in circulation?

Mr. GLASS. Oh, I think not. The committee did not think so.

Mr. STAFFORD. Every one who is at all acquainted with the silver agitation knows that no matter how earnestly the Treasury Department tried to have the silver dollars put into circulation, they always came back, because the commercial world would utilize only so many coined silver dollars.

The SPEAKER. Is there objection?

Mr. FESS. Reserving the right to object, there is a general stringency of smaller notes. I have many communications on the subject, which I have referred to the Secretary of the Treas-

ury. As I understand it, the silver certificates are the only paper money that we have in the denominations of \$1 and \$2.

Mr. GLASS. No; the Secretary of the Treasury recently, under authority of the law of 1907, has been converting Treasury bills of the denomination of \$5 into \$1s and \$2s.

Mr. FESS. I was not aware of that fact. That would increase the number of them.

Mr. GLASS. Yes.

Mr. FESS. But this is to add to the general circulation of national-bank notes in the denominations of \$1 and \$2.

Mr. GLASS. That is true.

Mr. FESS. Do I understand that we have never had any national-bank notes of less than \$5 denomination?

Mr. GLASS. Yes; we give the national banks a right they never possessed before, to issue one and two dollar notes, supplementing the orders of the Treasury Department to increase the issue of one and two dollar Treasury notes and silver certificates.

Mr. FESS. Has the chairman any opinion as to why there seems to be such a demand for bills of small denominations?

Mr. GLASS. I think it is obviously because of the tremendous increase in pay rolls throughout the country.

Mr. FESS. I should judge that it is not because of the advanced price of silver bullion.

Mr. GLASS. Oh, no; I think it has no relation to that subject.

Mr. SMITH of Michigan. If the gentleman will allow me, a great many notes are issued by the Federal reserve bank. Is it intended that they will issue any denominations in small amounts?

Mr. GLASS. Not in one and two dollar notes.

Mr. SMITH of Michigan. Is it intended to be compulsory on the banks to issue a certain amount of their circulation in one and two dollar notes?

Mr. GLASS. No; it is altogether optional with the banks.

The SPEAKER. Is there objection?

There was no objection.

Mr. GLASS. Mr. Speaker, I ask unanimous consent to substitute the Senate bill for the House bill.

The SPEAKER. The gentleman from Virginia asks unanimous consent to substitute the Senate bill for the House bill. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read as follows:

An act (S. 2922) to amend the laws relating to the denominations of circulating notes by national banks and to permit the issuance of notes of small denominations, and for other purposes.

Be it enacted, etc., That the act of June 3, 1864, Revised Statutes, section 5175, which prohibits national banks from being furnished with notes of less denomination than \$5, be, and it is hereby, repealed.

SEC. 2. That that part of the act of March 14, 1900, which provides "that no national banking association shall, after the passage of this act, be entitled to receive from the Comptroller of the Currency, or to issue or reissue, or place in circulation more than one-third in amount of its circulating notes of the denomination of \$5," be, and it is hereby, repealed.

SEC. 3. That from and after the passage of this act any national banking association, upon compliance with the provisions of law applicable thereto, shall be entitled to receive from the Comptroller of the Currency, or to issue or reissue, or place in circulation notes in denominations of \$1, \$2, \$5, \$10, \$20, \$50, and \$100 in such proportion as to each of said denominations as the bank may elect: Provided, however, That no bank shall receive or have in circulation at any one time more than \$25,000 in notes of the denominations of \$1 and \$2.

SEC. 4. That all acts or parts of acts which are inconsistent with this act are hereby repealed.

The SPEAKER. The question is on the third reading of the Senate bill.

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

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

The House bill of a similar tenor was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the bill (S. 2776) providing for the classification of lands under the stock-grazing homestead act in certain States, and for other purposes, in which the concurrence of the House of Representatives was requested.

The message also announced that the President had approved and signed bills and joint resolution of the following titles:

On September 19, 1917:

S. J. Res. 93. Joint resolution for improving Willapa Harbor and River, Wash.; and

S. 2785. An act to authorize and empower the Southwest Louisiana Waterways Association, of the State of Louisiana, to

construct a lock and dam in Mermentau River, in the State of Louisiana.

On September 25, 1917:

S. 2830. An act extending the time for the construction of a bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.

On September 27, 1917:

S. 2477. An act to authorize the construction of a building for the use of the Treasury Department.

On October 1, 1917:

S. 2705. An act to create the Aircraft Board and provide for its maintenance; and

H. R. 5431. An act to authorize the construction, maintenance, and operation of a bridge across the Saline River, at or near Suttons Ferry, Ark.

The message also announced that the Senate had passed the following resolution, in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 14.

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (H. R. 3932) to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives, providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes, the Clerk of the House of Representatives be, and he is hereby, authorized and directed to insert in line 2 of section 20 of the conference report as agreed to, after the word "occur," the words "or which since the commencement of the present war have occurred," and also, in line 4 of said section, after "all," insert the word "other."

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4280) to provide revenue to defray war expenses, and for other purposes.

The message also announced that the Senate had passed without amendment the bill (H. R. 5839) extending the time for the construction of a bridge across the Mississippi River, in Aitkin County, Logan Township, State of Minnesota.

EXPLOSIVES.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent for the present consideration of Senate concurrent resolution No. 14.

The SPEAKER. Is there objection?

Mr. MONDELL. Let it be reported.

The Clerk read the resolution.

The SPEAKER. Is there objection?

Mr. MONDELL. I object.

CHAPLAINS IN THE ARMY.

Mr. SHALLENBERGER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2917) to amend section 15 of the act approved June 3, 1916, entitled "An act for making further and more effectual provision for the national defense, and for other purposes," as amended by the act approved May 12, 1917, entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1918, and for other purposes."

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

Mr. MONDELL. Reserving the right to object, I would like to have the gentleman make a statement.

Mr. STAFFORD. Let the bill be reported.

The Clerk read as follows:

Be it enacted, etc., That section 15 of the act approved June 3, 1916, entitled "An act for making further and more effectual provision for the national defense, and for other purposes," as amended by the act approved May 12, 1917, entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1918, and for other purposes," be, and the same is hereby, amended to read as follows:

"SEC. 15. Chaplains: The President is authorized to appoint, by and with the advice and consent of the Senate, chaplains in the Army at the rate of not to exceed, including chaplains now in the service, one for each 1,200 officers and men in all branches of the Military Establishment, with rank, pay, and allowances as now authorized by law: *Provided*, That there shall be assigned at least one chaplain for each regiment of Cavalry, Infantry, Field Artillery, and Engineers."

Mr. STAFFORD. Mr. Speaker, I think this bill should have been referred to the Committee on Military Affairs.

The SPEAKER. The invariable practice of the Chair is, if a gentleman asks for a bill to remain on the Speaker's table for a reasonable time, for the Speaker to hold it. But ordinarily, if no request is made, the Chair refers it at once. Is there objection?

Mr. STAFFORD. Reserving the right to object, I would like to ask the gentleman from Nebraska if the committee has taken any action on the Senate bill or a House bill involving the same subject matter?

Mr. SHALLENBERGER. No; it has not. I will say for the information of the House that the chairman of the Military

Affairs Committee stated that the committee had finished its work and did not expect to have any further hearings. The bill came over to the Speaker's table to-day and I asked to have it considered.

Mr. STAFFORD. I believe the Military Affairs Committee of the House met as late as yesterday and reported numerous bills. Is there any reason why they should not meet during the remainder of the session and consider the bills that come over from the Senate?

Mr. SHALLENBERGER. No; I do not know of any reason.

Mr. STAFFORD. The bill has not been considered by the Military Committee, and I object.

CONVEYING CERTAIN LANDS IN PORT ANGELES, WASH.

Mr. HADLEY. Mr. Speaker, I ask unanimous consent to discharge the committee on the Public Lands from further consideration of the bill (S. 309) authorizing the county of Clallam, in the State of Washington, to convey to the city of Port Angeles certain lands, and for present consideration of the same.

The SPEAKER. The gentleman from Washington asks unanimous consent for the present consideration of the bill S. 309, which the Clerk will report by title.

The Clerk reported the title of the bill.

The SPEAKER. The gentleman from Washington asks unanimous consent to discharge the committee from further consideration of this bill and for its present consideration. Is there objection.

Mr. MONDELL. Mr. Speaker, reserving the right to object, is this the tract of land that was conveyed or deeded to the State with a limitation upon the right of the State to convey?

Mr. HADLEY. That is correct. The limitation consisted in the words of the grant from the Government "for county purposes," and the county now desires to convey a portion of the tract to the city of Port Angeles, in which the tract is situated, in order that they can coordinate and centralize the activities of the two municipalities. The temporary purpose is for a library.

Mr. MONDELL. And the public purposes contemplated by the original grant will be carried out by the legislation now before us?

Mr. HADLEY. Exactly. The question of a cloud on the title has been raised by reason of the words of limitation in the grant from the Government. The report from the department is favorable. The only reason the Committee on the Public Lands has not acted upon the bill is that I did not insist against their wishes that matters not purely of a military character should not be reported.

Mr. TAYLOR of Colorado. Mr. Speaker, will the gentleman yield?

Mr. HADLEY. Yes.

Mr. TAYLOR of Colorado. I will say that the Committee on the Public Lands has no objection to this request. This is certainly a very meritorious proposition, and it is an urgent measure, but it was really not a war measure, and therefore the committee did not take it up.

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

The Clerk read the bill, as follows:

Be it enacted, etc., That the county of Clallam, in the State of Washington, through its proper officials duly authorized to convey real estate for the county, is hereby authorized to convey to the city of Port Angeles, in said county and State, in fee simple, any part of that parcel of land situated in said city, county, and State described in the act of Congress of January 12, 1903, as a parcel of land 220 feet in width off the east side of suburban block No. 26, as shown on official plats of the town site of Port Angeles, in said county, and as subsequently conveyed in the patent of the United States of America to the said county of Clallam, dated March 21, 1903.

