

existing, to provide penalties for its violation, and for other purposes; to the Committee on Banking and Currency.

By Mr. BRITTEN: A bill (H. R. 10698) to incorporate the Woman's Association of Commerce of the United States of America; to the Committee on the Judiciary.

By Mr. SANDERS of Louisiana: Resolution (H. Res. 273) directing the Committee on Agriculture to inquire into the reasons why the increased demand for food products has not been met by a corresponding increased production; to the Committee on Rules.

By Mr. STEENERSON: Resolution (H. Res. 275) directing that there shall be printed 1,600 copies of the hearing before the Director of the Bureau of Markets December 27, 1917, relating to official grain standards of the United States; to the Committee on Printing.

By Mr. JOHNSON of Kentucky: Joint resolution (H. J. Res. 266) authorizing the President of the United States to commandeer and take over certain real estate in the District of Columbia; to the Committee on the District of Columbia.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. BRODBECK: A bill (H. R. 10699) granting a pension to Richard K. Heilig; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10700) granting an increase of pension to Lettie Edie; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 10701) granting a pension to Agnes Weske; to the Committee on Pensions.

Also, a bill (H. R. 10702) granting an increase of pension to James M. Thurston; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 10703) granting an increase of pension to Benjamin M. Donaca; to the Committee on Invalid Pensions.

By Mr. LONGWORTH (for Mr. HEINTZ): A bill (H. R. 10704) granting a pension to Katherine D. White; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 10705) for the relief of Margaret A. Curley, sole heir of Cyrus Gault, deceased; to the Committee on War Claims.

By Mr. MCKINLEY: A bill (H. R. 10706) granting an increase of pension to Martin T. Shadwick; to the Committee on Invalid Pensions.

By Mr. POLK: A bill (H. R. 10707) granting an increase of pension to Elijah J. Farlow; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 10708) granting an increase of pension to John W. Jenkins; to the Committee on Invalid Pensions.

By Mr. STRONG: A bill (H. R. 10709) granting an increase of pension to Capt. Nichols M. Brockway; to the Committee on Invalid Pensions.

By Mr. WALSH: A bill (H. R. 10710) granting a pension to Albert Kriek; to the Committee on Pensions.

PETITIONS, ETC.

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

By the SPEAKER (by request): Resolution of the Merchants' Association of New York, urging that every means be used to counteract the efforts of enemy agents who are seeking to undermine the loyalty of American citizens; to the Committee on the Judiciary.

Also (by request), memorial of Agricultural Publishers' Association, with inclosures as exhibits, asking that the postal rider to the revenue bill be repealed; also, resolution of the Woman's Club, San Angelo, Tex., asking for the repeal of the same law; also, a resolution of the Chamber of Commerce of the State of New York, asking that the excess-profits tax be paid in installments; to the Committee on Ways and Means.

By Mr. DALE of New York: Petition of Central Labor Union, favoring passage of the Kelly bill (H. R. 8761); to the Committee on Labor.

Also, memorial of the Chamber of Commerce of the State of New York, favoring amendment to the revenue law relative to payment of excess-profits taxes; to the Committee on Ways and Means.

Also, petition of Schwartz & Jaffee, of New York, favoring the daylight-saving bill; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: Petition of 236 citizens of La Salle County, Ill., for prohibition of the manufacture and sale of beer, wine, and all intoxicating liquors during the war; to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Illinois Wire & Cable Co., of Syracuse, Ill., favoring payment of war taxes in installments; to the Committee on Ways and Means.

By Mr. GARRETT of Tennessee: Petition of citizens of Kenton, Tenn., as to closing saloons and breweries; to the Committee on the Judiciary.

By Mr. HASTINGS: Memorial of Albert Pike Highway Association, Tulsa, Okla., in favor of good roads; to the Committee on the Post Office and Post Roads.

By Mr. LINTHICUM: Petitions of Strouse & Bros., the Minch & Eisenbrey Co., and C. S. Dell, all of Baltimore, Md., protesting against the passage of House bill 8565, placing a tax on privately owned automobiles; to the Committee on Ways and Means.

By Mr. MOORE of Pennsylvania: Memorial of Pennsylvania State Chamber of Commerce, urging amendment to the revenue law relative to payment of excess-profits taxes; to the Committee on Ways and Means.

By Mr. TINKHAM: Resolutions of a mass meeting held at Faneuil Hall, Boston, Mass., asking that Ireland be recognized as an independent republic; to the Committee on Foreign Affairs.

By Mr. REED: Papers to accompany House bill 10680, increasing the pension of David C. Morgan; to the Committee on Invalid Pensions.

By Mr. ROSE: Petition of Mr. H. C. McWilliams, Cambria County farm agent, Ebensburg, Pa., and others, approving the daylight-saving plan and recommending its adoption as a means of securing a longer period of daylight after working hours and encouraging a greater number of industrial workers to cultivate home-garden plots; to the Committee on Interstate and Foreign Commerce.

By Mr. VARE: Memorial of Pennsylvania State Chamber of Commerce, favoring the daylight-saving bill; to the Committee on Interstate and Foreign Commerce.

SENATE.

THURSDAY, *March 14, 1918.*

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

Almighty God, we come before Thee expressing the deepest need of our Nation. Thou hast thrust upon us tremendous responsibilities in our day, opportunities to bless or curse, to uplift or tear down, and we dare not face these obligations unless we are right toward Thee. Give to us the inspiration of Thy truth that we may stand for the very highest in life, that the message of America may be the message of an evangel of God, and that we may write our laws and adopt our policies according to the Divine plan and will. To this end do Thou bless us this day. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved. Mr. SMOOT. Mr. President, 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	Hardwick	Nugent	Smoot
Baird	Henderson	Overman	Sterling
Beckham	Hollis	Penrose	Sutherland
Calder	Johnson, Cal.	Phelan	Swanson
Colt	Johnson, S. Dak.	Poindexter	Thomas
Culberson	Jones, Wash.	Pomerene	Thompson
Cummins	Kellogg	Reed	Townsend
Dillingham	Kirby	Shafroth	Trammell
Fall	Lewis	Sheppard	Vardaman
Fletcher	McCumber	Sherman	Watson
France	McKellar	Shields	Weeks
Frelinghuysen	McNary	Smith, Ariz.	Williams
Gerry	Myers	Smith, Ga.	Wolcott
Hale	Nelson	Smith, Mich.	
Harding	New	Smith, S. C.	

Mr. WOLCOTT. I wish to announce the absence of my colleague, the senior Senator from Delaware [Mr. SAULSBURY]. He is paired with the senior Senator from Rhode Island [Mr. COLT].

Mr. LEWIS. I wish to announce the absence of the Senator from Maryland [Mr. SMITH] by illness; likewise that of the Senator from Kentucky [Mr. JAMES] and the Senator from Oregon [Mr. CHAMBERLAIN] from the same cause.

Mr. OVERMAN. I desire to announce that my colleague [Mr. SIMMONS] is unavoidably detained at home by business.

Mr. PHELAN. I wish to announce the absence of the Senator from Nevada [Mr. PITTMAN] in attendance upon a meeting of the Committee on Naval Affairs.

Mr. MYERS. My colleague [Mr. WALSH] is necessarily detained from the Senate on official business.

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

HOUSE BILL REFERRED.

H. R. 8753. An act to amend section 3, Title I, of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, was read twice by its title and referred to the Committee on the Judiciary.

ENROLLED BILLS SIGNED.

The VICE PRESIDENT announced his signature to the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

H. R. 175. An act to amend an act entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal year 1915 and for prior years, and for other purposes"; and

S. 347L. An act to authorize the Secretary of War to grant furloughs without pay and allowances to enlisted men of the Army of the United States.

PETITIONS AND MEMORIALS.

Mr. PHELAN presented a memorial of the Labor Council of Fresno, Cal., remonstrating against the so-called Borland minimum eight-hour amendment, which was ordered to lie on the table.

Mr. SHEPPARD presented a resolution adopted by the Chamber of Commerce of Sulphur Springs, Tex., favoring the election of a "War-victory Congress" that will prosecute the war until it is successfully ended, which was referred to the Committee on Appropriations.

Mr. THOMPSON presented a petition of Lodge No. 293, International Association of Machinists, of Parsons, Kans., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of McCaslin Post, No. 117, Grand Army of the Republic, Department of Kansas, of Paola, Kans., praying for an increase of pensions to veterans of the Civil War, which was referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Wellsville, Kans., praying for a repeal of the present zone system of postage rates on second-class mail matter, which was referred to the Committee on Post Offices and Post Roads.

Mr. CURTIS presented resolutions adopted by the Albert Pike Highway Association of the States of Arkansas, Oklahoma, Kansas, and Colorado, favoring the early designation, construction, and maintenance of a system of national highways, which were referred to the Committee on Post Offices and Post Roads.

Mr. SMITH of Michigan. Mr. President, I have just received a letter from the secretary of the Michigan State Grange, Miss Jennie Buell, of Ann Arbor, transmitting to me a series of resolutions adopted by the Michigan State Grange protesting against certain proposed changes in the rural mail carrier system. I should like to have the resolutions and the communication printed in the Record.

There being no objection, the resolutions and communication were ordered to be printed in the Record, as follows:

MICHIGAN STATE GRANGE,
Ann Arbor, Mich., March 8, 1918.

Hon. WILLIAM ALDEN SMITH,
Washington, D. C.

MY DEAR SIR: By unanimous vote of Michigan State Grange at its annual session the inclosed resolution was instructed to be sent to you. Respectfully,

JENNIE BUELL, Secretary.

Whereas it is reported by Washington press correspondents that Postmaster General Burleson contemplates curtailment and a final abandonment of the rural mail carrier system through getting permit from Congress to substitute State contract carriers at his option; and Whereas, securing the adoption of the rural carrier system for the purpose of giving the country residents mail facilities and privileges equal to that already provided through the carrier system to cities, was one of the great achievements of the grange organization, and to curtail and abandon it now would be an unjust discrimination against rural people: Therefore be it

Resolved by Michigan State Grange, a body fairly representative of the desires of all residents of the State, that it is strongly and determinedly opposed to abandonment in whole or in part of the said rural mail system, and that copies of this resolution be forwarded to all Congressmen and Senators to inform them of the action of this body.

BILLS INTRODUCED.

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

By Mr. PHELAN:

A bill (S. 4100) making the laws relating to navigable waters nonapplicable to the diversion for irrigation of water from Colorado River by Imperial Irrigation District, and for the approval of development by the Secretary of War (with accompanying papers); and

A bill (S. 4101) to authorize the Secretary of the Interior to contract with Imperial Irrigation District, California, to deliver water from Colorado River into the district's canal system, and for other purposes (with accompanying papers); to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. NUGENT:

A bill (S. 4102) granting the consent of Congress to the county commissioners of Bonner County, Idaho, to construct a bridge across the Clarksford River, in Bonner County, Idaho (with accompanying papers); to the Committee on Commerce.

By Mr. SMOOT:

A bill (S. 4103) to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto; to the Committee on Public Lands.

Mr. JONES of Washington. I have a bill here that is suggested by the Musicians' Union as a substitute for a bill that was introduced by the Senator from Arkansas [Mr. ROBINSON] and referred to the Committee on Military Affairs. I wish to introduce the bill and have it, accompanied by the suggestions they make, referred to the Committee on Military Affairs.

By Mr. JONES of Washington:

A bill (S. 4104) to increase the efficiency of Army and Navy bands (with accompanying papers); to the Committee on Military Affairs.

By Mr. FRANCE:

A bill (S. 4105) granting a pension to Ella B. Lockwood; to the Committee on Pensions.

By Mr. WATSON:

A bill (S. 4106) to amend section 1009 of the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917; to the Committee on Finance.

AMENDMENT TO LEGISLATIVE APPROPRIATION BILL.

Mr. GALLINGER submitted an amendment proposing to increase the salary of one medical expert, Office of Solicitor, Department of the Interior, from \$2,000 to \$2,500 per annum, intended to be proposed by him to the legislative, etc., appropriation bill, which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Appropriations.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a concurrent resolution providing for the printing of 250,000 copies of the soldiers' and sailors' civil relief act, approved March 8, 1918, etc., in which it requested the concurrence of the Senate.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the House to the bill (S. 3752) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes.

SOLDIERS AND SAILORS' CIVIL RELIEF.

The VICE PRESIDENT laid before the Senate the following concurrent resolution (H. Con. Res. 39) of the House of Representatives, which was read and referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring). That there be printed 250,000 copies of the soldiers and sailors' civil relief act, approved March 8, 1918, of which 75,000 copies shall be for the use of the Senate and 175,000 copies for the use of the House of Representatives, the same to be distributed through the folding rooms.

AGRICULTURAL APPROPRIATIONS.

The VICE PRESIDENT. The morning business is closed.

Mr. SMITH of Georgia. Mr. President, in the absence of the chairman of the Committee on Agriculture and Forestry, by his request, I move that the Senate proceed to the consideration of the Agricultural appropriation bill, House bill 9054.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9054) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919.

The VICE PRESIDENT. The pending amendment is the amendment of the Senator from Nebraska [Mr. NORRIS] to the amendment of the Senator from Oklahoma [Mr. GORE].

Mr. SMOOT. Do I understand that the substitute amendment offered by the Senator from Oklahoma was agreed to?

The VICE PRESIDENT. No; it is pending.

Mr. SMOOT. It is pending now?

The VICE PRESIDENT. There is an amendment pending to it, proposing to add what will be read.

The SECRETARY. It is proposed to add to the amendment offered by the Senator from Oklahoma [Mr. GORE], at the end of the substitute for the paragraph from line 21 on page 92 to line 9 on page 93, the following language:

Provided, That the Secretary of Agriculture is hereby authorized, upon request of the President, to use all or any part of this appropriation for the establishment of such plant or plants at any place in the United States for the purpose of supplying food for the Army and Navy.

Mr. SMITH of Georgia. Neither the Senator from Oklahoma nor the Senator from Nebraska is here, and as these two amendments are their special amendments, I think perhaps it would be well to pass them over. They are engaged in a hearing being conducted by the Agricultural Committee. I have telephoned to them that at their request I have called up the bill and asked them to come at once from the committee hearing, which no doubt they will do.

The VICE PRESIDENT. This is the last amendment.

Mr. SMITH of Georgia. No; I have another amendment that I wish to present.

The VICE PRESIDENT. It is the last committee amendment.

Mr. SMITH of Georgia. The amendment I will offer is in the nature of a committee amendment. I ask unanimous consent to pass over the pending amendment for a few minutes. I am sure both Senators will soon be in the Chamber.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. SMITH of Georgia. Mr. President, at the foot of page 68 I offer an amendment which I will send to the desk, but which I will explain before it is read. It is local in its nature, having reference to the experiment station in Georgia.

Immediately after the adoption of the Morrill Act the fund was put under the University of the State of Georgia, and the College of Agriculture and Mechanic Arts was a part of the university. After the adoption of the Hatch Act the State of Georgia accepted its provisions and created a separate experiment station for the State of Georgia with a board of directors, a part of whom were selected from different portions of the State, and a part of whom were trustees and officers of the university of the State and were ex officio trustees of the experiment station. When the Adams Act was passed it was accepted, and the same provision applicable to the organization of the experiment station was continued.

In 1906 the legislature created the State College of Agriculture for Georgia as a branch of the university of the State, with a separate board of trustees. It provided that a portion of the trustees of the State College of Agriculture should be trustees of the experiment station and a portion of the trustees of the experiment station trustees of the agricultural college, and in that way joining the two together.

Ever since the adoption of the Hatch Act and the Adams Act the Experiment Station of the State of Georgia has been recognized as complying with the Federal statute and has received the Federal appropriation. For the first time this year the Secretary of Agriculture raised the point that it should be more completely, as I understand, under the control of the College of Agriculture and refused to draw a check for the appropriation. It has been organized for more than 20 years. It has received the appropriation for more than 20 years.

In the House a resolution was introduced recognizing the present organization of the experiment station in Georgia and directing the Secretary of Agriculture to continue to pay the appropriation to it. The Committee on Agriculture examined that resolution and reported unanimously in its favor, and it is pending in the House.

I presented it to the Committee on Agriculture and Forestry of the Senate after the Agricultural appropriation bill had been reported, and they unanimously approved it and authorized me to present it and the chairman of the committee to accept it, and I now ask for action on the amendment.

The VICE PRESIDENT. The amendment will be read.

The SECRETARY. At the foot of page 68, after the word "act," and before the semicolon, insert a colon and the following proviso:

Provided, That hereafter the Secretary of Agriculture be, and he is hereby, authorized and directed to certify to the Secretary of the Treasury for payment, and the Secretary of the Treasury is authorized and directed to pay the appropriation for the fiscal year ending June 30, 1918, and all future appropriations, to the Georgia Experiment Station, as authorized by the act of March 2, 1887 (24 Stat., p. 440), com-

monly referred to as the Hatch Act, and the act of March 16, 1906 (34 Stat., p. 63), known as the Adams Act, and all amendments to said acts, in accordance with the act of the General Assembly of Georgia approved December 29, 1888, establishing the Georgia Experiment Station, and the act of August 18, 1906, accepting the benefits of the Adams Act (Georgia Laws, 1906, p. 1161).

Mr. HARDWICK. Mr. President, I desire to add a word only to what my colleague [Mr. SMITH of Georgia] has said. This is entirely a local matter—local to the State of Georgia. I do not think there is the slightest dissent on the proposition embraced in my colleague's amendment, either in this or in the other House of Congress.

The truth is, Mr. President, that under the very words of the law itself there never was the slightest excuse for the contention made by the Secretary of Agriculture. As a matter of law it has no foundation, and no court of any standing would entertain it for one moment. For years this money has been paid without question by one administration after another and by one party after another, until some wiseacre in one of these departments, who thought he knew more than anybody else, held it up. I think it is about time that we stopped that sort of business, and I earnestly hope that the amendment of my colleague will be adopted without the slightest objection.

Mr. SMOOT. May I ask the Senator one question?

Mr. HARDWICK. Yes; I yield to the Senator from Utah.

Mr. SMOOT. Did the Secretary of Agriculture refuse to pay the money to the agricultural college direct?

Mr. HARDWICK. Here is what happened, if the Senator please: This was a separate institution which had been established by the Legislature of Georgia to get this particular fund. It was not, as has been generally the case—although there are a half dozen exceptions—even a branch of the agricultural college.

Mr. SMOOT. In nearly all of the other States the agricultural colleges, as the Senator knows, have experimental stations in connection with them.

Mr. HARDWICK. Yes.

Mr. SMOOT. And I wondered whether the Secretary of Agriculture had gone so far as that he would not pay Georgia any money whatever, either to the agricultural college or to the experiment station.

Mr. HARDWICK. It amounts to that. They denied this appropriation for the State entirely, because they said it was our business to have the agricultural college a part of the University of Georgia, although there are several other States in the Union where that has not been done in many years. There is no doubt about the merit of this proposition, and any Senator who will investigate it will not have the slightest question that my colleague's amendment is right.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Georgia [Mr. SMITH].

The amendment was agreed to.

The VICE PRESIDENT. Are there further amendments?

Mr. VARDAMAN. Mr. President, if I am in order, I desire to offer an amendment to the pending bill, which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from Mississippi will be read.

The SECRETARY. It is proposed to insert the following:

For applying such methods of eradication or control of the sweet-potato weevil as in the judgment of the Secretary of Agriculture may be necessary, including the payment of such expenses and employment of such persons and means in the city of Washington and elsewhere, in cooperation with such authorities of the States concerned, organizations, or individuals, as he may deem necessary to accomplish such purposes, \$25,000, which shall be immediately available, and in the discretion of the Secretary of Agriculture no expenditures shall be made for these purposes until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by State, county, or local authorities or by individuals or organizations for the accomplishment of such purposes: *Provided, That no part of the money herein appropriated shall be used to pay the cost or value of sweet potatoes, sweet-potato plants, or other property injured or destroyed.*

Mr. SMITH of Georgia. Mr. President, at what point in the bill does the Senator from Mississippi suggest his amendment?

Mr. VARDAMAN. It is immaterial where the amendment is inserted. It may come in at the conclusion of the bill. It has no relation to any other item in the bill; and I suggest that.

Mr. SMITH of Georgia. I should like to ask the Senator from Mississippi to explain his proposed amendment. It was so long that it was impossible for me to grasp it while it was being read, with one or two interruptions.

Mr. VARDAMAN. Mr. President, a letter from the Secretary of Agriculture, together with a number of other letters which I have received from my State, set out the fact that this little insect is working great ravages upon the sweet-potato industry in the States of Mississippi, Texas, Florida, Alabama, Georgia, and other States where that plant is cultivated. This

crop amounts in value to something like \$90,000,000 a year. It is a very essential and necessary article of food, and in certain sections of the South this weevil is doing a great deal of harm. The Secretary of Agriculture suggested that the sum of \$50,000 might be appropriated, but I have reduced that to \$25,000. It is rather difficult to kill this insect because of the fact that its ravages are entirely confined to the tuber, to the potato under the ground. The boll weevil stays on the surface, and the cotton-boll worm, the grasshopper, and other insects of that kind, can be poisoned by the use of—

Mr. SMOOT. Arsenic.

Mr. VARDAMAN. Yes; Paris green or some other insecticide. There are a great many poisons which are used to exterminate these pests, but this little bug stays in the ground, safely removed from poisons that are distributed on the plant. He does not fly, he does not roost on the leaves or bore into the stalk, but down in the earth he plys his vocation by boring into the tuber. The able Senator from Colorado [Mr. THOMAS] the other day, in describing some of the pests which pester the agriculturist, dropped into poetry, and if I may be permitted to follow his lead, I think the best description of the potato weevil is in the following lines:

The June bug has the golden wing,
The firefly has the flame,
The potato weevil has no wings at all,
But he gets there all the same.

[Laughter.]

And he is getting there to the great disadvantage and the annoyance of the potato growers of the entire southern country. His field of operation is being widened, and unless something is done to check his ravages he will well-nigh destroy the potato crop of America, which amounts, as stated before, to nearly \$90,000,000 a year. I think an appropriation of \$25,000, to be used for the purpose of exterminating this pest, would be a prudent, provident investment by the Government of the United States, and I hope the Senate may agree to the amendment.

Mr. SMOOT. Mr. President, I simply rise to enter my protest against the appropriation now asked for. I think if it goes into this bill it will reappear in similar bills and increase in amount yearly. I can not see why an appropriation should be asked for to exterminate an insect which attacks sweet potatoes any more than one should be asked for to go into the fields where the Irish potato is raised to the value of not \$70,000,000 per year, but four or five times that amount, in order to exterminate the diseases which at different times affect the Irish potato, and there is also the potato bug to contend with. In this case the insect is called a weevil—

Mr. VARDAMAN. Mr. President, if the Senator will permit me, I think a considerable appropriation was made a few years ago to exterminate certain pests that prey upon the Irish potato in New England.

Mr. SMOOT. I do not remember any, Mr. President.

Mr. SMITH of South Carolina. Yes; \$87,800 is appropriated. The Senator will find it on page 21, line 15, the item reading as follows:

For the investigation of diseases of cotton, potatoes, truck crops, forage crops, drug and related plants, \$87,800.

Mr. SMOOT. Oh, Mr. President, potatoes are named there; but I venture the assertion now that of the \$80,800 not \$800 will be expended for the investigation of diseases of Irish potatoes. The amount will go to the other items enumerated. I have never heard of any money being appropriated for the purpose of conducting investigations as to diseases of Irish potatoes; and if Irish potatoes have been specified in any appropriation bill, those interested in producing that crop have never asked for any part of the appropriation. I know, however, it is not going to do any good to protest. I rose simply to say that, in my opinion, it is unwise to begin now appropriating for the extermination of the sweet-potato weevil.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Mississippi. [Putting the question.] The Chair is in doubt.