The SPEAKER. The question is on the third reading of the Senate bill.

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

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

DRAFTING SUBJECTS OF ALLIED COUNTRIES.

Mr. ROGERS. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 115, requesting the Secretary of State to open diplomatic negotiations with certain governments with a view to obtaining their approval and sanction for action by the United States permitting the inclusion in the armed forces of the United States of such citizens of the countries of such governments as are within the United States, which I send to the desk and ask to have read.

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, I suggest that the gentleman ask that just that part of the resolution be reported that is not stricken through.

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that the preamble which was stricken out by the Committee on Foreign Affairs before the resolution was reported to the House be omitted in the reading by the Clerk, and that he simply read the substance of the resolution.

Mr. GARRETT of Tennessee. Of course, Mr. Speaker, I am reserving the right to object, but I would like to have the resolution reported.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to have the preamble omitted and that simply the resolution itself be read. Is there objection?

There was no objection.

The Clerk read the resolution, as follows:

Resolved, etc., That the Secretary of State be, and he is hereby, requested to open diplomatic negotiations with the Governments of the several countries at war with a country with which the United States is at war with a view to obtaining their approval and sanction for action by the United States looking to the imposition upon such citizens of those countries as are within the United States of the liability to and performance of military service in the armed forces of the United States during the continuance of the present war between the United States and Germany, and to report to the Congress of the United States as soon as practicable the result of such negotiations.

The SPEAKER. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, if I may have the attention of the House for a moment, I understand that this resolution was favorably reported by the Committee on Foreign Affairs unanimously, and I further understand that the State Department interposes no objection to its passage. That I learned in the Committee on Rules this morning when the committee had under consideration a resolution to provide for its consideration. But, Mr. Speaker, the fact remains that it is really and entirely a useless resolution. It will accomplish nothing. It requests the Secretary of State to do that which he is now doing. It has a paragraph at the conclusion, the exact wording of which I do not recall, which I think makes it mandatory upon the Secretary of State to report the results of his efforts to the Congress. I do not know whether the State Department in not interposing objection gave consideration to that paragraph or not, but to my mind that might lead to some difficulties and embarrassment, and, in view of the fact that the resolution is entirely needless, in view of the fact that the State Department is now doing, according to the statement made by the Secretary of State before the Committee on Military Affairs, precisely what this resolution requests him to do, I feel constrained to object.

Mr. ROGERS. Will the gentleman reserve his objection for just one moment?

Mr. GARRETT of Tennessee. I will.

Mr. ROGERS. Mr. Speaker, I desire to call the gentleman's attention to the letter sent to Mr. Flood, chairman of the Committee on Foreign Affairs, by the Hon. Frank L. Polk, Acting Secretary of State, which reads as follows:

DEPARTMENT OF STATE,
Washington, July 28, 1917.

MY DEAR MR. FLOOD: Referring to your letter of July 16, in regard to H. J. Res. 115, introduced in the House by Mr. Rogers, and to the department's telephone communication to your clerk of July 25 to the effect that this resolution, together with other bills on the same subject, had been laid before the President for his consideration, I beg now to advise you that the President informs me that of the bills before the Congress relating to the enlistment or drafting of alien residents in the United States H. J. Res. 115 (or S. J. Res. 83, which appears to be identical) seems to him most appropriate in the circumstances, as, in his opinion, the matter is properly a subject for negotiation with the countries concerned.

Very sincerely, yours,

FRANK L. POLK.

Hon. HENRY D. FLOOD,
House of Representatives.

Mr. Speaker, the gentleman from Tennessee has stated with sufficient accuracy the substantive facts involved. But I can not agree with him in his conclusion that the passage of this resolution would accomplish nothing. The section of the country which I represent is greatly exercised over the alien-slacker situation. We are getting letters, we are reading in the newspapers, we are receiving personal calls—all deploring the fact that the House is doing nothing to meet the difficulty. The Senate passed the Chamberlain bill. At the request of the Secretary of State the House Committee on Military Affairs has decided to do nothing at this time. Very likely it was entirely wise in reaching that decision. But, Mr. Speaker, I want the House of Representatives in some affirmative, definite way to show its interest in this most important problem and its determination to grapple with it, and, so far as may be, to solve it. Here we have a resolution which has been unanimously reported by the Committee on Foreign Affairs, which has received the express sanction in writing of the President of the United States and of the Secretary of State. I hope that under the circumstances the gentleman will be constrained to withdraw his objection.

The SPEAKER. The gentleman from Tennessee objects, and the Chair will recognize the gentleman from North Carolina [Mr. Hood].

BRIDGE ACROSS WACCAMAW RIVER, N. C.

Mr. HOOD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2878) granting the consent of Congress to the Whiteville Lumber Co. to construct a bridge across Waccamaw River.

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

The Clerk read as follows:

An act (S. 2878) granting the consent of Congress to the Whiteville Lumber Co. to construct a bridge across Waccamaw River.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Whiteville Lumber Co. and its successors and assigns to construct, maintain, and operate a bridge and approaches thereto across Waccamaw River at a point suitable to the interests of navigation at or near Pireway Ferry, in the counties of Columbus and Brunswick, in the State of North Carolina, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

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

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

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

PERMISSIONS TO ADDRESS THE HOUSE.

The SPEAKER. Four gentlemen have received permission of the House to make speeches, Mr. WILLIAMS, of Illinois, for 30 minutes; Mr. GALLIVAN for 10 minutes; Mr. BANKHEAD for 20 minutes; and Mr. POU for 40 minutes.

Mr. TAYLOR of Colorado. Mr. Speaker—

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

Mr. TAYLOR of Colorado. To submit a unanimous-consent request.

The SPEAKER. The gentleman will state it.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

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

Mr. POU. Mr. Speaker, I ask unanimous consent to address the House for 40 minutes to-morrow after the Journal is approved, not to interfere with any privileged matter.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to address the House to-morrow after the business on the Speaker's table is cleared up, not to interfere with any privileged matter. Is there objection?

Mr. TAYLOR of Colorado. What became of my unanimous-consent request, Mr. Speaker?

The SPEAKER. It was granted. Is there objection to the request of the gentleman from North Carolina [Mr. POU]. [After a pause.] The Chair hears none.

Mr. HULBERT. Mr. Speaker, I make a similar unanimous-consent request, to follow the gentleman from North Carolina [Mr. POU] for not more than 15 minutes.

The SPEAKER. The gentleman from New York [Mr. HULBERT] asks unanimous consent for not more than 15 minutes, to follow the gentleman from North Carolina [Mr. POU] to-morrow. Is there objection?

Mr. STAFFORD. Reserving the right to object, will the gentleman state on what subject he wishes to speak?

Mr. HULBERT. Yes. I want to speak on the subject of American patriotic loyalty, not, however, connected with any controversy that has heretofore arisen in this House.

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, did not the gentleman from North Carolina [Mr. WEBB] give notice that he would call up the civil-rights bill in the morning immediately after the reading of the Journal?

The SPEAKER. I think he did. But the House can do anything it chooses by unanimous consent. Mr. Speaker CANNON once said that you could pass an elephant through the House by unanimous consent.

Mr. MONDELL. If these requests for opportunity to address the House are granted, they will come after the consideration of the bill that has just been referred to, will they not?

The SPEAKER. They undoubtedly will.

Mr. MOORE of Pennsylvania. Mr. Speaker, I give notice in the interest of the gentleman from North Carolina [Mr. WEBB] that I will object to these requests after the request of the gentleman from New York [Mr. HULBERT] has been put.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. WELTY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill (S. 2623) defining the status of citizens of the United States who have entered the military or naval services of certain countries during the existing war in Europe.

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

Mr. GALLIVAN. Mr. Speaker, the gentleman from Illinois [Mr. WILLIAMS] had the first privilege of the floor for 30 minutes, and I was to come second, but we have changed places.

The SPEAKER. Very well. The gentleman from Massachusetts is recognized.

THE "ALIEN-SLACKER" SITUATION.

Mr. GALLIVAN. Mr. Speaker, I intend to discuss in the time allotted to me the very question that came up a few moments ago on the request of my colleague [Mr. ROGERS], that a joint resolution requesting the State Department to take action on the "alien-slacker" situation be considered.

It is all very well for a Member of this House to say that the State Department is now doing that very thing, and it is all very well for the members of the Committee on Military Affairs, as I understand they have done, to defer action on the so-called Chamberlain bill, a Senate measure which provides for the conscription of aliens, but what this House wants and what the people of this country want is action.

And I desire the attention of the House for a few moments to the condition that now confronts the young men of this country.

Mr. Speaker, on June 5 of the current year, in accordance with an act of Congress, 10,000,000 men between the ages of 21 and 31 were registered for the purpose of selecting from their number a national army that might carry out the purposes of our Government, as these purposes were announced by the President of the United States when he thundered to Prussia, and through Prussia to the world, that the world must be made safe for democracy.

The response to this call of the Government was prompt, vigorous, and eager. Almost 10,000,000 men were registered, and from these 10,000,000 the first draft of 687,000 has already been made; the American youth has taken his place in the various cantonments scattered throughout the country to prepare himself to do such work that, as soon as may be, peace may again be exercising her sweet influence upon earth.

The departure of these young men from their homes has been attended in large measure with heartbreakings. The mothers of the Nation, brave and patriotic though they are, have had a natural reluctance to being separated from their sons, for whom they have lived and from whom they have had during the years of childhood and early manhood so much of comfort in the struggle for existence.

But there has been, unfortunately, accompanying this eager speeding of the boys on their way, a feeling in some places that a great injustice has been done these young men, citizens of the United States by choice or birth. They have been taken from their various occupations to perform this great duty of patriotism, and they find their places occupied by others who have enjoyed the same beneficent institutions that they have enjoyed, who have rejoiced in the protection of the Government of the United States, and the various Commonwealths comprehended therein, and who yet at the same time feel no such thrill of patriotism as these other young men who have been selected; but, on the contrary, have been quite content to fill in the places left vacant by the citizens and still enjoy the protection of our Government without making one single effort by way of return.