Mr. VARDAMAN. I ask for a division.

The question being put, on a division the amendment was rejected.

Mr. McCUMBER. If it be in order at the present time, on page 23, line 23, after the word "rust," I move to insert "and the destruction of vegetation from which such rust spores originate, \$150,000," so as to read:

Provided also, That \$150,000 shall be set aside for the investigation and control of the diseases of wheat, oats, and barley, known as black rust and stripe rust, and the destruction of vegetation from which such rust spores originate, \$150,000.

That would make the entire appropriation \$250,000 instead of the \$100,000 now provided. It is not specified, at least definitely, that the \$100,000 may be used for the destruction

of the barberry bush from which the spores of the rust are germinated.

We discussed this subject several days ago, at which time I made the assertion that the rust in a single year, 1916, and in the course of a very few days, caused a damage to the wheat crop of more than \$100,000,000. My colleague [Mr. GRONNA] corrected me and said that the damage caused amounted to more than \$100,000,000 in the State of North Dakota alone, and probably, at the same ratio, the loss would be more than \$150,000,000 in the aggregate. That is a most serious loss; there is no one ravage that is sought to be checked by this bill that will even approach it in the matter of dollars and cents.

Scientists have discovered—at least they think they have discovered—that the spores of the rust originate upon certain vegetation, and that it is necessary to destroy that vegetation. That can not be done unless we have the consent of the States and of the owners of land on which the vegetation is growing that it may be exterminated, because it would come within the police powers of the State; but I have no doubt, Mr. President, we could secure such consent and the cooperation of every State in the Union. I know we certainly could in the spring-wheat growing States, where the ravages of the rust are the greatest.

Considering the importance of the matter and the enormous loss that is caused every year by the rust, it seems to me that I am justified in asking that we increase this \$100,000 appropriation to \$250,000. It is not necessary to make any further argument. We have already presented to the Senate the facts as to the loss involved; we have presented to the Senate the conclusions of scientists who have studied the question and who declare that the disease can be exterminated in the manner suggested, and I understood when we were discussing this matter the other day that the amendment was satisfactory to the chairman of the committee.

Mr. WADSWORTH. Mr. President, may I ask the Senator a question?

Mr. McCUMBER. Certainly.

Mr. WADSWORTH. I am not entirely clear about the appropriation which the Senator suggests for this purpose. I am in sympathy with the object the Senator has in view; but I wonder if he has read the language under which these different sums are set aside for the several purposes specified, all of which must come from the appropriation of \$291,505.

Mr. McCUMBER. The adoption of my amendment would necessitate, of course, the changing of other figures, so as to include this item, and of the total amount carried by the bill, as set forth at the end of the bill.

Mr. WADSWORTH. The paragraph appropriates \$291,505, of which \$40,000 is to be set aside for the study of corn improvement, and \$100,000 for the study of wheat and oats diseases. The Senator from North Dakota suggests that another \$150,000 of it be set aside for the eradication of the barberry bush. One hundred and fifty thousand dollars plus \$100,000 makes \$250,000, and the addition of \$40,000 makes \$290,000, leaving only \$1,505 for all the other purposes of the appropriation.

Mr. McCUMBER. I will state that, if the amendment carries, it will have to be followed by a further amendment adding \$150,000 to the \$291,505.

Mr. WADSWORTH. The Senator's amendment does not do that.

Mr. McCUMBER. No; this amendment does not do that; but it would necessarily have to be followed by a further amendment adding to the total appropriation carried by the paragraph.

Mr. SMITH of Georgia. Mr. President, when this subject was before the Committee on Agriculture the committee increased the appropriation \$50,000, and specifically required that \$100,000 should be used for the purpose desired by the Senator from North Dakota. The appropriation in all is \$291,505. Of that amount \$165,000 is assigned for specific purposes, leaving only \$126,505 assigned to purposes other than those desired by the Senator from North Dakota. I was under the impression that this provision was entirely satisfactory to the members of the committee especially interested in the growing of wheat.

Now, I wish to ask the Senator whether any estimate has been made by the department for the increased amount to which he refers? The increase not having been recommended by the committee, unless estimated for by the department, of course, the increase can not be made upon the floor of the Senate, except by unanimous consent.

Mr. McCUMBER. I do not know that there was an estimate made. The \$50,000 appropriation was increased to \$100,000—

Mr. SMITH of Georgia. But that was done by the committee.

Mr. McCUMBER. Yes; and I presume that an estimate had been made or that the committee acted upon some information.

Mr. SMITH of Georgia. Undoubtedly.

Mr. McCUMBER. I will simply say that from the information I have, the amount will be insufficient to accomplish the result or anything like the result we desire to accomplish; but not being a member of the Committee on Agriculture, I can not inform the Senator whether the Secretary of Agriculture or the Department of Agriculture has made an estimate on the subject. Probably my colleague [Mr. GRONNA] can inform the Senator, as he is a member of the committee.

Mr. GRONNA. Mr. President, if my colleague will allow me, I will say that while no estimate has been made for such an amount as my colleague has proposed, I am quite sure that the Secretary of Agriculture would be willing at this time to make such an estimate, realizing, as he does now, the importance of this question. I think that it would be impossible to expend any money to any better advantage than for this particular purpose.

I think I called the attention of the Senator from Georgia, in committee, to the fact that in a single year there were more than a hundred million bushels of wheat destroyed in just a few days in my own State, and it was all due to rust; and it is said by nearly all of the scientists of the country that these spores originate from the barberry bush. It is no longer a question of scientific study. It is the same with this question as with the cattle tick or with the citrus-fruit canker. All you have to do is to go and destroy it.

I trust that the amendment proposed by my colleague will not be objected to, although I will say that, so far as I know, no estimate has been made for it.

Mr. VARDAMAN. Mr. President, will the Senator permit me to repeat a question which I asked him a few days ago, when this matter was up for consideration, but I have forgotten the answer the Senator gave me? What has been done in the matter of investigating the source of this evil up to this time? I would like to ask the Senator, further, if the States contribute anything to this fund?

Mr. GRONNA. Oh, yes. The States, and especially the Western States, the spring-wheat States, are practically the only ones that have contributed to it. We have been appropriating some \$10,000 a year for this purpose, and all that money, of course, has been expended here in the city of Washington, making these investigations as to the causes.

Mr. VARDAMAN. The cause has been discovered, and you want sufficient funds to carry your investigations further?

Mr. GRONNA. Absolutely.

Mr. VARDAMAN. I shall vote for it with a great deal of pleasure.

Mr. SMITH of Georgia. Mr. President, this \$50,000 increase, I think, was made at the instance of the Senator from North Dakota.

Mr. GRONNA. Yes, sir.

Mr. SMITH of Georgia. Did the Senator before the committee urge the full amount of \$200,000?

Mr. GRONNA. No; I did not.

Mr. SMITH of Georgia. I was under the impression that we did what the Senator thought we ought to do.

Mr. GRONNA. Yes; that is very true, and I am very glad the Senator has asked that question. I thought the \$100,000 would be sufficient; but since we had this question up before the Committee on Agriculture and Forestry Prof. Bolley and the president of the Agricultural College of Crookston, Minn., were here, and they talked with me about this, and they talked with my colleague about it, and they convinced me that we ought to appropriate a million dollars.

Mr. SMITH of Georgia. And the Senator does not think that a sufficient sum can be obtained out of this total of \$291,000, increasing even the \$100,000 required to go to this source and meet the necessities of the situation?

Mr. GRONNA. I believe, Mr. President, that we can do a great deal of good with two or three hundred thousand dollars; we can do a great deal of good with \$100,000; but the Senator knows very well how these things work out in his own State, with these diseases which you have in the South, with the boll weevil, with the cattle tick, with the citrus-fruit canker, and all these things. It is just simply a question of whether you want to eradicate and exterminate these diseases at once or whether you want to do just a little each year.

Mr. SMITH of Georgia. And it is a disease that can be exterminated?

Mr. GRONNA. Absolutely.

Mr. SMITH of Georgia. The chairman of the committee has come in now, and I shall not make the point of order.

Mr. GRONNA. I am very glad to know that.

Mr. SMITH of Georgia. So far as I am concerned, the Senate can vote on it.

Mr. GRONNA. I was quite sure the Senator from Georgia would not make the point.

Mr. SMITH of Georgia. The responsibility rests upon the chairman and not upon myself.

Mr. McCUMBER. Mr. President, let me state, in addition to what my colleague has stated, that the scientists connected with our central agricultural colleges agree that the source of this trouble has been ascertained; that it is in the barberry bush, as we have stated. Now, there are two ways of reaching that. The first is by the destruction of the bushes themselves. They are used for hedges in a great many of our States, and it would necessitate their destruction and possibly some cost would be involved. It is possible that instead of cutting down the bushes and destroying them in that way, and thereby destroying what we might call the nests of these spores, it could be done by spraying at a certain season of the year. I am not certain as to that; but whether it is done by the destruction of the bush or by spraying at certain seasons, I am certain of one thing from their information, that \$100,000 is not sufficient, and that they ought to have at least \$250,000 this year.

Mr. GORE. Mr. President, I simply wish to say, for my own part, that I am very heartily in favor of the amendment. I look upon it as an insurance fund. If it can not be effectively used, it will not be used at all; it will lapse and return to the Treasury. If it can be used, the compensation will be out of all proportion to the amount appropriated and expended.

I hope the amendment will be adopted.

Mr. SMITH of Georgia. Mr. President, under the statement of the chairman of the committee and the statement of the Senator from North Dakota, I shall also vote for the amendment. It is a great pleasure to me always to feel that I can help practically to do anything for the agricultural interests of any part of the country, and my interest in the Northwest is almost equal to my interest in my own immediate section. It is a problem of what can be practically done to help increase production, not only in the interest of the producer but in the interest of the entire people of the country who have the benefit of the production.

Mr. GRONNA. Mr. President, as a member of the committee, I want to say that I have always found the Senator from Georgia willing to assist the Northwest as well as other parts of the country in the production of foodstuffs as well as other things. I am exceedingly glad that not only the members of the committee but the Members of this body will allow this appropriation at this time; and, as the chairman has stated, if the full amount is not necessary, it will go back into the Treasury, and there will be no expense to the Government.

Mr. GALLINGER. Mr. President, there is one matter regarding which I should like a little information in this connection. I want to ask the Senators from the wheat sections of the country whether the barberry bush is indigenous to that part of the United States? I know that it is used in the Eastern States, in New England, for ornamental hedges, and I presume these spores can be carried a long distance if there is a high wind; but I should like to know whether or not the barberry bush grows in the wheat-producing States.

Mr. GRONNA. Mr. President, I will say that while the State which I in part represent is not a timber country, still we have a great many barberry bushes around the lakes. They are indigenous to the State of Minnesota, very much so, and more so to the State of South Dakota, but they grow quite profusely in my own State.

Mr. GALLINGER. I raised the question simply to satisfy my own mind as to the distance these spores could be carried. So it seems that the bush does grow, in a sense, contiguous to the wheat fields of the Northwest.

Mr. GRONNA. It does.

Mr. GALLINGER. Mr. President, if the scientists have gotten at the true cause for the rust in wheat which produced such havoc last year in certain of the wheat States, certainly this appropriation is fully justified, and in voting for it I am doing so upon the supposition that the scientists are not mistaken in locating the exciting cause of the trouble.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from North Dakota, which will be stated.

The SECRETARY. On page 23, line 23, after the words "black rust and stripe rust," it is proposed to insert "and the destruction of vegetation from which such rust spores originate, \$150,000."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SMITH of Michigan. Mr. President, I desire to offer an amendment.