I have said, Mr. Speaker, that the National Army has already been recruited to the number of 687,000 by a process of selection. Does it occur to you that this number represents pretty nearly half the population of the colonies when the first shot was fired in the American Revolution, and Crispus Attucks, and the rest of them went down to a glorious death in the Boston massacre?

Figures are hard to get together, but I am credibly informed that there are in the United States to-day about a million and a quarter of men who are not under obligation to serve under the Stars and Stripes, and who, because they are on American soil and protected by the laws of the United States, can not be forced to join the armies of the various countries to which they severally owe allegiance. Of this number fully one-half are of the so-called draft age. When these immigrants came here we received them with open arms, and were glad to

welcome them to the protection of our free institutions, and we taught them that so long as the Stars and Stripes waved on high their souls, yes, and in America, their bodies, were free. What are we asking of them in return? We are asking them simply to be grateful. We are surely grateful to them for the spiritual and material wealth that they have contributed to our beloved country, but we are obliged to remind them that unless the soul of the manhood of the country is free; unless the principle which animates human action be the principle of justice; unless a man translate a large part of his activity and his aspiration into patriotism or love of country, then that man's service is in vain, for it is not by what we receive that we are blessed, but rather by what we give.

To the stranger from the land of Dante, Petrarch, and Tasso we have said "Come," for we would add to the already choice possessions coming to us from immigration the warm, sunny hearts of the descendants of Imperial Rome. We have told the Pole to come, for we had not forgotten Sobieski, Pulaski, and the later Louis Kossuth. Mindful of the charming literature and the scientific achievements of the French, and not forgetful of the duty contracted in the American Revolution, when Lafayette and the French clergy came to our aid, in the dark days of the American Revolution, we have with all the warmth of our American hearts welcomed to our shores the citizens of La Belle France. I need not enumerate further, for when we extended this welcome to these foreign peoples we did not mean that they should simply tarry with us for a while. We felt that we could show them the greatest democracy upon which the sun ever shone, and we welcomed them to a participation in its citizenship so that they might stand before the world an example of the same wealth in Government institutions as ourselves.

So we ask them now, in the light of their need and the need of their native country much more than ours, that as they are enjoying the fruits of democracy, so they may, in a most substantial way, contribute their share of these fruits, and in return for what they have received from us make at this time the only kind of a return that will or can be accepted as proof positive that they are not ungrateful to us for the privileges which they have enjoyed under the Government of the United States. [Applause.]

Time and again, Mr. Speaker, in the history of our country it would seem as if the principles upon which this Government was founded trembled in the balance. In the War of the Revolution these principles became our fixed standard. By adherence to them we have made progress beyond the power of man to conceive or dream. Our material progress makes puny the wealth of Ormus and of Ind, and these flattering results have been due in no small measure to the fact that the immigrant, from whatever country he came, no matter how downtrodden he had been hitherto, the very moment he stepped foot on the American shore and began to take in the atmosphere of American institutions, felt himself transformed and almost transfigured by the change. In the mother countries he was, or at least had felt himself, a slave. Now he felt he was free; that he was a free man. As he compared his second state with his first, and asked himself for a reason for the change, he was fain to admit, with Emerson, that "America" was only another word for "opportunity." He forswore his allegiance to the mother country, sometimes regretfully, for who can forget the mother that bore him, and then took an oath to protect and defend the Constitution of the United States.

When the War of Rebellion was on, when the boys in gray fought according to their lights, with as much conscience as did the boys in blue, when it seemed as if this great country of ours must be torn asunder, Joseph Story, Associate Justice of the Supreme Court of the United States, a Massachusetts man, said in an address which he made in my own Boston that "We are the latest, and if we fail the last experiment of self-government by the people fails," and he further declared that there could be no neutrals in that war, only patriots and traitors. How true this is of this war. Mr. Speaker, if there be in this House—and I believe there is not—a single Member who doubts the justice which inspires the Chamberlain bill, if there be one here who is so little mindful of all that our Government is and has been to him, if there be one who can see a shred of justice in sending more than a million men, citizens of the United States, to the western front while the alien who has not yet declared his intention to become a citizen of the United States takes his position in the counting room or the factory and in smug complacency says to himself that he will enjoy all the benefits to be derived from the registration and conscription, but will suffer none of the burdens, if such a man is a Member of this House I ask him on what principle of justice he relies to sustain his contention? Frankly, I can see none. We are in a world war. The alien

has as much interest in the outcome as the citizen, and if this be so why does he not take the position that if the result is to be a victory of the United States of America he will swear under heaven to contribute to this victory, if he is entitled to share in its fruits?

Again, Mr. Speaker, what does the alien, reluctant to enter into the service, expect as the result of his attitude? Will he, as he looks into the future, have the assurance to profit by the victory? Does not the very fact that he left his own country to improve his condition prove that he is a select and superior being? Did he come to America for the purpose of acquiring wealth only, like a miser, to sit down and gloat over it, or did he come here that his soul might be free, and that he might exercise like a free man those faculties in man that make him like unto the Divine? These men enjoy material comforts the like of which they had never dreamed of. I say, "Lay not up for yourselves treasures upon earth, where moth and rust doth corrupt, and where thieves break through and steal; but lay up for yourselves treasures in heaven, where neither moth nor rust doth corrupt and where thieves do not break through nor steal." This is the counsel of the Eternal Wisdom itself. That is the advice, more than any other, that America now needs. The demand is for a more simple life, a life rather of aspiration than of perspiration, a life that does not forget that the greatest thing in the world is man, and the greatest thing in man is mind; a life which, if lived rightly, will guarantee the perpetuity of our institutions, a pledge and promise of happiness here and eternal well-being in the hereafter.

It was with great trepidation and with more than ordinary apprehension that this Government declared a state of war existed between this Government and Germany. We had been lulled to sleep by protestations of friendship masking treachery, intrigue, and murder. The people were engaged in their peaceful pursuits, little knowing of the storm which was to burst. The Government maintained a neutrality under most trying circumstances for fear lest the war that was the suicide of Europe might become the suicide of the world. International law and laws seemed to have been suspended. Peoples that had been leaders in philosophy seemed to feel that destiny pointed either to world power on the one hand, or ruin on the other, and finding that ruin seemed to be the goal, vowed that in this ruin would come the ruin of the entire world; that governments would pass away from the earth; that conscience should no more have place as a guiding principle in the conduct of man; that human beings would go back to savagery; that everything would be in a condition of primeval chaos.

No wonder, Mr. Speaker, that you and I hesitated as we stood upon the brink of war; no wonder that we viewed with scepticism the departure from the volunteer system to that of registration and the selective draft; no wonder that we feared that the people who had been asleep for so long, not understanding that the enormity of the struggle which was being waged on the other side of the water was really close to us, showed signs of reluctance and resentment when the suggestion of a draft army for a free people was first made. We all shared in this reluctance. We knew the patriotism of the American youth. We had tried it when it was coming into being in the War of the Revolution. We had experienced it again in 1812, in 1846 to 1848; in 1861 to 1865, I care not under what color of his military garb the soldier fought, for both sides in that conflict thought they were right. We saw it again in 1898, when proof was given, though proof was not necessary, that we had become a united country and that the wounds of '61 to '65 had been healed, and that not a trace of them was to be seen; and we shall see this patriotism exemplified again in this greatest war that has ever convulsed the world; this war that has made men, unfortunately, wonder whether there is a great overruling Providence, but at the same time has done more than any other event in the world's history that I know of to bring man's mind back to religion.

Do I need to say that this is not an ordinary war? Nation after nation has ranged herself on the side of justice against a Government that has vowed that it will make the world safe for hypocrisy. The evidence of the last few days, the revelations coming from the office of the Secretary of State, are all we need to convince us that the extraordinary method for the selection of men for the great Army was under the circumstances an absolute necessity. Any other system would have been too slow. Any other system would have given heart and comfort to the enemy, not of the United States, but of the world; any other method of recruiting would have convinced the megalomaniac, the swaggering butcher of Europe, the blasphemer who takes the Almighty into junior partnership with him, and when the contest is going against him shakes his fist into the face of the Eternal and cries out, "Where have you been?" Any other system, I say, would have convinced this

autocrat, whom to call a "Hun" is to do a wrong to Attila, that the American people were not behind the Government; that we were a soft people; that we were interested only in the accumulation of wealth; and that we adored only the golden calf.

And so the selective draft became necessary, and the result is that Prussia has at last become convinced that it is a mistake to stir the anger of a patient people. And in view of the many suggestions of peace coming from the central powers, it has made up his mind that doom is written for the throne of the Hohenzollerns and that the great empire built by Bismarck, Moltke, and Von Roon, founded not upon love, but hate, is ready for dismemberment because it has gone after false gods and has forgotten that word which was in the beginning, and that word was God.

Now, Mr. Speaker, I do not know whether upon the return of this Congress in December we shall find that the State Department has effected its negotiations with our allies and the foreign powers, but I sincerely hope that the men in Congress, as well as the men and women of the country, who believe that something must be done speedily and before the second call of the draft comes—

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. GALLIVAN. I ask for five minutes more, Mr. Speaker.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. GALLIVAN. I sincerely hope that all this attempted dodging, that the postponement and delays, will at last have come to some end, and that by a rearrangement of treaties, or by some legislation before the second draft comes, we will have the alien who has been here a reasonable time, and who is of the draft age, doing his bit for his adopted country. [Applause.]

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

Mr. GALLIVAN. Yes.

Mr. GARNER. The gentleman used one expression there that I think probably he did not intend to use, and that is "this attempted dodging." Will the gentleman state what he refers to about dodging, in Congress or otherwise?

Mr. GALLIVAN. Not in the Congress.

Mr. GARNER. Do you know of any in any executive or administrative branch of the Government?