Mr. SMITH of Georgia. Mr. President, before any further amendments other than committee amendments are introduced I wish to call attention to a committee amendment that has not been disposed of, and then we can go back to individual amendment, if that suits the Senator.

Mr. SMITH of Michigan. Certainly.

Mr. SMITH of Georgia. Mr. President, I wish to state to the chairman of the committee that in his absence, by unanimous consent, the Senate passed over the amendment on page 92, for which he offered a substitute, and the Senator from Nebraska [Mr. NORRIS] offered an amendment to the substitute of the chairman of the committee. In the absence of both of those Senators I felt that we could not well consider that part of the bill, and I asked that it be passed over until they entered the Chamber. As they are both here now, I ask that the Senate return to page 92, from lines 10 to 20, applicable to prizes.

Mr. NORRIS. Mr. President, I should like to say to the Senator from Georgia that I want to thank him first for asking that it go over. Both the chairman of the committee and myself were in attendance upon a meeting of the Agricultural Committee this morning.

Mr. SMITH of Georgia. I stated that fact, and I stated that I brought up the bill in the absence of the chairman by request, and that as he and the Senator from Nebraska were absent at that meeting I had had them telephoned, and I had no doubt they would be here in a little while.

Mr. NORRIS. I am very much obliged.

The VICE PRESIDENT. The question is on the amendment of the Senator from Nebraska to the amendment of the Senator from Oklahoma.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. SMITH of Michigan. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to insert at the end of the bill a new section, as follows:

SEC. —. That act, No. 41, Sixty-fifth Congress, approved August 10, 1917, be amended by adding the following at the end of section 14 of said act:

"Provided, That no part of the money herein appropriated, or any unexpended balance heretofore appropriated, shall be used to defray the expenses of the Food Administration or any other department of the Government in the work of grading potatoes, and no regulation shall be made therefor: *Provided further*, That it shall not be lawful to grade potatoes as to size or otherwise interfere with the marketable value thereof when such products are free from blight, dry rot, and other disease harmful to the public health."

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Michigan.

The amendment was agreed to.

Mr. GORE. Mr. President, I offer an amendment, which I had printed a few days ago. I may say that I offer it at the request of the department.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 51, after line 18, it is proposed to insert the following paragraph:

Hereafter the Secretary of the Treasury may detail medical officers of the Public Health Service to the Department of Agriculture for cooperative assistance in the administration of the food and drugs act, approved June 30, 1906, and amended August 23, 1912, and the compensation and expenses of the officers so detailed may be paid from the applicable appropriations made herein for enforcement of said act.

Mr. SMOOT. Mr. President, that is legislation, beyond a question of doubt, and unless there is some good reason why it should go on this appropriation bill a point of order ought to be made against it.

Mr. GORE. Mr. President, I will ask to have read a letter from the department on the subject. I think it justifies the amendment.

The VICE PRESIDENT. In the absence of objection, the letter will be read.

The Secretary read as follows:

DEPARTMENT OF AGRICULTURE,
Washington, February 21, 1918.

Hon. THOMAS P. GORE,
United States Senate.

DEAR SENATOR GORE: Referring to the amendment to the Agricultural appropriation bill, providing that hereafter the Secretary of the Treasury may detail medical officers of the Public Health Service to the Department of Agriculture for cooperative assistance in the administration of the food and drugs act, which you introduced at the request of the department, as made orally by Mr. W. G. Campbell, of the Bureau of Chemistry, it is necessary in the efficient enforcement of the food and drugs act to have such authority as is contemplated by this amendment, in order to fill vacancies caused by a number of our men having left the department since the declaration of war. It is important to

have competent medical men, whose judgment is authoritative and whose opinions carry weight in the courts when they appear as witnesses in cases brought under the act.

The department has found it practically impossible to secure the services of competent medical officers of sufficient experience and maturity for this work, at salaries which the department can afford to pay for such services, through civil-service examinations. Through the courtesy of the Public Health Service, Dr. M. W. Glover has been detailed to the Bureau of Chemistry to take charge of this work. This department hesitates to ask the Treasury Department to detail additional men for this work unless the salaries and expenses of such men can be paid from the appropriation for the enforcement of the food and drugs act. Medical officers of the Public Health Service receive additional compensation based on longevity of service, and have certain rights of retirement after being in the service a certain number of years, so that if such medical officers are actually transferred to this department they would forfeit the rights and privileges which have accrued to them on account of service already rendered in the Public Health Service.

It is desired, therefore, to secure legislation which will permit the detail of officers of the Public Health Service for this important work, allowing their compensation and expenses to be paid from the appropriation for the enforcement of the food and drugs act, and at the same time allowing them to retain their rights and status as officers of the Public Health Service. Legislation has already been enacted authorizing such details to the Bureau of Mines. The legislation referred to is found in an act making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1918 (ch. 27, 41 Stat. L., pp. 105-146). The amendment which the department recommended, and which was submitted to you by Mr. Campbell, was prepared by the solicitor of the department, as follows, insert as line 18 on page 51:

"The Secretary of the Treasury may detail medical officers of the Public Health Service to the Department of Agriculture for cooperative assistance in the administration of the food and drugs act, approved June 30, 1906, and amended August 23, 1912, and the compensation and expenses of the officers so detailed may be paid from the applicable appropriations made herein for enforcement of said act."

This amendment, if adopted, will enable the department to have such men as may be needed detailed from the Public Health Service to the Bureau of Chemistry. This can be done without creating a permanent organization, which might be larger than would be needed later. It is contemplated that not more than one or two details will be necessary at the present time.

Respectfully,

D. F. HOUSTON, Secretary.

The VICE PRESIDENT. The question is on the amendment of the Senator from Oklahoma [Mr. GORE].

The amendment was agreed to.

Mr. WADSWORTH. I offer the following amendment to be inserted in the bill at the appropriate place.

The VICE PRESIDENT. It will be stated.

The SECRETARY. At the appropriate place in the bill insert:

Section 6 of the act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine, approved August 2, 1886," is amended so as to read as follows:

"SEC. 6. That all oleomargarine shall be packed by the manufacturer thereof in firkins, tubs, or other wooden or paper packages not before used for that purpose, each containing not less than 10 pounds, and marked, stamped, and branded as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe; and all sales made by the manufacturers of oleomargarine, and wholesale dealers in oleomargarine shall be in original stamped packages.

"Retail dealers in oleomargarine must sell only from original stamped packages, in quantities not exceeding 10 pounds, and shall pack the oleomargarine sold by them in suitable wooden or paper packages, which shall be marked and branded as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe.

"Every person who knowingly sells or offers for sale, or delivers or offers to deliver, any oleomargarine in any other form than in new wooden or paper packages as above described, or who packs in any package any oleomargarine in any manner contrary to law, or who falsely brands any packages or affixes a stamp on any package denoting a less amount of tax than that required by law, shall be fined for each offense not more than \$1,000 and be imprisoned not more than two years."

Mr. WADSWORTH (interrupting the reading). The remainder of the amendment I sent to the desk is a repetition of existing law. May I say to the Senate the only amendment suggested to section 6 of the law of August 2, 1886, is the insertion of the words "or paper" after the words "wooden packages" the idea being that under the existing law oleomargarine can be sold by the manufacturer only in firkins or tubs made of wood. The object of this amendment is to permit that same oleomargarine to be contained in paper packages as well as wood.

Mr. PENROSE. May I make an inquiry of the Senator? I should like to ask whether the amendment alters the size of the package.

Mr. WADSWORTH. Not at all. It makes no change whatsoever in the regulations as to the size of the package, the manner of sale, the tax, or the coloring of the oleomargarine in any respect. It simply permits the manufacturer to use paper as well as wood as the container. The idea is this, that the wood containers are, of course, growing more and more expensive as wood is becoming more and more scarce, and there are paper boxes which are entirely proper for use in this connection. This would permit paper boxes to be used as well as wood. That is the only amendment of the law.

Mr. GORE. I do not believe the Senator from New York stated—if so, I did not understand him—that under the law the wooden packages must be destroyed when once used. Of

course, that is a matter of waste. The paper packages can be reconverted into paper and used again, and as a matter of economy and conservation I hope the amendment will be adopted.

Mr. WADSWORTH. That is another economy that can be brought about.

The VICE PRESIDENT. The question is on the amendment of the Senator from New York [Mr. WADSWORTH].

The amendment was agreed to.

Mr. GORE. Mr. President, I desire at this point, under Rule XI, to give notice of a motion to suspend the rules in order to offer an amendment to the bill providing that growers of wheat who were not satisfied last year with the price paid by the Government shall have the right to go into the Federal courts and ascertain whether or not the price paid was just compensation.

Mr. TRAMMELL. Mr. President, I offer the following amendment.

The VICE PRESIDENT. It will be read.

The SECRETARY. On page 51, strike out the word "and," at the end of line 19, and insert a comma after the word "handling," and in line 20, after "transportation," insert "and uses," so as to read:

Grading, weighing, handling, transportation, and uses of naval stores.

Mr. SMITH of Georgia. That only adds the word "uses." I do not see any objection to the amendment.

Mr. SMOOT. Are we going now into an investigation of what the naval stores are used for?

Mr. SMITH of Georgia. The different uses.

Mr. WADSWORTH. Will the Senator from Florida be willing to explain the purpose of the amendment?

Mr. SMOOT. Yes; I should like to have it explained.

Mr. TRAMMELL. The purpose of the amendment is to give a little more latitude under this appropriation in the research and investigation which is to be made by the Agricultural Department. The naval-stores industry of the country has suffered very materially on account of having the principal markets cut off, due to the inability to transport the products, and it has become necessary to investigate other uses that may be made of naval stores.

To appreciate the merits of that position, of course, we have to consider the value and necessity of this industry to the country. The industry has been almost paralyzed during the war. The avenues of sale have been cut off to a very great extent. The idea of the amendment is that the department may investigate other uses to which the product of the naval-stores industry may be devoted. That really is the object of the amendment.

Mr. SMOOT. In other words, the object is that the Government is to find a market for it.

Mr. TRAMMELL. There is no increase of the appropriation whatever.

Mr. SMOOT. I know there is no increase in the appropriation, but that is really the object of the amendment, is it not?

Mr. VARDAMAN. Is there any objection to that?

Mr. SMOOT. I ask the Senator from Florida if that is not really the object of the amendment?

Mr. TRAMMELL. Indirectly that might be the object. Of course if they find additional uses that, of course, would assist in finding an enlarged market.

Mr. SMOOT. I do not see any reason why the Senator should not admit it, because that is what it is for, of course.

Mr. TRAMMELL. That is the object. It is to enlarge the resources for the sale of the product by making inquiry into other purposes for which naval stores may be utilized.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Florida [Mr. TRAMMELL].

The amendment was agreed to.

Mr. VARDAMAN. Mr. President, I propose another amendment. It is the same amendment offered a moment ago reducing the appropriation I proposed from \$25,000 to \$20,000. I wish to say to the Senate again it is a matter of very vital concern to the people living in the southern part of my State, and it is also important to the people of Georgia and Florida and a portion of Texas. It is especially very necessary in the interest of the people who cultivate the sweet potato that some means may be discovered by which this destructive pest may be exterminated. I think that \$20,000 invested in this will be wisely expended and bring large returns. I hope the Senate will agree to the amendment.

Mr. SMOOT. May I ask the Senator if he would not offer his amendment on page 21 to the item for the investigation of diseases of orchard and other fruits? There is an appropriation of \$79,935, of which \$8,000 shall be available for the investigation of diseases of the pecan. Then the Senator's amend-

ment might follow, of which \$20,000 may be expended for the investigation of this pest.

Mr. VARDAMAN. Does the Senator propose that amendment to the amendment?

Mr. SMOOT. Certainly, I suggest it. Then there would be no increase in the appropriation.