Mr. GALLIVAN. I have heard of it.

Mr. GARNER. Where they dodged the question?

Mr. GALLIVAN. Yes.

Mr. GARNER. The gentleman ought to give the House the benefit of it.

Mr. GALLIVAN. I have heard of it.

Mr. GARNER. The gentleman ought to give the House and the country the benefit of that information.

Mr. GALLIVAN. I have heard of it, and I think several other Members have heard of it. It has been printed in the newspapers, and I do not think there is any doubt but what somebody has attempted to dodge the whole situation.

Mr. QUIN. Will the gentleman yield?

Mr. GALLIVAN. No; I will not. I have only a few minutes left, and I want to say a great deal in that time.

The SPEAKER. The gentleman declines to yield.

Mr. GALLIVAN. Mr. Speaker, the object of the legislation I advocate is simply to bring into the service of the Government in a selective way the entire man power of the country within the ages defined. Why should your boy or mine serve in the Army or in the Navy, on a destroyer or the mine sweeper, in the air or in the trenches, except to preserve for the purposes for which they were established these glorious institutions in which we rejoice? Why should my neighbor's son be selected for service and mine, equally strong physically and mentally, be allowed to stay at home to enjoy his own sweet will and fancy unless by staying at home he makes some contribution to that wealth of the country most necessary at this hour, ready to join the Army if it be necessary?

But more than all this, Mr. Speaker, what about him who acknowledges allegiance to a foreign State, which foreign State is willing to suspend all treaties, the man who can not, for obvious reasons, return to his country now? Has he not for the time being at least preferred this country to his own? Does he not get aid and comfort from it? And is this aid and is this comfort to be guaranteed to him for the future because of the sacrifice of the American citizen or his son, who by this sacrifice assures the alien that his condition of comfort shall endure?

This legislation, Mr. Speaker, is simply a corrective of what would otherwise be a gross injustice. As many men are at the

cantonments to-day as the result of the first draft as there are aliens within the scope of this bill. When we get the action on this proposition we hope for then the mothers of these young men will know that there is no discrimination—that rich and poor, high and low, citizen and noncitizen, ready volunteer and slacker are within the power of the Government, which is simply exercising a right to require service for service already rendered. The Nation will then truly stand as a symbol of inviolable justice. Then shall we know that the foundations of the Government structure are sound and deep, and we shall become more convinced than ever that as the ages pass and the historian takes his pen in hand he will never choose for his subject "The decline and fall of the United States of America." [Applause.]

The SPEAKER. The gentleman from Alabama [Mr. BANKHEAD] is recognized for 20 minutes.

WHY WE ARE AT WAR WITH GERMANY.

Mr. BANKHEAD. Mr. Speaker, we are approaching the closing days of the most momentous and epoch-making session ever held by the Congress of the United States. In a few days we shall return to our people at home, to meet them eye to eye and heart to heart, to give an account of our stewardship here as their Representatives during the ever memorable days of this historic session.

They have a right to ask, and it shall be our solemn duty to tell them of the reasons, why our country is at war, and to tell them of the facts upon which our participation in this war is justified. We should not deceive ourselves as to the state of mind back home. This war in its various effects has reached, or will yet reach, every hearthstone and threshold in America. The ordinary man, the man who tills, the farmer, the miner, the artisan, the clerk, the heads of families, the fathers of sons of military age, the bread earners, the providers of small incomes—in short, the average man in our districts is asking himself, and especially is asking you and me, what are the facts, the reasons, which justified our Government in taking up the gage of battle thrown down to us by Germany?

It is a fair question. The interrogation imputes no disloyalty. He has the right to ask it, because he is the type of citizen who is called, or whose son is called, to service in the Army; he is called upon to pay his tithe of the heavy tax levies provided for and yet to be provided to finance this great conflict; he is one of the burden bearers of the Republic who must make his sacrifice and endure his pain.

War is abhorrent to all of us. It is the most abnormal and most indefensible of all human institutions, judged by ethical and humanitarian standards, but, unhappily, its cruel arbitrament is still the last resort of nations. So that to appeal to that resort in this case our President and this Congress must have had very unbearable, very intolerable provocation. The undisputed facts show that such was the case. If they did not show it, then no Member of Congress who voted for the declaration of war could hope for or expect the indorsement of his people on such a vote.

This war, deliberately entered upon by us, is solely and entirely a war of self-defense, and one for the protection of the lives of our citizens and their property; the security of our national sovereignty on land and sea, and for the protection of our people and our land from invasion and destruction by the most arrogant and brutal temporal Government that ever profaned God's universe. [Applause.] I did not vote for the resolution primarily to make the world safe for democracy, but as a Representative of a part of my country, and, in a sense, as a Representative of all its people, I voted to make the United States of America safe for its own conception of democracy [applause] and to make its citizens safe from murder and piracy on every inch of the sailed seas while engaged in legitimate business under the protecting stars and stripes of our national flag. [Applause.]

I did not vote for the declaration of war because we had no grievance of our own, as some men seek to falsely represent the statement of the President on a certain occasion; but I voted for it, and you voted for it, because we not only had a grievance, not only because we had a special grievance, but a long series of accumulated grievances of the most specific and brutal nature. These other considerations of world democracy and the rights of small nations were to me of very grave and compelling nature, incidental to our entering the contest, but not its justification; and the sooner those in authority make it unmistakably plain that we are fighting our own fight primarily to protect our own people and to avenge the death of our own fellow citizens, and to perpetuate our own institutions, the better will it be for the solidarity of our national spirit and for the strengthening of our arms on land and sea.

Now, what are the facts, or at least the controlling facts and circumstances, somewhat in logical sequence, which directly led to war, and upon which we must justify our conduct before our

people, before posterity, and before God, whose vengeance I verily believe will not be always withheld from that people who engage in war without just cause? [Applause.]

In July, 1914, we little imagined that this country was standing upon the threshold of such an imminent and wholesale tragedy. We were little concerned with the politics of Europe or the machinations and intrigues of its diplomats. Happy in the presumed security of our geographical isolation, and counseled by the admonition of the fathers of the country to hold ourselves aloof from intermeddling in or becoming parties to entangling alliances with foreign powers, we busied ourselves with our own domestic problems in the evolution of national progress and economic and social growth. And then suddenly and without expectation the hour of destiny struck, the blow fell which was to embroil practically the whole world in the most stupendous Saturnalia of misery and destruction ever wished by the fury of Diabolus.

But in the origin and first effects it was not our war. It did not touch our people nor our territory nor our vested national rights or prerogatives. It is true that we deplored its existence; we condemned the brutal and lustful methods with which it was conducted; we held up to shame and execration the rape of Belgium, with all the sordid and unmentionable atrocities inflicted by the German invaders upon that helpless and unoffending little nation and its people, whose only crime was that it lay between the lair of the national wolf and the sunny hills of heroic France, which were first on the program for desolation and conquest. But still it was not our war, for we had not yet a national grievance.

You recall the very strict and impartial proclamation of neutrality which President Wilson issued and enjoined upon the American people.

He demanded of all Government officials, and urged earnestly that all private citizens refrain from public expressions of sympathy or allegiance to either the central or entente powers. We were exercising our traditional policy of non-interference and no intermeddling, but we were not called upon either by the law of nations or by the dictates of expediency, reasonably interpreted, to waive any of our well-established and immemorial national rights.

But in the light of subsequent developments we now know with what supreme and arrogant contempt and disregard the honest efforts of our President to preserve a strict neutrality between all belligerents was treated by the German Government, acting through and under the specific direction of the accredited representatives of that Government to our country. The revelations, now proven without doubt, show, as President Wilson said in his address to Congress on April 2, that—

One of the things that has served to convince us that the Prussian autocracy was not and could never be our friend is that from the very outset of the present war it has filled our unsuspecting communities and even our offices of Government with spies and set criminal intrigues everywhere afoot against our national unity of counsel, our peace within and without, our industries and our commerce. Indeed, it is now evident that its spies were here even before the war began; and it is unhappily not a matter of conjecture but a fact, proved in our courts of justice, that the intrigues, which have more than once come perilously near to disturbing the peace and dislocating the industries of the country, have been carried on at the instigation, with the support, and even under the personal direction of official agents of the Imperial Government accredited to the Government of the United States.

While professing friendship for our Government, while enjoying the hospitality of its National Capital, and while being credited by us with the observance of friendly relations and honest purposes, the German Government, through its highest official of state, entered into a deliberate and cold-blooded conspiracy to engage Mexico and Japan against us in war, and promised Mexico as her reward the sovereign territory of New Mexico, Arizona, and Texas. The official proposal was as follows:

BERLIN, January 19, 1917.

On the 1st of February we intend to begin submarine warfare unrestricted. In spite of this it is our intention to endeavor to keep neutral the United States of America. If this attempt is not successful, we propose an alliance on the following basis with Mexico: That we shall make war together and together make peace. We shall give general financial support, and it is understood that Mexico is to reconquer the lost territory in New Mexico, Texas, and Arizona. The details are left to you for settlement. You are instructed to inform the President of Mexico of the above in the greatest confidence as soon as it is certain there will be an outbreak of war with the United States, and suggest that the President of Mexico, on his own initiative, should communicate with Japan, suggesting adherence at once to this plan; at the same time offer to mediate between Germany and Japan. Please call to the attention of the President of Mexico that the employment of ruthless submarine warfare now promises to compel England to make peace within a few months.

(Signed) ZIMMERMANN.

And bear in mind that was many weeks before we declared a state of war to exist.

Not only this, but it has been proven in the courts of our country that the officials of the German Government have

through hired agents inspired and set afoot the destruction of industrial plants, the dynamiting of bridges and canals, the burning of millions of dollars' worth of private property, and even the murder of innocent citizens. And yet there are those who say that we had no grievance and that Germany had done us no harm!