Mr. VARDAMAN. I suppose the Committees on Agriculture of the two Houses did not agree to appropriate any more than was needed for the particular item mentioned in the paragraph just read by the Senator. I know this which I propose is necessary. The Secretary of Agriculture thinks so and the people of the States where the insect is perpetrating its devastations think so. I really think that if a method could be discovered by which this insect could be destroyed it would be a very wise investment, a very provident use of money.

Mr. SMOOT. The Senator from South Carolina called attention to the fact that there was already an appropriation in the bill for the investigation of potatoes. It does not say Irish potatoes nor does it say sweet potatoes. As long as we are appropriating for potatoes I am perfectly willing to have it all go under sweet potatoes.

Mr. VARDAMAN. As far as I am personally concerned that might suit me, but it would not suit the people in other parts of the country where the appropriation is intended by the committee to be expended.

Mr. SMOOT. The appropriation of \$75,935, of course, is not intended to include the investigation of potatoes.

Mr. VARDAMAN. If the Senator will pardon me, not a dollar of this appropriation is to be used unless the State or community where it is to be expended put up an equal amount. I think we can trust to the discretion of the Agricultural Department for the wise use of the money. It is a very small amount.

Mr. SMOOT. We debated the same question before, as the Senator stated.

Mr. GALLINGER. Mr. President, I have always in considering the Agricultural bill been interested in the various insects as they are from time to time doing destruction to farm products. I was out of the Chamber when this matter was discussed this morning. I should like to know, in a few words, from the Senator from Mississippi precisely what this insect is and what it is doing to sweet potatoes.

Mr. VARDAMAN. It is an insect that bores through the tuber. It can not be treated like a great many insects that fly. There is an effort being made to discover a method by which it can be destroyed. The destruction of the crop in a great many instances amounts to 80 and 90 per cent, and the Agricultural Department thinks that by preventing the shipment of sweet potatoes from one infected region to another it will probably result in the extermination of the pest.

Mr. GALLINGER. If the Senator will permit me, I will ask him if the department has not authority now to quarantine?

Mr. VARDAMAN. The department suggested that we appropriate \$50,000. I reduced it to \$25,000. The Senate rejected that a moment ago, and I have now asked for \$20,000.

Mr. GALLINGER. I know a year or two ago the department did quarantine Aroostock County, Me., where enormous quantities of Irish potatoes are raised, for the reason that there was a dry rot or something of the kind in the potatoes that was supposed to be communicable. I wondered why the department could not do the same thing in connection with sweet potatoes.

Mr. VARDAMAN. The department will do that if it is given anything to work with, and the department could use \$50,000 profitably.

Mr. GALLINGER. I just wondered where the department got the money to quarantine in the State of Maine. I am very sure we did not make a specific appropriation for it.

Mr. VARDAMAN. If I remember correctly there was an appropriation of a considerable amount of money proposed by the then Senator from Maine, Mr. Johnson.

Mr. GALLINGER. That may be so. If so, I had forgotten it.

Mr. VARDAMAN. I think an appropriation was made for that purpose.

Mr. GORE. There was.

Mr. GALLINGER. I simply asked the question because I have sometimes wondered whether we are ever going to get control of the various insects that are doing such destruction and causing us to appropriate so much money in these agricultural bills.

Mr. VARDAMAN. I wish to say to the Senator that I am just as desirous as he or any Senator in this body that the appropriations shall be confined to necessary and proper uses. I would not ask for this appropriation if I did not think it was an investment that would bring a large return to the American people.

Mr. GALLINGER. I am satisfied of that, as far as the Senator is concerned.

Mr. VARDAMAN. It is a very small amount and I should like very much to have the Senator agree to the amendment.

Mr. GALLINGER. Still, watching the growth of these appropriations, I shall be greatly disappointed if next year a much larger amount is not asked for the same purpose.

Mr. VARDAMAN. The Senator will recall the fact that these appropriations are made for the protection of the interests of a class of people who have very little to do with the Public Treasury except to contribute the sinews of war. The whole superstructure of commerce rests upon the product of their toil, and as far as I am personally concerned, I am in favor of giving them every assistance possible. I think that the United States gets more from the appropriations made and expended by the Agricultural Department than for any other department of the Government.

Mr. GALLINGER. I am quite in sympathy with that view, and yet I have watched these appropriations grow to an extent that sometimes rather alarms me. I will make a suggestion hoping that it will not lead to a debate, because it has already been discussed. I have been much interested in the appropriations for the so-called pink boll weevil. The pink boll weevil appeared a year or two ago. Last year we made an appropriation of \$250,000. It has been stated in debate that in some way it crossed the Rio Grande River and is affecting a small part of Texas. The department recommended \$500,000 this year, and the committee has made an appropriation of \$800,000.

Mr. GORE. I will say that the department estimated for \$800,000.

Mr. GALLINGER. Then in the wisdom of the House Committee on Agriculture they reduced the estimate to \$500,000.

Mr. GORE. Yes, sir.

Mr. GALLINGER. And the Senate committee has put it back to \$800,000, just a jump of \$550,000 in a year, that is all. But then we have such vast amounts of money in our Treasury at the present time that, of course, we can spend it for any purpose we may see fit.

In saying that I do not say it in opposition to the suggestion of the Senator from Mississippi. The Senator says that he knows that this is a worthy use of money on the part of the Department of Agriculture, and I certainly shall not interpose any objection that would prevent it from going into the bill.

Mr. VARDAMAN. I thank the Senator.

Mr. GORE. I will say to the Senator from New Hampshire, he is familiar with the destruction that resulted in Maine from the potato scale.

Mr. GALLINGER. Yes.

Mr. GORE. That was a disease of the white potato, the Irish potato as I prefer to call it.

Mr. GALLINGER. That is right.

Mr. GORE. It was extremely disastrous. It affected not only the potato industry of Maine but in many parts of the country which relied upon Maine for their seed potatoes. I think we appropriated \$100,000 at one session and perhaps a smaller appropriation at another.

Mr. GALLINGER. That is the very thing I had lost sight of. I had an impression that we had not made an appropriation, but that the department had money that was used for the purpose of quarantining against that disease. However, the Senator states that there was an appropriation made for that purpose, and I think it was a very wise use of money indeed.

Mr. GORE. There can be no doubt of that, but the point peculiarly gratifying to the Senator from New Hampshire is that it has disappeared from the bill. The disease has been eradicated and the appropriation vanished.

Mr. GALLINGER. It is one of the most remarkable things that has ever been brought to my attention—that an appropriation disappeared from the bill the succeeding year.

Mr. GORE. I mention it as a novelty without precedent and probably without parallel in the future.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Mississippi [Mr. VARDAMAN].

The amendment was agreed to.

Mr. KENYON. Mr. President, in the amendment, beginning at the bottom of page 13, I especially call attention to the clause at the top of page 14 containing the words "for immediate slaughter." The question was before the Senate for the elimination of those words, and there was considerable discussion at that time. I am not going over it again, but I had in my office a letter from the Department of Agriculture with reference to it. I did not have it present with me at the time. I think it ought to go in the RECORD. I believe the Senate acted without any particular information as to what those words "for im-

mediate slaughter" in the bill mean. The words ought to go out. I ask that the Secretary may read this letter from the Chief of the Bureau of Animal Industry.

The VICE PRESIDENT. The Secretary will read.

The Secretary proceeded to read, and before concluding,

Mr. KENYON. There is not anybody paying any attention to the reading of the letter, so I will not ask to have the reading continued; it is a waste of time. Let it go in the RECORD.

The letter entire is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF ANIMAL INDUSTRY,
Washington, D. C., February 21, 1918.

HON. WILLIAM S. KENYON,
United States Senate.

DEAR SENATOR KENYON: I have your letter of February 18, 1918, with reference to the interstate shipment of cattle reacting to the tuberculosis test.

The Agricultural bill, as reported to the Senate from the Committee on Agriculture and Forestry, contains an amendment to the act of May 29, 1884, with the inclusion of the words "for immediate slaughter," on page 14, line 1. The amendment with the insertion of these words will only partially accomplish the aims of the department. While it is believed desirable to permit the interstate shipment for immediate slaughter of cattle which have reacted to the tuberculin test, it is considered wise also to provide for the shipment, interstate, of pure-bred animals which have reacted to such tests, so that they may be returned to their original owners to be retained by them for breeding purposes under quarantine restrictions. This can be accomplished by regulation if the words "for immediate slaughter" are eliminated. This latter proposal, in the opinion of the department, is of far greater importance to the country than the provision permitting the shipment of the animals for immediate slaughter.

If the amendment is allowed to stand as it is, then pure-bred cattle which had reacted to the tuberculin test would still be prohibited from moving interstate, except for slaughter, which would benefit the packer but not the farmer.

The interstate movement of these reacting animals will be surrounded by restrictions imposed by means of regulations which will safeguard the movement of the animals as well as protect the livestock industry against the further spread of tuberculosis. It is proposed to permit the shipment of such cattle only to those States that will cooperate with the department in imposing quarantine restrictions upon such reacting animals at the farms of their original owners. We now have effective cooperation with various States in the shipment of hogs that have been vaccinated against cholera, and it is believed that the cooperation will prove equally effective in the case of tuberculosis of cattle.

Experience has shown that reacting cattle may be safely segregated from healthy animals on the farm and used for breeding purposes by the adoption of what is known as the Bang system. This consists of keeping the reacting cattle entirely separate and apart from healthy animals on the same premises.

The calves born of reacting cows do not inherit the disease and can therefore be safely removed from their mothers immediately after birth and placed with the healthy cattle, where they are reared upon the milk of healthy cows. In this way the healthy portion of the herd constantly increases while the reacting animals are disposed of as rapidly as may be deemed necessary.

Finally all of the reactors have been disposed of and the remaining herd is composed entirely of healthy cattle. There are several modifications of the Bang system which may be adopted under the conditions which obtain in different States, but the underlying principle of all of these is the segregation of the reactors and the removal immediately after birth of their healthy offspring.

Very truly yours,

J. R. MOHLER, Chief of Bureau.

Mr. KENYON. Mr. President, I also ask to have inserted in the RECORD a letter on this question from the Department of agriculture of the State of Illinois. Leaving these words "for immediate slaughter" in this bill amounts to nothing, except to help the packers; it helps no one else; and I desire to call attention to the matter in the RECORD, so that the conference committee may have some basis on which to act in striking out those words, if they shall feel inclined to do so.

The VICE PRESIDENT. If there be no objection, the letter referred to by the Senator from Iowa will be inserted in the RECORD.

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

STATE OF ILLINOIS,
DEPARTMENT OF AGRICULTURE,
Springfield, March 5, 1918.

HON. WILLIAM S. KENYON,
United States Senator from Iowa, Washington, D. C.

MY DEAR SENATOR: I notice an amendment to a bill—Calendar No. 243, H. R. 9054—"An act making an appropriation for the Department of Agriculture for the fiscal year ending June 30, 1919." I think it very important that this bill should be changed a little.

Page 14 of the printed bill, line 1, should be amended by striking out the words "for immediate slaughter." I think the pure-bred cattle breeders in this State, as well as other States—and we have one of the leading States in the Union in the pure-bred cattle industry—would appreciate it very highly if that amendment was made to this bill. In many cases a man will pay as high as \$1,000 or \$2,000 for a breeding animal. He sells it into another State and it reacts to the tuberculin test. Of course the buyer of the animal wishes the seller to make good the loss sustained by this animal reacting. Under the provision of this bill the animal could be returned only for immediate slaughter.

A cow might be worth \$2,000 and react and not be a spreader of tuberculosis either. If this man was permitted to have this cow returned to his herd and keep her for producing cows under what is known as the Bang system, she would be worth as much to him as any other cow, if she were isolated from the herd. This method is practiced very largely by men who have a very valuable breeding cow that reacts.