Within the last few days it has been disclosed that on January 22, 1917, Count von Bernstorff, the then German ambassador to the United States, sent to his Government the following communication:

I request authority to pay out up to \$50,000 in order, as on former occasions, to influence Congress through the organizations you know of, which can perhaps prevent war. I am beginning in the meantime to act accordingly. In the above circumstances a public official German declaration in favor of Ireland is highly desirable in order to gain the support of Irish influence here.

Thus Germany's highest diplomatic agent in our country was seeking corruptly and covertly to influence the Congress of the United States by the use of money and thereby attack the integrity of our Government at its very heart. And still there are those claiming to be loyal citizens of this Republic who assume to say that Germany is as blameless as a "sucking dove."

But the things before mentioned did not form the basis of our declaration of war. They are only sidelights to the real issues.

As the war in Europe progressed the submarine question from time to time assumed very serious and portentous aspects to us and to our interests.

The submarine as an agent of destruction was a new thing in naval warfare. The status of this new weapon, as it affected belligerents and noncombatants, had not been determined by the maritime precedents nor international law at the beginning of this war. But surely the submarine, because of its deadly and diabolical destructiveness, could not claim immunity from the human edicts of the law of the seas built up through the centuries. Since the beginning of time the high seas have been recognized as the legitimate highways of all commerce between nations, and the principle that during a war naval operations should be so conducted that injury and death should be spared to noncombatants and the citizens of neutral countries is as old as civilization.

At this point in my address I desire to incorporate, by his permission, a part of the admirable address delivered by Hon. HENRY D. FLOOB, of Virginia, in the House of Representatives on April 5, 1917, on the occasion when Mr. FLOOB, as chairman of the Committee on Foreign Affairs presented the declaration of war for the consideration of the House. I take this liberty because said address presents in chronological order the developments of the submarine controversy up to the time of the declaration of war:

Germany gave notice on the 4th day of February, 1915, of her purpose to sink merchant vessels on the high seas without safeguarding the lives of noncombatants and the crews and passenger lists. Our Government on February 10 sent, through our Secretary of State, the Hon. William Jennings Bryan, a note of protest to the German Government, taking positive and splendid issue with it upon its proposed ruthless submarine warfare; and I will say, Mr. Chairman, that Mr. Bryan never produced a finer document than the note to Germany on that occasion. It protested against the German proposed disregard of the precepts of international law and the instincts of humanity. This splendid document seemed to be effective, for on the 16th day of February the Imperial German Government replied to it in a friendly and satisfactory manner, conceding the propriety, the legality, and the right of the position taken by our Government.

That Government declared on the 16th of February that—
"It is very far indeed from the intention of the German Government to ever to destroy neutral lives and neutral property."

That was promise No. 1, made by the German Government to this Government, to respect the lives of neutrals and neutral properties. Their reply goes on to say:

"The commanders of the German submarines have been instructed, as was already stated in the note of the 4th instant, to abstain from violence to American ships when they are recognizable as such."

A distinct promise on the part of the German Government to respect the rights of American ships when they are recognized as such. And yet within the past three weeks, Mr. Chairman, they have sent to the bottom of the ocean seven American merchant ships which they recognized as such, and which they torpedoed and sunk without warning and without notice and without the slightest opportunity for the passengers and crew to have their lives saved.

That is war. That is the war that the German Government is making upon this country to-day.

Our Government had every right to believe that this promise of February 16, 1915, could be relied upon, and our Government did rely upon that promise. Nevertheless the German Government proceeded to carry out its plans of submarine warfare as if that promise had never been made, and it torpedoed on March 27, just a little over a month after that promise was made, the British passenger ship *Falaba*, with Americans on board, on which occasion one American lost his life. On April 28, less than two months and a half after this first promise was made, the American steamer *Cushing* was attacked by submarines; and on May 1 the American tank steamer *Cliffhanger* was attacked by submarines; and on May 7, less than three months after the promise was made, the British passenger liner *Lusitania* was sunk, when 114 American lives were lost; and later on in that month, the American steamer *Nebraskan* was attacked by submarines and sunk; in all of which ships there were 125 citizens of the United States murdered and hundreds of noncombatants, including men, women, and children of other nations, lost their

lives, and a number of American citizens had their lives put in jeopardy. Later on, on June 28, the British mule boat *Armenian* was torpedoed, and 20 Americans lost their lives.

The American Government vigorously protested against these outrages, expressing its condemnation of Germany's violation of the laws of nations, the instincts of humanity, and her agreements with this country in murdering innocent American citizens and noncombatants of other nations. The German Government replied to these protests, making one excuse after another, and impressing our Government with its intention in the future to observe the rules of the sea, the laws of nations, and the principles of humanity.

On July 8, 1915, in a note to Ambassador Gerard, arguing in defense of its method of warfare, and particularly of the submarine commander in the *Lusitania* case, the German Government stated—and here is promise No. 2; listen to what the German Government said to the United States on that occasion:

"The Imperial Government therefore repeats the assurances that American ships will not be hindered in the prosecution of legitimate shipping and the lives of American citizens on neutral vessels shall not be placed in jeopardy."

"In order to exclude any unforeseen dangers to American passenger steamers, the German submarines will be instructed to permit the free and safe passage of such passenger steamers when made recognizable by special markings and notified a reasonable time in advance."

This promise was unequivocal—there was no string to it—but notwithstanding that fact seven American ships have been sunk in violation of it in the last few weeks.

This was a promise to safeguard American ships and American passengers upon neutral ships. But notwithstanding this, subsequent to the 8th of July, 1915, a number of vessels—namely, the *Orduna* and *Leo*, July 9; *Leclanaw*, July 25; *Arabic* and *Nicosum*, August 19; and the *Hesperian*, September 4—carrying American citizens were attacked and sunk by submarines and 25 American lives were lost in such ships.

Following these events, conspicuous by their wantonness and violation of every rule of humanity and maritime warfare, the German ambassador, by instructions from his Government, on December 1, 1915, gave the following assurances to the Government of the United States. This is promise No. 3. Here is what the German Government promised upon this occasion:

"Liners will not be sunk by our submarines without warning and without safety of the lives of noncombatants, provided that the liners do not try to escape or offer resistance."

That promise seems clear and very distinct.

On September 9, in reply to the submarine attack on the *Orduna*, the German Government gave assurance No. 4, in the following language:

"The first attack on the *Orduna* of a torpedo was not in accordance with the existing instructions, which provide that large passenger steamers are to be torpedoed only after previous warning and after the rescuing of passengers and crew."

The German Government, Mr. Chairman, could not more clearly have stated that liners or large passenger steamers would not be torpedoed except upon previous warning and after the passengers and crew had been put in places of safety.

On November 29 the German Government stated in connection with the case of the American vessel *William P. Frye*—and this is pledge No. 5, given by the German Government to our Government not to conduct a ruthless submarine warfare. It said:

"The German naval forces will sink only such American vessels as are loaded with absolute contraband when the three conditions provided by the declaration of London are present. In this the German Government quite shares the view of the American Government that all possible care must be taken for the security of the crews and passengers of the vessels to be sunk. Consequently the persons found on board of a vessel may not be ordered into a lifeboat except when the general conditions—that is to say, the weather, the condition of the sea, and the neighborhood of the coast—afford absolute certainty that the boats will reach the nearest port."

Mr. Chairman, there could hardly be a more positive and definite agreement made by the German Government with this Government not to sink passenger liners until they had been warned, and not only until the passengers and crew had been afforded an opportunity to escape with their lives, but the commanders of the German submarines were to take into consideration the conditions surrounding the liner—the condition of the weather, the condition of the sea, and its proximity to a port—and they should not be ordered into boats unless those conditions gave absolute certainty that they could reach land in safety.

Following this accumulated series of assurances though, which were brought about by the strong protest of our Government against the violation of their previous promises and their illegal submarine warfare, there does not seem to have been the slightest abatement in the rigor of submarine warfare, for attacks were made in the Mediterranean upon an American steamer on December 3, upon another American steamer on December 5, a Japanese steamer on December 21 of that year, and the passenger liner *Persia* on December 30. In the sinking of the *Persia*, out of a total of 500 human beings on board only 165 were saved. Among those lost was an American consul traveling to his post.

On January 7, eight days after the sinking of the *Persia*, after a protest had been sent by us to the German Government, that Government again notified our Government through its ambassador in Washington that it would no longer pursue this character of submarine warfare, saying:

"First, German submarines in the Mediterranean had from the beginning orders to conduct cruiser warfare against enemy merchant vessels only in accordance with the general principle of international law, and in particular the measures of reprisal as applied to the war zone around the British Isles were to be excluded."

But yet we have never heard of the punishment of the submarine commanders and crews who destroyed these vessels and murdered these people in the Mediterranean in violation of that instruction of their Government.

"Second, German submarines are, therefore, permitted to destroy enemy merchant vessels in the Mediterranean—that is, passenger as well as freight ships—as far as they do not try to escape or offer resistance, only after passengers and crews have been accorded safety."

That is all that our Government demanded of them. That is all that the United States required of the German Government in the conduct of its submarine warfare. We demanded that they should not murder undefending noncombatants—men, women, and children—upon the high seas, but that when they determined to sink a merchant vessel they could do so only after they had given warning to that vessel and provided for the safety of the people on board. And here is the sixth distinct, positive, clear, and unequivocal promise that the German Government made to the Government of the United States to observe these rules of submarine warfare. Clearly, Mr. Chairman, the assurances of

that Government that neutral and enemy merchant vessels, passenger as well as freight ships, should not be destroyed, except upon the passengers and crews being accorded safety, were by these promises declared to be the official position of the Imperial German Government.

On February 16, 1916, the German ambassador communicated to the Department of State an expression of regret for the loss of American lives on the *Lusitania* and proposed to pay a suitable indemnity. In the course of this note the seventh promise is made to this Government to conduct a decent submarine warfare. It said:

"Germany has limited her submarine warfare because of her long-standing friendship with the United States and because of the sinking of the *Lusitania*, which caused the death of citizens of the United States, the German retaliation affected neutrals, which was not the intention, as retaliation should be confined to enemy subjects."

But notwithstanding this assurance, on March 1, 1916, the unarmed French passenger steamer *Patria*, carrying a number of American citizens, was attacked without warning. On March 9 the Norwegian bark *Sillus* was torpedoed by an unseen submarine and one of the seven Americans on board was injured. On March 16 the Dutch passenger steamer *Tubantia* was sunk in the North Sea by a torpedo. On March 16 the British steamer *Berwindale* was torpedoed without warning, with four Americans on board. On March 24 the British unarmed steamer *Englishman* was, after a chase, torpedoed and sunk by the submarine *U-29*, as a result of which one American on board perished. On March 24 the unarmed French cross-channel steamer *Sussex* was torpedoed without warning and several of the 24 American passengers were injured. On March 27 the unarmed British liner *Manchester Engineer* was sunk by an explosion without prior warning, with Americans on board, and on March 28 the British steamer *Eagle Point* was chased, overtaken, and sunk by a torpedo after the persons on board had taken to the boats.

These lawless acts upon merchant vessels and the lives of American citizens and the repeated violation of promises made by the German Government to our Government, and also the violations of the treaty obligations brought us to the point where it seems there was nothing for our Government to do but to break off diplomatic relations with the German Government and take whatever steps a breach of diplomatic relations might lead to.

In a communication of April 8, 1916, the American Government said: "If it is still the purpose of the Imperial Government to prosecute relentless and indiscriminate warfare against vessels of commerce by the use of submarines without regard to what the Government of the United States must consider the sacred and indisputable rules of international law and the universally recognized dictates of humanity, the Government of the United States is at last forced to the conclusion that there is but one course it can pursue. Unless the Imperial Government should not immediately declare and effect an abandonment of its present methods of submarine warfare against passenger and freight carrying vessels the Government of the United States can have no choice but to sever diplomatic relations with the German Empire altogether."

The German Government replied to this communication on May 4, 1916, giving definite assurances that new orders had been issued to the German naval forces "in accordance with the general principles of visit and search and the destruction of merchant vessels recognized by international law," and again assured our Government that under these rules no American citizens' lives would be taken and no merchant vessel would be sunk without warning and without an opportunity for the people, passengers, and crew aboard the ships to escape with their lives.

Under this assurance the country breathed easier. The breach of diplomatic relations was avoided and war seemed to have been averted. I believed, and many other people in this country believed, that President Wilson had accomplished the greatest diplomatic triumph of the century. Germany had given this promise to abandon and not resume ruthless submarine warfare, and we credited her with sincerity. She had promised that in the future this warfare would be conducted according to the principles of visit and search, that passenger vessels would not be sunk, that due warning would be given the vessels, and that submarines might seek to destroy only when resistance was offered or escape attempted.

This method of submarine warfare which Germany promised to conduct was substantially lived up to from the 4th of May, 1916, to the 1st day of February of the present year. But on January 31, 1917, the German Government served this notice upon our Government:

"Germany will meet the illegal measures of her enemies by forcibly preventing in a zone around Great Britain, France, Italy, and in the eastern Mediterranean all navigation, that of neutrals included, from and to England and from and to France, etc. All ships met with in that zone will be sunk."

That notice was not only opposed to every principle of international law but to every dictate of humanity, and it was in direct contravention of these eight promises that the German Government had during the preceding two years made to our Government. It is in contravention of the treaty between this country and Prussia entered into in 1828, and to which Germany has appealed recently in some of her controversies with our country.

In view of these facts and of this Government's warning of April 18, 1916, and the pledge of the Imperial German Government of May 4 of the same year, it could not have been expected by the German Government that this Government would permit it to fence off the high seas at its pleasure, to deny American ships and American citizens the right to go upon these seas in safety, where every nation, including Germany, conceded they had a perfect right to go, so that Government's notice of January 31 was little short of a declaration of war against this country.

On the 3d of February, 1917, our Government sent the following declaration to the Imperial German Government through its ambassador, Count von Bernstorff:

"In view of this declaration, which withdraws suddenly and without prior intimation the solemn assurance given in the Imperial Government's note of May 4, 1916, this Government has no alternative consistent with the dignity and honor of the United States but to take the course which it explicitly announced in its note of April 18, 1916, it would take in the event that the Imperial Government did not declare and effect an abandonment of the methods of submarine warfare then employed and to which the Imperial Government now purpose again to resort."

"The President has, therefore, directed me to announce to your excellency that all diplomatic relations between the United States and the German Empire are severed and that the American ambassador at Berlin will be immediately withdrawn, and in accordance with such announcement to deliver to your excellency your passports."

Thus breaking off diplomatic relations, recalled our ambassador in Germany, and gave the German ambassador, Count von Bernstorff, his passports. On February 3, 1917, following the breaking off of diplo-

matic relations one American ship was sunk, and since that date seven ships flying the American flag and bearing American registry have been torpedoed. One of these vessels was an armed merchant vessel. The loss of life on these ships has been between 25 and 30 American souls. Twenty-five or 30 American citizens traveling on American ships under the American flag, expecting its protection, as they had a right to expect, have been ruthlessly murdered by the German Government. In addition to that, many foreign vessels of both belligerents and neutrals have been sunk since February 1, 1917, and a number of American lives destroyed and many more put in jeopardy.

Mr. Chairman, this is war; it is nothing but war—war waged by the German Government upon the people and the flag of the United States.

The note from the German Government dated January 31, 1917, addressed to our Secretary of State, contained the following conditions and stipulations under which they would allow American vessels, under the American flag, manned by American sailors, carrying American passengers and commerce, to sail the high seas to their destination:

Sailing of regular American passenger steamers may continue undisturbed after February 1, 1917, if—

(a) The port of destination is Falmouth.

(b) Sailing to or coming from that port, course is taken via the Scilly Islands and a point 50° north, 20° west.

(c) The steamers are marked in the following way, which must not be allowed to other vessels in American ports: On ships' hull and superstructure three vertical stripes 1 meter wide each to be painted alternately white and red. Each mast should show a large flag checked white and red, and the stern the American national flag.

Care should be taken that, during dark, national flag and painted marks are easily recognizable from a distance and that the boats are well lighted throughout.

(d) One steamer a week sails in each direction with arrival at Falmouth on Sunday and departure from Falmouth on Wednesday.

(e) The United States Government guarantees that no contraband (according to German contraband list) is carried by those steamers.

This order from the German Government covered a zone 1,200 miles long and 1,000 miles wide along the western coast of Europe and deliberately warned us, a neutral Nation, that any ship entering that part of the high seas would be torpedoed and sunk without warning and without any opportunity for the passengers and crews to escape death in the waters of the ocean. Through that zone it was estimated that last year three-fifths of our export foreign trade passed. Through it passed last year two-thirds of our export of wheat, five-sixths of our hog products, and six-sevenths of our cotton products. In other words, the German Government said to the cotton farmer of my section of the country, that this product of his farm, which was his chief money crop and the price of which was absolutely fixed by the amount of foreign consumption, should not be sent through the legitimate channels of commerce in American vessels to cotton consumers in Europe. Those same cotton farmers well remember what happened to them in 1914 at the outbreak of the war when the foreign trade in cotton was shut off and the price immediately dropped to 5 and 6 cents per pound. The German Government said to us that our people should not exercise the right in a legitimate way to use the high seas created by God Almighty for the honest purposes of men, to be used as highways of communication; and that if we attempted to exercise that right our vessels and our commerce and our people would be sent to the bottom of the sea. Before the declaration of war, in the course of her submarine operations, Germany deliberately and in cold blood and in wanton violation of all the laws of God and man sent to their tombs in the shifting sands of the sea 235 American citizens—men, women, and little children.

The Secretary of State had prepared at my request a list of names of said victims, the vessel upon which they were murdered, and the date of their death, which list, for the information of the House and country, I shall insert in the Record as an appendix to my remarks.

Do not forget, gentlemen, that all of these were American citizens, claiming the protection of the American flag. Suppose all of the 235 had been resident citizens of my district or yours—our neighbors and our friends—what would have been our indignation and resentment over their assassination? Because they came from scattered sections of the country is no reason to diminish our righteous protests against their unlawful and savage slaughter. [Applause.]

If a great Nation like ours, claiming to be the greatest Republic on the face of the earth, to whose flag and whose institution we devote our loyalty and allegiance, would not take up arms to resent and to prevent such outrages as these, then I am constrained to confess that we have forgotten the heritage of our fathers and are no longer worthy to claim a place either in the respect or admiration of the world. [Applause.]

Let me suggest a homely comparison of the principle invoked by us. Running east and west through the little city in which I live is a fine county and part of a national highway. For generations it has been a public road over which the farmers have brought their cotton and farm products to market. It is a highway of trade, the only one available to many of my people. Suppose some farmer living along the road should get into a

dispute with his neighbor and serve notice on him that if he attempted to travel that road to take his cotton to market he would stand behind a tree and kill him on sight in day or night time; and moreover, served notice on all his neighbors living on that road, with whom he had no quarrel, that they nor their families should pass that way to market under pain of assassination? And to make the illustration more complete he carried his threat into execution; he waylaid a peaceable and unsuspecting citizen traveling that highway and shot from ambush without any sort of warning and killed the man's mules and also the man, and his wife and his infant child, who were in the wagon with him. What standing would such a desperado have in a court of justice or what mercy could he expect? And that was exactly what the German Government was doing to American ships and American citizens on the highway of the seas where they had every legal right to be to carry American commerce to legitimate markets of the world; and although we protested and almost upon our supplicating knees begged them to stop this outrageous action, the Imperial German Government said, "No; we know no law save that of power and necessity and we propose to keep on sinking your ships and murdering your citizens as long as we please and as many as we please." There was nothing for us to do as a Nation except either to crawl and whine and cringe before the behest of our masters—the Hohenzollerns—or to fight. And we chose to fight. [Applause.] As President Wilson said in his memorable address to this body:

There is one choice we can not make—we are incapable of making—we will not choose the path of submission and suffer the most sacred rights of our Nation and our people to be ignored or violated.