In these days when we need food so badly it looks almost like a crime to have a valuable breeding cow sacrificed, when under the Bang system she can go on and produce calves perhaps for her natural life, the calf being taken away immediately from its mother and raised on a healthy cow. She may in that way produce many valuable animals to the breed. I think you would render a very great service to the pure-bred livestock industry of the country if you would see to it that that amendment is made.

Thanking you in advance for whatever or any interest you may take in this matter, I am,
Sincerely, yours,

CHAS. ADKINS,
Director of Agriculture.

Mr. GRONNA. Mr. President, when this provision was before the Senate the other day, I proposed to strike out the words "for immediate slaughter," which had been inserted by the Senate committee, but a majority of the Members of this body saw fit not to do so. I have here a letter from a very able veterinarian of my State, Dr. W. F. Crewe, and I ask that it may be printed in the Record without reading.

Mr. GALLINGER. Mr. President, if the letter is not long, I should like to have it read.

Mr. GRONNA. Then I ask that the letter may be read.

Mr. GALLINGER. If we have made a mistake in this matter, we ought to correct it.

Mr. GRONNA. I think that we are making a mistake, I will say to the Senator from New Hampshire.

The VICE PRESIDENT. In the absence of objection, the letter will be read.

The Secretary read the letter, as follows:

STATE OF NORTH DAKOTA,
LIVE STOCK SANITARY BOARD,
Bismarck, N. Dak., February 27, 1918.

Hon. A. J. GRONNA,
United States Senate, Washington, D. C.

DEAR SIR: I have received your letter of the 23d instant, in which you indicate that the Senate committee would not concede to the elimination of the words "for immediate slaughter," from the amendment in question, which would permit the shipment interstate of pure-bred cattle that could be held in quarantine for breeding purposes.

Your letter would indicate that apparently nothing further could be done in the matter, and it would seem that if the representatives of the Bureau of Animal Industry were unable to explain the circumstances so that they could be clearly understood by the committee it would hardly be possible for an impression to be made by communication.

However, for your information, permit me to give just one illustration of the conditions. We have had similar in this State, but the cattle have not been of as high value.

A resident of Montana purchased a number of high-class short-horn cattle in Iowa. The animals were accompanied by a certificate of health, indicating they had been tuberculin tested and were free from disease. However, one of the animals, a bull for which the owner had paid \$5,000, was tested 60 days after arrival, and gave a positive, clear-cut reaction to the test, indicating he was tuberculous. The balance of the animals were then retested and eight more of them gave a reaction indicating they were tuberculous.

Now, these animals cost the purchaser over \$20,000. Needless to say, the owner did not desire to have this amount of money invested in tuberculous cattle, and apparently there was something crooked in the deal. In his effort to secure settlement, the seller offered to make settlement if the animals were returned to him, as he considered them of great value, and he could hold them segregated for breeding purposes. However, the Federal act in question prohibited the return shipment, and left the settlement up in the air, as it were.

Now, it does not appear that this man would be prosecuted for shipping these animals in the first place, although they undoubtedly were diseased at that time. However, the man that wishes to return them, and is willing to return them, described as just what they are, tuberculous cattle, to be shipped under restrictions and to go into quarantine to be held segregated, would not be permitted to do so. I think you can see the injustice of the matter. The man who resorts to underhand methods to dispose of these animals gets by and the man that goes into the deal and wants to act on the square has to stand the loss.

I wish, however, to thank you for your kind efforts in the matter.

Yours, respectfully,

W. F. CREWE.

The VICE PRESIDENT. The bill is still before the Senate, as in Committee of the Whole, and is open to further amendment.

Mr. SHEPPARD obtained the floor.

Mr. GORE. Mr. President—

Mr. SHEPPARD. Mr. President, I yield to the Senator from Oklahoma.

Mr. GORE. I send to the desk an amendment, of which I move the adoption as a new section to the bill.

The VICE PRESIDENT. The amendment proposed by the Senator from Oklahoma will be stated.

The Secretary proceeded to read the amendment.

Mr. SMOOT. Mr. President, allow me to make the suggestion to the Senator from Oklahoma, that if this amendment is to be acted upon there no doubt will be a call for a quorum. Why not have a call for a quorum now, and then have the amendment read, instead of after the quorum is called having some Senator who is not now present ask for the reading of the amendment? I think we should save time by suggesting the absence of a quorum now, and having Senators present, so that they may hear the amendment read in the first place.

Mr. GORE. I will say that while I am offering the amendment at this time and in this way I thought possibly there might be a point of order made against it. I am very frank about it. I give notice, however, that if any Senator makes a point of order on the amendment I have filed the required notice to suspend the rules, and if this amendment goes out on the point of order I have arranged with the Senator from Texas [Mr. SHEPPARD] to proceed with an amendment which he has, and I will defer for the present the calling up of my motion to suspend the rules.

Mr. SMOOT. In any event the amendment involves a very important matter, and I think we ought to have a quorum present before the reading is proceeded with, so that Senators will know what is before the Senate. There are now very few Senators in the Chamber; they are at luncheon, and I think it will save the time of the Senate to have a quorum now, and then go on with the consideration of the amendment.

Mr. GORE. I think the Senator is mistaken about that in view of what I have stated.

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

The PRESIDING OFFICER (Mr. OVERMAN in the chair). The Secretary will call the roll.

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

Ashurst	Hale	McNary	Shields
Bankhead	Harding	Martin	Smith, S. C.
Borah	Hardwick	Myers	Smoot
Calder	Henderson	Nelson	Sterling
Colt	Johnson, S. Dak.	New	Stone
Curtis	Jones, Wash.	Norris	Sutherland
Fall	Kellogg	Nugent	Thomas
Fletcher	Kendrick	Overman	Thompson
France	Kenyon	Penrose	Trammell
Frelinghuysen	King	Poindeexter	Wadsworth
Gallinger	Knox	Pomerene	Williams
Gerry	McCumber	Ransdell	Wolcott
Gore	McKellar	Shafrath	
Gronna	McLean	Sheppard	

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

Mr. GRONNA. I wish to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent, due to serious illness in his family. I ask that this announcement may stand for the day.

Mr. ASHURST. I desire to announce that the junior Senator from Mississippi [Mr. VARDAMAN] has been called from the Chamber on official matters.

Mr. MYERS. My colleague [Mr. WALSH] is necessarily detained from the Senate by official business.

The PRESIDING OFFICER. Fifty-four Senators having answered to their names, a quorum is present. The Secretary will resume the reading of the amendment proposed by the Senator from Oklahoma [Mr. GORE].

The Secretary resumed and concluded the reading of the amendment offered by Mr. GORE, which was to insert as a new section the following:

That section 14 of the act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917, be amended to read as follows:

"SEC. 14. That whenever the President shall find that an emergency exists requiring stimulation of the production of wheat and that it is essential that the producers of wheat produced within the United States shall have the benefits from time to time, seasonably and as far in advance of seeding time as practicable, to determine and fix and to give public notice of what, under specified conditions, is a reasonable guaranteed price for wheat, in order to assure such producers a reasonable profit. The President shall thereupon fix such guaranteed price for each of the official grain standards for wheat as established under the United States grain standards act, approved August 11, 1916. The President shall from time to time establish and promulgate such regulations as he shall deem wise in connection with such guaranteed prices, and in particular governing conditions of delivery and payment and differences in price for the several standard grades at the local elevator or the local railway market where such wheat is delivered from the farm where produced, adopting No. 1 northern spring or its equivalent as the basis. Thereupon the Government of the United States hereby guarantees every producer of wheat produced within the United States that, upon compliance by him with the regulations prescribed, he shall receive for any wheat produced in reliance upon this guaranty within the period, not exceeding 18 months, prescribed in the notice a price not less than the guaranteed price therefor as fixed pursuant to this section. In such regulations the President shall prescribe the terms and conditions upon which any such producer shall be entitled to the benefits of such guaranty. The guaranteed prices for the several standard grades of wheat for the crop of 1918 shall be based upon No. 2 northern spring or its equivalent at not less than \$2.50 per bushel at the local elevator or the local railway market where such wheat is delivered from the farm where produced.

This guaranty shall not be dependent upon the action of the President under the first part of this section, but is hereby made absolute and shall be binding until May 1, 1919. When the President finds that the importation into the United States of any wheat produced outside of the United States materially enhances or is likely materially to enhance the liabilities of the United States under guaranties of prices therefor made pursuant to this section, and ascertains what rate of duty, added to the then existing rate of duty on wheat and to

the value of wheat at the time of importation, would be sufficient to bring the price thereof at which imported up to the price fixed therefor pursuant to the foregoing provisions of this section, he shall proclaim such facts, and thereafter there shall be levied, collected, and paid upon wheat when imported in addition to the then existing rate of duty, the rate of duty so ascertained; but in no case shall any such rate of duty be fixed at an amount which will effect a reduction of the rate of duty upon wheat under any then existing tariff law of the United States. For the purpose of making any guaranteed price effective under this section, or whenever he deems it essential in order to protect the Government of the United States against material enhancement of its liabilities arising out of any guaranty under this section, the President is authorized also, in his discretion, to purchase any wheat for which a guaranteed price shall be fixed under this section, and to hold, transport, or store it, or to sell, dispose of, and deliver the same to any citizen of the United States or to any Government engaged in war with any country with which the Government of the United States is or may be at war, or to use the same as supplies for any department or agency of the Government of the United States. Any moneys received by the United States from or in connection with the sale or disposal of wheat under this section may, in the discretion of the President, be used as a revolving fund for further carrying out the purposes of this section. Any balance of such moneys not used as part of such revolving fund shall be covered into the Treasury as miscellaneous receipts.

The PRESIDING OFFICER. The question is on the adoption of the amendment. Is the Senate ready for the question?

Mr. GORE. Question!

Mr. POMERENE. Mr. President, do I understand this is the amendment offered by the chairman of the committee relating to the price of wheat?

Mr. GORE. Yes, sir; I have been authorized by the committee to offer it, and have just offered it.

Mr. POMERENE. Mr. President, I think the amendment is subject to a point of order, and I therefore raise the question that it is new legislation and can not be attached to this appropriation bill.

The PRESIDING OFFICER. Does the Senator from Oklahoma desire to say anything on the point of order before the Chair rules?

Mr. GORE. I may say that I think the amendment is subject to a point of order.

The PRESIDING OFFICER. The Chair thinks so, and sustains the point of order. The Chair thought, however, before ruling that the Senator from Oklahoma might desire to be heard.

Mr. GORE. I will say further that I have given notice in writing, under Rule XI, that I would move to suspend the rules in order that the amendment may be offered in due form. I thought that probably Senators would be willing for the discussion to go forward without resorting to that expedient.

Mr. POMERENE. Mr. President, I shall defer saying what I had intended to say upon the subject until the notice which the rules require has expired and the matter is properly presented to the Senate.

The PRESIDING OFFICER. When was the notice given?

Mr. GORE. The notice was given several days ago, but I will say that I do not feel at this time well enough to proceed with the discussion myself. So I will not call up that notice at this time.

Mr. POMERENE. Mr. President, I thought the notice was given just this morning. Did not the Senator give some written notice this morning?

Mr. GORE. No, sir; that related to another matter. The notice in regard to this motion was given several days ago.

The PRESIDING OFFICER. The Chair understands the Senator from Oklahoma does not desire to proceed with the question now.

Mr. McCUMBER. Mr. President, I was called out of the Chamber for a moment. May I ask the present status of the proposed amendment?

The PRESIDING OFFICER. The point of order has been sustained. The question now is whether the Senate will suspend the rule.

Mr. NORRIS. Mr. President, as I understood the chairman of the committee, I will say to the Senator from North Dakota, he does not desire to make the motion to suspend the rules now. He has given the notice, but, as I understand, he desires to go on with other matters in the bill before calling up that motion.

Mr. GORE. Yes, sir. I have given notice, but it was not my purpose call up the notice at this time; in fact, I have been informed that the Senator from Texas [Mr. SHEPPARD] desires to offer an amendment at this time, and I had intended to defer to him for that purpose. I will call up the notice at a later time.