We are fighting a war of self-defense, because there can be no question of doubt that it was the dream, the philosophy, the teaching, the inexorable purpose of the Prussian dynasty to subjugate by force and to rule the world.

Hear the words of Frederick II, one of the greatest of his house, whose policy of statecraft has been followed and enlarged in viciousness by the present Kaiser:

If possible, the powers of Europe should be made envious against one another in order to give occasion for a coup when the opportunity arises.

If a ruler is obliged to sacrifice his own person for the welfare of his subjects, he is all the more obliged to sacrifice treaty engagements the continuance of which would be harmful to his country. Is it better that a nation should perish or that a sovereign should break his treaty?

Statesmanship can be reduced to three principles: First, to maintain your power, and, according to circumstances, to extend it; second, to form an alliance only for your own advantage; third, to command fear and respect even in the most disastrous times.

Do not be ashamed of making interested alliances from which you yourself can derive the whole advantage. Do not make the foolish mistake of not breaking them when you believe your interests require it.

Above all, uphold the following maxim: To despoil your neighbors is to deprive them of the means of injuring you.

When he is about to conclude a treaty with some foreign power, if a sovereign remembers he is a Christian he is lost.

The following is an extract from a book written a few years ago by Freiherr von Edelsheim, a member of the German general staff in 1901:

It is questionable whether there is anything to be gained in occupying for any length of time so large a territory as the United States. The fact that one or two of her provinces were occupied by invaders would not alone move the Americans to sue for peace. To accomplish this end the invaders would have to inflict real material damage by injuring the whole country through the successful seizure of many of the Atlantic seaports in which the threads of the entire wealth of the nation meet.

It should be so managed that a line of land operations would be in close juncture with the fleet, through which we would be in a position to seize within a short time many of these important and rich cities, to interrupt their means of supply, disorganize all government affairs, assume control of all useful buildings, confiscate all war and transport supplies, and, lastly, to impose heavy indemnities. For enterprises of this sort small land forces would answer our purpose, for it would be unwise for the American garrisons to attempt an attack.

Their excellently developed railways will enable them to concentrate their troops in a relatively short time at the various recognized landing places on the coast. But there are many other splendid landings, and it appears feasible for the invading corps to conduct its operations on these points with the cooperation of the fleet. The land corps can either advance aggressively against the concentrated opposing forces or through embarking evade an attack and land at a new place.

As a matter of fact, Germany is the only great power which is in a position to conquer the United States.

I also quote from the utterances of a few of the leading German soldiers, statesmen, and philosophers:

As the German bird, the eagle, hovers high over all the creatures of the earth, so also should the German feel that he is raised high above all other nations who surround him, and whom he sees in the limitless depth beneath him. (Prof. W. Sobart, H. U. H., p. 143.)

A war fought and lost would destroy our laboriously gained political importance. * * * would shake the influence of German thought in the civilized world, and thus check the general progress of mankind in its healthy development, for which a flourishing Germany is the essential condition. Our next war will be fought for the highest interest of our country and of mankind. This will invest it with importance in the world's history. "World power or downfall!" will be our rallying cry. (Gen. v. Bernhardt, G. N. W., p. 154.)

We have become a nation of wrath; we think only of the war. * * * We execute God's Almighty will, and the edicts of His justice we will fulfill, imbued with holy rage, in vengeance upon the ungodly. God calls us to murderous battles, even if worlds should thereby fall to ruins. * * * We are woven together like the chas-

tening lash of war; we flame aloft like the lightning; like the gardens of roses our wounds blossom at the gates of Heaven. (F. Philipp, quoted in H. A. H., p. 52.)

We are beginning slowly, humbly, and yet with a deep gladness, to divine God's intentions. It may sound proud, my friends, but we are conscious that it is also in humbleness that we say it: the German soul is God's soul; it shall and will rule over mankind. ("On the German God," by Pastor W. Lehmann, quoted in H. A. H., p. 83.)

Verily the Bible is our book. * * * It was given and assigned to us, and we read in it the original text of our destiny, which proclaim to mankind salvation or disaster—according as we will it. ("War Devotions," by Pastor J. Rump, quoted in H. A. H., p. 134.)

We want to become a world people. Let us remind ourselves that the belief in our mission as a world people has arisen from our originally purely spiritual impulse to absorb the world into ourselves. (Prof. F. Meinecke, D. D. E., p. 37.)

Our frontiers are too narrow. We must become land hungry, must acquire new regions for settlement, otherwise we will be a sinking people, a stunted race. True love for our people and its children commands us to think of their future, however much they may accuse us of quarrelsomeness and lust of war. If the Germanic people shrink from war it would be as good as dead. (Baron v. Vietinghoff-Scheel, at meeting of Pan-German League, Erfurt, Sept. 1912. Nippold, D. C., p. 72.)

Every great people needs new territory; it must expand over foreign soil; it must expel the foreigners by the power of the sword. (K. Wagner, K., p. 80.)

If we do not soon acquire new territory a frightful catastrophe is inevitable. It signifies little whether it be in Brazil, in Siberia, in Anatolia, or in South Africa. * * * To-day, as 2,000 years ago, when the Cimbric and the Teutons beat at the gates of Rome, a cry arises ever louder and louder, "Give us land, give us new land!" (A. Wirth, V. U. W., p. 227.)

Such was the damnable doctrine of force, reprisal, treachery, and conquest with which Prussian dominion was to ultimately rule the world, the calm and submissive United States of America included.

But, sir, they forgot the fiber, the temper, the traditions, the soul of America. They forgot that we yet remember for what Washington fought, for what Jefferson and Hamilton dreamed and builded; for what Andrew Jackson and Winfield Scott led their conquering legions. They forgot that in America there yet runs in the veins of her people the same kind of blood which pulsed in the heart of Ulysses S. Grant and Robert E. Lee. [Applause.] They do not seem to remember the booming of Dewey's guns at Manila nor of Schley's at Santiago Bay. [Applause.]

They forget that as a people we propose to perpetuate our gratitude for the sacrifices of our sires at Valley Forge and Lexington and Kings Mountain, and that the long struggles of our people through the years of our history in peace and war to build up and sustain here in the Western World a Republic of freedom and security for men, in which to work out their destiny of peace and a better civilization, shall not be dissipated and destroyed to satisfy the brutal ambition of a Prussian King. [Applause.]

The President is sending our armies abroad to help our allies fight back the invader because it is better for our men to fight on foreign soil than on our own. When you have an enemy to destroy and want to do it as quickly as possible, you must go where that enemy is. We sought our enemy in Mexico, in Cuba, and in the Philippines, and in the Mediterranean with the Barbary pirates.

If Germany is not defeated in Europe, as sure as fate, they will invade our shores. Do the men of America want to take any chances on having their glorious womanhood suffer the unspeakable shame of the 10,000 Serbian girls taken behind the German lines; or to have our children and old men desecrated as were those in Belgium and northern France? Shall we hazard for a minute the chance of having set up in our midst a code of moral conduct referred to in the editorial I read? God forbid!

IN LEAGUE WITH HELL.

Germany has lost thousands and hundreds of thousands of her men in the effort of the war lord to dominate the earth. It is being published in England and America that the German Government, seeking to replace these men, has practically commanded the girls and widows of the nation to bear children and that these fatherless children will be called "legitimate" and that the Government will support them. A cannibal chief would hardly stoop to such a course to repopulate the jungles in which he reigns. A government, claiming to be civilized, that would thus encourage and even command prostitution on the part of its women deserves death. Surely it is in the interest of the Germans themselves that the world is resisting such monstrous power. The government that makes war on women and children, drops its bombs on sleeping towns, and sinks ships of neutrals, and forces its own women to play the part of harlots should be utterly annihilated. Its promoters are in league with hell, and Satan doubtless as soon as possible will share his kingdom with them.—Alabama Christian Advocate.

If this Nation, with its creed of freedom and its Constitution of justice, was worth the sacrifices of our fathers to establish, surely it has not degenerated into such miserable station that it is unworthy for the present generation to defend.

Unwillingly forced into a contest for the preservation of our right to live under the humane law of nations and the benign dictates of a quickened national conscience, we will not now sheathe the sword until this modern "scourge of God" shall have been swept from his throne of barbaric power and the world made safe for eternal peace and against all future war

by having it written above the ruins of the now glittering palace of the Hohenzollerns at Potsdam at least the spirit of Poe's Ode to the Coliseum of the Caesars:

Here, where a hero fell, a column falls!
Here, where the mimic eagle glared in gold,
A midnight vigil holds the swarthy bat!
Here, where the dames of Rome their gilded hair
Waved to the wind, now wave the reed and thistle!
Here, where on golden throne the monarch lolled,
Glides, specterlike, unto his marble home,
Lit by the wan light of the horned moon,
The swift and silent lizard of the stones!

[Applause.]

APPENDIX.

Names of United States citizens who lost their lives through the sinking of vessels by submarines or mines prior to April 4, 1917.

Table with columns: Name, Vessel, Date of sinking. Lists names such as Adams, Arthur H.; Baker, Miss Margaret A.; Baldwin, Harry B., etc., along with their respective vessels and sinking dates.

Names of United States citizens who lost their lives through the sinking of vessels by submarines or mines prior to April 4, 1917—Continued.

Continuation of the table from the previous block, listing names such as Haden, Robert Allen; Hahn, C. (Negro); Harvey, Wm., New York City; Healy, George, San Francisco, Cal., etc.