Mr. HARDWICK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Georgia?

Mr. GORE. Certainly.

Mr. HARDWICK. I should like to ask the Senator from Oklahoma whether, in his judgment, the consideration of this bill is likely to take the balance of the day?

Mr. GORE. Mr. President, I may say that I think in all probability it will.

Mr. SHEPPARD. Mr. President, I wish to renew my motion to strike out lines 10 to 16, inclusive, on page 91.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Texas to strike out the lines indicated by him.

Mr. GALLINGER. Mr. President, I think the language ought to be read, so that the Senate may understand what it is proposed to strike out.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 91 it is proposed to strike out the following words:

No part of any amount herein appropriated shall be used to pay salaries or for personal services in any department, bureau, or office in the District of Columbia which does not, subject to the provisions and exceptions of section 7 of the legislative, executive, and judicial appropriation act, approved March 15, 1898, require eight hours of labor each day.

Mr. SHEPPARD. Mr. President, the clause which I have moved to strike out overturns a system that has worked well for something like 20 years. In 1898 Congress enacted a law establishing a minimum working-day for Government employees of seven hours, with the right on the part of heads of departments to require additional hours at any time without additional compensation. The salaries were fixed on that basis, and, as I say, the system has worked well for 20 years. It was found, after many years of experience and investigation, that a seven-hour working-day was sufficient for all ordinary Government purposes.

Mr. GALLINGER. Mr. President—

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

Mr. SHEPPARD. I do.

Mr. GALLINGER. I will ask the Senator if he has the statute at hand?

Mr. SHEPPARD. I have.

Mr. GALLINGER. Will the Senator read the section covering this matter?

Mr. SHEPPARD. The statute reads as follows:

Hereafter it shall be the duty of the heads of the several executive departments, in the interest of the public service, to require of all clerks and other employees, of whatever grade or class, in their respective departments, not less than seven hours of labor each day, except Sundays and days declared public holidays by law or Executive order: *Provided*, That the heads of the departments may, by special order, stating the reason, further extend the hours of any clerk or employee in their departments, respectively; but in case of an extension it shall be without additional compensation.

Mr. McCUMBER. Mr. President, will the Senator state the date of that statute?

Mr. SHEPPARD. It was enacted on March 15, 1898.

Mr. McCUMBER. Just after or about the time we entered into the Spanish-American War?

Mr. SHEPPARD. I think the Senator is correct about that.

Mr. JONES of Washington. Mr. President—

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Washington?

Mr. SHEPPARD. I do.

Mr. JONES of Washington. I think it will also be interesting, in connection with the clause which the Senator has read, to read another clause of the same statute that I have never seen quoted myself, and, with the permission of the Senator, I should like to read it.

Mr. SHEPPARD. Certainly.

Mr. JONES of Washington (reading)—

Hereafter it shall be the duty of the head of each executive department to require monthly reports to be made to him as to the condition of the public business in the several bureaus or offices of his department at Washington, and in each case where such reports disclose that the public business is in arrears, the head of the department in which such arrears exist shall require, as provided herein, an extension of the hours of service to such clerks or employees as may be necessary to bring up such arrears of public business.

Mr. BORAH. Mr. President, may I ask the Senator a question?

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

Mr. SHEPPARD. I do.

Mr. BORAH. How could the public business ever be in arrears, from the standpoint or because of short hours, when we keep adding dozens of clerks almost every time a measure passes the Senate with reference to these matters?

Mr. KING. Mr. President, why does the Senator say "dozen"? Why does he not say "hundreds"?

Mr. JONES of Washington. I have simply read the provision that Congress enacted into law.

Mr. POINDEXTER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Washington?

Mr. SHEPPARD. I do.

Mr. POINDEXTER. The Senator from Idaho no doubt has had business in the Land Office. I will ask him if he ever found any business there that was not in arrears? I do not think I ever took up the matter of acting upon final proof on a homestead that I was not advised that it would be reached in the regular order; that is to say, it would be sometimes months, sometimes years, before it would be reached. The same general condition exists in many other offices—the Pension Office, for instance.

Mr. BORAH. What I had reference to was this—

Mr. POINDEXTER. Just one more suggestion. At the present time, bringing the matter down to current affairs, the War-Risk Insurance Bureau have the duty of paying to the wives and mothers the money which is allotted to them by the soldier. I am not saying this in order to criticize this bureau. I do not know what the conditions are. It may be that the immense amount of work was such that they could not reasonably cope with it; but I am stating what the condition is, and I think that it is of enough importance, and concerns the living of enough people in this country of such a class that they are entitled to the care of the Government, as to justify calling public attention to it.

In many cases that have come to my attention, monthly allotments made by soldiers to their dependent mothers or their dependent wives and children beginning last November, and in some instances, I think, in October, covering the months of December and January and February, have none of them been paid yet to the people for whom they were intended. At least, they had not been within recent weeks and days when I was requested to call the attention of this bureau to them. The consequence has been that a great many families to whom these allotments are of absolute material importance in supporting their families and supplying them with the necessities of life have almost become objects of the community charity in the places where they live, and this condition has subjected them to more or less suffering and considerable humiliation. There is an office in which the public business is in arrears. I do not know whether there is sufficient excuse and justification for it or not, but I know that the fact exists.

Mr. BORAH. Mr. President, I did not mean to say that business might not get into arrears; but it is not due to the fact of short hours or long hours or, evidently, to want of employees. I know of many instances in the last three or four months where employees have waited here 30 days to be put to work after they went upon the pay rolls. I do not understand that the matters to which the Senator refers have been referred to by him as an evidence of the necessity of shorter hours or longer hours. The Senator does not know why business is in arrears, as I understand.

Mr. POINDEXTER. I do not know why it is in arrears. I know that it ought not to be in arrears. It ought to be up to date. These payments ought to be made promptly by the month for the purpose for which they were allotted and for which they were provided by the statutes.

Mr. BORAH. I agree with the Senator.

Mr. POINDEXTER. I am not drawing from that any conclusion at all as to how to vote upon the motion of the Senator from Texas. I am simply pointing out the fact, and if it has an application to that motion one Senator can make it as well as another.

Mr. BORAH. I should not be surprised, from the number of employees, to find that the employees' salaries are also in arrears.

Mr. MYERS and Mr. JONES of Washington addressed the Chair.

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

Mr. SHEPPARD. I yield to the Senator from Montana. Then I will yield to the Senator from Washington.

Mr. MYERS. Mr. President, I desire to say in behalf of the General Land Office that while the business of that office is always, owing to its nature, necessarily in arrears, if it may be so called, because not always up to the minute, yet I believe that the business of that office is now dispatched with more expedition than has been done for many years—more expeditiously, I am satisfied, than at any other time since I have been a Member of this body. Matters of final proof and decisions of contests, I believe, are now reached and disposed of very much sooner than in former years. I know there has been in the General Land Office a very great effort to expedite those things, and I know there have been good results. I believe all reasonable effort has been made to expedite the work, and that the office

is within reasonable distance of keeping up with its business. I do not believe there are any instances of unreasonable or unjustifiable delay in the business of that office.

Of course, the business is in arrears to some extent, as every business, private or public, is in arrears to some extent, unless when the day ends all business which has come in that day is closed and disposed of and finally out of the way. Matters in the General Land Office can not be disposed of in that way. They can not be disposed of in a day or in the twinkling of an eye. When land contests are started there is a certain route, prescribed by law, which they have to travel, and a certain degree of attention which they necessarily have to receive, all of which takes some time. If they are not unreasonably delayed, there is no ground for complaint; and I do not believe there is any ground for complaint.

The business of the General Land Office may be said to be in arrears just as the business of Congress is in arrears. Our business is in arrears. If not, why is not every bill that is introduced here put through both branches of Congress and made a law the very day that it is introduced? That process necessarily takes some time. Bills have to be referred to committees, and there has to be consideration of them by committees. The procedure requires that most bills be referred to some department for its advice and opinion and for information, and it takes some time to put through a bill; but, if you wish to be critical, when a bill is introduced in Congress, you may say the next day it is in arrears, because it has not been enacted; and I think the business of Congress, as a rule, is much more in arrears than the business of the departments.

There are now hundreds of bills, reported out of committees and on the calendar of the Senate, which are not acted upon. They await action by this body. People frequently write to me and say, "What has become of my bill? What is being done about it?" Well, Congress is in arrears with that bill; that is all there is to it; and I believe that Congress is quite as much in arrears as is any executive department of the Government which it may criticize.

Mr. POINDEXTER. The Senator means Congress is in the rear, does he? [Laughter.]

Mr. MYERS. Yes. It is in the rear when it comes to work. That is what I mean.

Mr. WATSON. Mr. President, the Senator will not claim, however, that Congress is in arrears because we do not, either as individuals or collectively, work eight hours a day or more?

Mr. MYERS. No; I am not making any claim of that kind. I am not having reference, in my remarks, to the amendment offered by the Senator from Texas. I am having reference to some remarks that have been made on the floor by Senators as to the work of the departments.

I know something about the work of the General Land Office. I have personal knowledge of that work to some extent; and I know that it is in fair condition and is disposed of as expeditiously as might be reasonably expected.

As to the War Risk Insurance Bureau, I do not know so much about it. I assume it is somewhat in arrears, because it is a new business, just instituted, and a perfect avalanche, a mountain, of business has descended upon it, and it has a great number of unskilled employees who have been suddenly assembled and hurriedly placed at that work. It is not natural to suppose that they could dispose of everything in a day, nor within a few days; but I have no doubt that they are getting to work with reasonable expedition, and I have no doubt the work of that bureau will soon be in quite as good condition as could be expected by anyone who will take cognizance of the extraordinary demands upon it.

Mr. SHEPPARD. Mr. President, let me say here that so far as the War Risk Bureau is concerned, it is my information that it has made payments in all cases that have come to it through the regular channels from the Army. The bureau can not act on a case until the case has been officially referred to it.

Mr. JONES of Washington. Mr. President, if the Senator will permit me just a moment, I think every Senator has had the experience related by my colleague [Mr. POINDEXTER]. I know I hardly get a mail but that there is a letter in it about the failure to get a remittance from the War Risk Bureau. I will also say that I was talking with one of the employees of that bureau some time ago and he said he did not really know what he was here for; that there were a thousand employees who were up and down there, and they were not doing anything yet; but I think they are getting down to business now.

I did not expect, however, that the reading of that little clause would bring up a discussion of this kind. I simply read that section to show that there is not only ample authority of law requiring the clerks here to work eight hours or more than eight hours a day, but that there is a positive requirement of

the law making it the duty of every departmental head to see to it that they do work more hours a day if it is necessary to keep the work up.

Mr. WATSON. Mr. President—

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

Mr. SHEPPARD. I do.

Mr. WATSON. Has the Senator from Washington read a statute of that kind?

Mr. JONES of Washington. I have. I just read it.

Mr. WATSON. Would the Senator mind reading it again?

Mr. JONES of Washington. Not at all; I shall be very glad to read it again. As I said a moment ago, I have never seen this paragraph quoted, but it is a part of the very section that has been referred to by the employees who are interested:

Hereafter it shall be the duty of the head of each executive department to require monthly reports to be made to him as to the condition of the public business in the several bureaus or offices of his department at Washington; and in each case where such reports disclose that the public business is in arrears, the head of the department in which such arrears exist shall require, as provided herein, an extension of the hours of service to such clerks or employees as may be necessary to bring up such arrears of public business.

Mr. WATSON. Mr. President, will the Senator further pardon me?

Mr. SHEPPARD. I yield.

Mr. WATSON. Has that law been enforced?

Mr. JONES of Washington. I do not know. That is the law, however.

Mr. PENROSE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Pennsylvania?

Mr. SHEPPARD. I do.

Mr. PENROSE. I concur in the views of the Senator from Washington; but on that point there is another section to which I wish to call attention. I refer to section 26 of the act of March 15, 1898.