Names of United States citizens who lost their lives through the sinking of vessels by submarines or mines prior to April 4, 1917—Continued.

| Name. | Vessel. | Date of sinking. |
|---|----------------------------------|------------------|
| Scott, Jack (Negro)..... | Russian (British)..... | Dec. 14, 1916 |
| Sedbury, George F..... | Marian (British)..... | Oct. 28, 1916 |
| Shepherd, Edward (Negro)..... | Vedamore (British)..... | Feb. 7, 1917 |
| Sheridan, Martin (had taken out first naturalization papers)..... | Iberian (British)..... | July 31, 1915 |
| Shields, Victor E., Cincinnati, Ohio..... | Lusitania (British)..... | May 7, 1915 |
| Shields, Mrs. Victor E., Cincinnati, Ohio..... | do..... | Do. |
| Shineman, James, New York City..... | Lusitania (British)..... | May 7, 1916 |
| Shineman, Mrs. Margaret, New York City..... | do..... | Do. |
| Short, Chas. Conrad..... | Gulflight (American)..... | May 1, 1915 |
| Shymer, Mrs. R. D., New York City..... | Rusitania (British)..... | May 7, 1915 |
| Silva, Thomas J., Temple, Tex..... | do..... | Do. |
| Sludgins, —, third mate, New York..... | Healdton (American)..... | Mar. 21, 1917 |
| Small, — (Negro)..... | Armenian (British)..... | June 28, 1915 |
| Smith, Charles..... | Sjostad (Norwegian)..... | Mar. 2, 1917 |
| Smith, J. (Negro)..... | Armenian (British)..... | June 28, 1915 |
| Smith, S. W., Chicago, Ill..... | Healdton (American)..... | Mar. 21, 1917 |
| Sonneborn, Henry B., Baltimore, Md..... | Lusitania (British)..... | May 7, 1915 |
| Speed, — (Negro)..... | Armenian (British)..... | June 28, 1915 |
| Stainton, William, New York City..... | Lusitania (British)..... | May 7, 1915 |
| Steiner, John, Pittsburgh, Pa..... | Healdton (American)..... | Mar. 21, 1917 |
| Stevens, Charles H., Atlantic City, N. J..... | Lusitania (British)..... | May 7, 1915 |
| Stone, Harry..... | Armenian (British)..... | June 28, 1917 |
| Stone, Herbert S., New York City..... | Lusitania (British)..... | May 7, 1915 |
| Sullivan, James (doubt as to citizenship)..... | Englishman (British)..... | Mar. 27, 1916 |
| Sutton, S. R..... | Armenian (British)..... | June 28, 1915 |
| Taylor, Mrs. Annie, Boston, Mass..... | Lusitania (British)..... | May 7, 1915 |
| Taylor, E. (Negro)..... | Russian (British)..... | Dec. 14, 1916 |
| Tesson, Frank B., Philadelphia, Pa..... | Lusitania (British)..... | May 7, 1915 |
| Tesson, Mrs. Frank B., Philadelphia, Pa..... | do..... | Do. |
| Thomas, Daniel P. (or Thorpe)..... | Marina (British)..... | Oct. 28, 1916 |
| Thompson, E. Bligh, Seymour, Ind..... | Lusitania (British)..... | May 7, 1915 |
| Thorpe, Daniel P. (or Thomas)..... | Marina (British)..... | Oct. 28, 1916 |
| Thresher, Leon M..... | Falaba (British)..... | Mar. 28, 1915 |
| Topas, T. S. (Filipino)..... | Vedamore (British)..... | Feb. 7, 1917 |
| Trumbull, Isaac B., Bridgeport, Conn..... | Lusitania (British)..... | May 7, 1915 |
| Tucker, Otis, South Richmond, Va..... | Russian (British)..... | Dec. 14, 1916 |
| Vance, John..... | Lusitania (British)..... | May 7, 1915 |
| Vanderbilt, Alfred G., New York City..... | do..... | Do. |
| Veaux, Emery Lee, Michigan..... | Healdton (American)..... | Mar. 21, 1917 |
| Viso, Dr. J. S..... | Armenian (British)..... | June 28, 1915 |
| Walker, David, Stannardsville or Seville, Greene County, Va..... | Galgo R.M. Castle (British)..... | Feb. 27, 1917 |
| Wall, — (Negro)..... | Armenian (British)..... | June 28, 1915 |
| Wallace, Richard (Negro)..... | E. Aveston (British)..... | Feb. 5, 1917 |
| Waters, L. S. (Negro)..... | Russian (British)..... | Dec. 14, 1916 |
| Ward, Michael, Pittsburgh, Pa..... | Lusitania (British)..... | May 7, 1915 |
| Wiley, B. C. (Filipino)..... | Vedamore (British)..... | Feb. 7, 1917 |
| Wiley, Mrs. Cather E., Lake Forest, Ill..... | do..... | May 7, 1915 |
| Williamson, Charles F., New York City..... | do..... | Do. |
| Williamson, E..... | Armenian (British)..... | June 28, 1915 |
| Wilson, Joe (Negro)..... | Russian (British)..... | Dec. 14, 1916 |
| Witherbee, Alfred S., jr., New York City (4 years)..... | Lusitania (British)..... | May 7, 1915 |
| Withington, Lathrop, Boston, Mass..... | do..... | Do. |
| Wolf, F. J., New Haven, Conn..... | Hesperian (British)..... | Sept. 4, 1915 |
| Wolfenden, John C., Pawtucket, R. I..... | Lusitania (British)..... | May 7, 1915 |
| Woods, Dr. Edmund F..... | Arabic (British)..... | Aug. 19, 1915 |
| Worden, Mrs. Charles (Jane), Lowell, Mass..... | Lusitania (British)..... | May 7, 1915 |
| Washington, George (doubt as to citizenship)..... | Turino (British)..... | Feb. 7, 1917 |
| Wyn, L..... | Iberian (British)..... | July 31, 1915 |
| Young, Wm. (Negro)..... | Armenian (British)..... | June 28, 1915 |
| Four United States citizens (names not given)..... | Vigilancia (American)..... | Mar. 16, 1917 |

CHILDREN LOST ON "LUSITANIA" BORN ON AMERICAN SOIL OF FOREIGN PARENTS AND REPORTED TO BE UNITED STATES CITIZENS.

- Cooper, Joseph E.
- Coughlan, Margaret.
- Frankum, Fred.
- Frankum, Winifred (infant).
- Goodall, Jack (infant).
- Lambert, Robert.
- Lockwood, Lily.
- Williams, David (infant).

Mr. QUIN. Mr. Speaker, I would like to address the House in reply to the gentleman from Massachusetts [Mr. GALLIVAN]. The SPEAKER. How much time does the gentleman want? Mr. QUIN. I should like about seven minutes. Mr. STAFFORD. Mr. Speaker, at this late hour in the afternoon, in the absence of the gentleman from Massachusetts, I think the gentleman's request is not opportune, and I think I will raise the question of no quorum. Mr. QUIN. Then I should like to have that opportunity tomorrow, Mr. Speaker. The SPEAKER. The gentleman will have to proffer his request tomorrow, when the Chair will put it to the House.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below: S. 2719. An act to permit the reenlistment of Omer G. Paquet in the United States Army; to the Committee on Pensions.

ADJOURNMENT.

Mr. GARNER. I move that the House do now adjourn. The motion was agreed to; accordingly (at 5 o'clock and 52 minutes p. m.) the House adjourned until to-morrow, Wednesday, October 3, 1917, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. WEBB, from the Committee on the Judiciary, to which was referred the bill (H. R. 6361) to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war, reported the same without amendment, accompanied by a report (No. 181), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows: By Mr. CRISP: A bill (H. R. 6410) to provide for the entrance into the civil service of veterans of the war with Germany; to the Committee on Reform in the Civil Service. By Mr. PARKER of New Jersey: A bill (H. R. 6411) to provide for family allowances and allotment of pay in the Army and Navy during the present war; to the Committee on Appropriations. By Mr. BLANTON: A bill (H. R. 6412) granting the consent of Congress to the city of El Paso, Tex., to construct a bridge across the Rio Grande River within or near the city limits of El Paso, Tex., such construction to be made with the consent and cooperation of the Republic of Mexico; to the Committee on Interstate and Foreign Commerce. By Mr. GLYNN: Resolution (H. Res. 158) to pay Charles S. Greenwood, clerk of the late Ebenezer J. Hill, a Representative in Congress, \$166.66; to the Committee on Accounts. By Mr. EDMONDS: Resolution (H. Res. 159) providing for investigation by Expenditure Committees of the various departments; to the Committee on Rules. By Mr. WEBB: Resolution (H. Res. 160) providing for the consideration of H. R. 6361; to the Committee on Rules. By Mr. CROSSER: Resolution (H. Res. 161) providing for the consideration of House joint resolution 116; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows: By Mr. AUSTIN: A bill (H. R. 6413) granting a pension to Catherine Hartly; to the Committee on Invalid Pensions. Also, a bill (H. R. 6414) granting a pension to Malissa Sands; to the Committee on Invalid Pensions. By Mr. BRODBECK: A bill (H. R. 6415) granting an increase of pension to Henry Blum; to the Committee on Invalid Pensions. By Mr. HELM: A bill (H. R. 6416) granting a pension to J. E. Johnson; to the Committee on Pensions. By Mr. HUDDLESTON: A bill (H. R. 6417) granting a pension to George P. Jones; to the Committee on Pensions. By Mr. MAPES: A bill (H. R. 6418) granting a pension to Delia D. Knight; to the Committee on Invalid Pensions. By Mr. SHOUSE: A bill (H. R. 6419) granting an increase of pension to Charles Butler; to the Committee on Invalid Pensions. By Mr. STEELE: A bill (H. R. 6420) for the relief of Bertrand W. Heim; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows: By Mr. BRODBECK: Papers pertaining to House bill 6415, granting an increase of pension to Henry Blum; to the Committee on Invalid Pensions. By Mr. FULLER of Illinois: Petition of the Federal Council of the Churches of Christ in America, favoring increase of number of chaplains in the Army, and placing them on a par with the Medical Corps; to the Committee on Military Affairs.