Mr. SHEPPARD. That was the section I read a few moments ago.

Mr. PENROSE. I was out of the Chamber.

Mr. SHEPPARD. I shall be glad if the Senator will read it again.

Mr. JONES of Washington. I read from that section. That is what I was reading from.

Mr. PENROSE. This reads differently, and I did not know that the Senator had read it.

Mr. JONES of Washington. Mine is a later paragraph in the same section.

Mr. PENROSE. Does the Senator desire it read again?

Mr. SHEPPARD. Yes; the Senator from Indiana has come in since the first part of the section was read, and I should be glad to have the Senator read it again.

Mr. PENROSE. It seems to me that this effort to fix the hours of labor would render ineffective the provision of existing law, which permits the heads of departments to make the clerks work all night, if they so desire, without extra compensation.

The section to which I refer reads as follows:

Hereafter it shall be the duty of the heads of the several executive departments, in the interest of the public service, to require of all clerks and other employees, of whatever grade or class, in their respective departments, not less than seven hours of labor each day, except Sundays and days declared public holidays by law or Executive order: *Provided*, That the heads of the departments may, by special order, stating the reason, further extend the hours of any clerk or employee in their departments, respectively; but in case of an extension it shall be without additional compensation.

Now, Mr. President, if we should attempt to fix the hours of labor, it would mean that when these clerks are required to perform labor of the character of overtime they would necessarily have to receive extra compensation.

Mr. SHEPPARD. Let me say here, Mr. President, that under this authority to require clerks in the various departments to work more than seven hours a day, they are working in many of the bureaus and commissions not only 8 hours a day but 10, 12, and 14 hours a day, and that they are performing this work cheerfully and without complaint.

Mr. PENROSE. I know a great many of them, especially the higher salaried clerks, and doubtless the Senator from Texas likewise knows of such cases, for the last two or three years have been working until nearly midnight, and in one or two cases with serious injury to health.

Mr. STONE. Did they get extra pay?

Mr. PENROSE. With no extra pay.

Mr. JONES of Washington. If I did not say so a moment ago, I intended to say, and I want to say now, the paragraph which

I read is the fourth paragraph of the same section from which the Senator from Pennsylvania has just been reading.

Mr. BORAH. Mr. President—

Mr. SHEPPARD. I yield to the Senator from Idaho.

Mr. BORAH. If the clerks are being worked overtime and up to midnight hours, and so forth, without pay, that ought to be remedied. The Government of the United States does not need to work its employees in that way, certainly without pay. I should like to see the evidence of that fact. There may be some very few instances, but they are very rare exceptions I will venture to say.

I do not desire to occupy the time in the time of the Senator from Texas, but I am opposed to this amendment of the Senator from Texas, and I think I shall state the reasons a little later.

Mr. STONE. I should like to ask a question of the Senator from Texas.

The PRESIDING OFFICER (Mr. WOLCOTT in the chair). Does the Senator from Texas yield to the Senator from Missouri?

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

Mr. STONE. This provision limiting or providing for fixing the hours of departmental clerks refers wholly to employees in the Department of Agriculture.

Mr. SHEPPARD. No; it is an attempt to reach all employees in all the departments of the District of Columbia.

Mr. STONE. But the bill we have here is the Agricultural Department appropriation bill.

Mr. SHEPPARD. The appropriation bill relates only to the Agricultural Department.

Mr. STONE. Is the Senator addressing himself in his amendment to the pending bill?

Mr. SHEPPARD. I have moved to strike out the clause in the pending bill, which clause applies not only to employees in the Department of Agriculture, but to all employees in the other departments in the District of Columbia.

Mr. STONE. It is general legislation covering all the departments?

Mr. SHEPPARD. All in the District of Columbia. It does not apply to the 450,000 employees outside the District of Columbia.

Mr. STONE. But it does apply to the employees within the District of Columbia, whether employed in the Department of Agriculture or in some other department?

Mr. SHEPPARD. The Senator is correct.

Mr. WADSWORTH. Mr. President—

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

Mr. SHEPPARD. I yield.

Mr. WADSWORTH. I hesitate to question the accuracy of the Senator's statement, but is the Senator entirely correct in his answer given to the Senator from Missouri?

No part of any amount herein appropriated shall be used to pay salaries or for personal service in any department.

It is really confined entirely to the employees of the Department of Agriculture, because they are the only employees "herein appropriated for."

Mr. SHEPPARD. The point I had in mind was that it does not apply to employees of the Department of Agriculture outside the District of Columbia. I was somewhat in error in my reply to the Senator from Missouri. The clause applies to employees of the department who are in the District of Columbia.

Mr. STONE. And to no other employees?

Mr. SHEPPARD. And to no other employees.

Mr. STONE. That, of course, is very far short of what the Senator said.

Mr. PENROSE. Will the Senator permit me? The point raised by the Senator from New York [Mr. WADSWORTH] I had intended to raise myself. We are attempting to apply a certain period for a workday for one department of the Government. It seems to me that would lead to very grave complications and an unsettlement of conditions and great discontent. Regardless of the merits of this proposition it ought to be taken up in a logical way and some system worked out that will apply to all the departments.

I have taken a little interest in this matter because a great many people have been to see me about it and I have had many hundreds of letters, not only from the employees, but from business men in Washington and others, concerning this effort to change the hours of labor in the departments from those which have heretofore existed. It certainly is out of all reason to carry a provision in this bill only applying to the Agricultural Department. The answer is made that other bills will come along with similar amendments. I think it is very doubtful

whether such an amendment can be inserted in any other bill to come later on from the House to this body. I am informed, I do not know how correctly, that this paragraph got through the House in the Agricultural bill only in an accidental way; I do not mean to say surreptitiously, but in a way that was not fully realized by the Members of the House when the measure was passed, and now that they are awakened to what has been done those opposed to the proposition will be more vigilant in the future.

I intend to vote, outside of the merits of the question, to strike this paragraph out on the ground that the question of hours of labor during this war crisis ought to be taken up after due investigation and deliberation and a general law applicable to all the departments of the Government promptly considered.

Mr. SHEPPARD. Mr. President, the clause is so clearly a part of an effort or program to reach all the employees in the District of Columbia that in spirit it may well be said to apply to all the District employees, whereas, strictly speaking, it applies only to employees in the Department of Agriculture.

This clause increases the minimum working day for thousands of employees without at the same time increasing compensation. It is essentially unfair on that account. It is proposed, without any reliable data having been presented to the Senate, without any thorough investigation having been made, with no recommendation from the head of any department or from the head of any bureau or from the head of any efficiency commission.

Let me read what the Council of National Defense has to say on this question of a change in standards of labor during the present war emergency. The Council of National Defense in its annual report makes the following declaration:

There have been established by legislation, by mutual agreement between employers and employees, or by custom certain standards constituting a day's work. These vary from 7 hours per day in some kinds of work to 12 hours per day in continuous-operation plants. The various States and municipalities have established specific standards of safety and sanitation and have provided inspection service to enforce the regulations. They have also established maximum hours of work for women and minimum age limits for children employed in gainful occupations. It is the judgment of the Council of National Defense that the Federal, State, and municipal governments should continue to enforce the standards they have established, unless and until the Council of National Defense has determined that some modifications or change of standards is essential to the national safety; that employers and employees in private industries should not attempt to take advantage of the existing abnormal conditions to change the standards which they were unable to change under normal conditions.

In view of these facts, Mr. President, I think it would be unjust to increase the minimum working day at this time without going into the question of compensation and without having made a thorough examination.

Let me repeat, it was found in 1898 and has been found during the years that have passed since then that a minimum workday of seven hours is sufficient for ordinary Government purposes.

Mr. McCUMBER. Mr. President—

Mr. SHEPPARD. I will yield in just a moment. It was recognized, however, that additional hours might be required at various times and under various emergencies, such as the present. The law provided for that contingency when it vested in the heads of the departments the right to require additional hours whenever needed, and the provision was further inserted that no additional compensation should be paid. The arrangement was entirely fair to the Government. The entire scale of present salaries was fixed on the basis of that law and that arrangement, and it ought not to be changed in this way without adequate investigation and consideration.

Now I yield to the Senator from North Dakota.

Mr. McCUMBER. I wish to ask the Senator, who has read the law, what the hours of labor in the department were before the enactment of that law in March, 1898, and what was the occasion for putting into the law a positive declaration that the employees should work not less than seven hours a day?

Mr. SHEPPARD. I can not give the Senator that information, as I have not looked into that phase of the subject.

Mr. McCUMBER. Evidently the employees were working less than seven hours at that time.

Mr. SHEPPARD. Not necessarily so. This seems to have been a settlement of the entire proposition of working hours in the District wherein it was decided that for ordinary purposes of government a minimum working day of seven hours was sufficient. Whether employees worked seven hours a day before that I do not know.

Mr. McCUMBER. There must have been some reason for the law, and I did not know but that the Senator, who had been investigating it, could give us the reason that justified the introduction of that bill and its passage through both branches of Congress.

Mr. PENROSE. I can answer the Senator, if the Senator from Texas will permit me. As I understand it the original act made the hours of the departments from 9 in the morning until 4 in the afternoon—seven hours. Subsequently an Executive order was made making the day's work expire at half-past 4 o'clock instead of 4 o'clock. The extension was made through an Executive order.

Mr. STONE. Is there an intermission for lunch of about an hour?

Mr. PENROSE. Yes; I think so. I do not know how long it is.

Mr. SHEPPARD. Thirty minutes.

Mr. STONE. The lunch hour is about noon time.

Mr. SHEPPARD. Thirty minutes are allowed for lunch, and it is not taken out of the seven hours.

Mr. PENROSE. The extension was made through an Executive order. I wish to say, while I am on my feet, that I am not defending the way the departments are being run. I am simply maintaining that it does not seem reasonable for us to pass an eight-hour law for the Agricultural Department and let the others go along on the original basis.

I believe there are too many employees in all these departments. I would hesitate to say what percentage of needless clerks or surplus clerks are in the departments, but I believe it is very large. We only have to go through some of these departments that have sprung up like mushrooms in Washington in temporary buildings to see employees fairly tumbling over each other and hardly knowing what they are called upon to do.

I know of one department—I shall not mention it now, but I intend later on to refer to it—in which from two to three thousand people are being employed where I believe from two to three hundred would conduct the business more effectively. That is a substantial assertion to make, but I do make it without fear of contradiction, and hope to be able to satisfy the Senate about the truth of what I say when I get my materials ready.

If we had greater efficiency and economy in the departments we would get at the purpose which the author of this provision had in mind much more quickly than by making a particular regulation for the Agricultural Department.

The situation does require an investigation, as the Senator from Texas has said. Some half dozen resolutions asking for an investigation have been introduced in the Senate, but the majority in the Senate invariably throttled the resolution in the committee or voted it down on the floor of the Senate. The minority are unable to get any resolution of investigation through this body or in either branch, and this condition will continue as long as both branches of Congress are under the rule of the same majority party. Perhaps, should the complexion of the next House of Representatives be different, there will be ample opportunity, and many resolutions will undoubtedly be introduced calling for a strict accounting of the vast lump sums and the thousands of employees, many of whom, in my opinion, do not know what they are doing or are going to do or will ever do very much until conditions are changed.

I will cheerfully join the Senator from Texas in getting resolutions through to investigate this condition and other conditions.

The Senator from New Hampshire [Mr. GALLINGER] has a resolution to investigate the Creel bureau and I have a resolution to investigate the same bureau asking for no information other than the names and the salaries of the employees in that bureau, and yet we are denied that information—a most extraordinary attitude for any executive or legislative body to assume. But we can not have the information as to salaries and persons, and we are appropriating these enormous lump sums, without exciting passing attention, with utter inability to get any accounting or information as to how the money is being spent.

Mr. LEWIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Illinois?

Mr. PENROSE. In one moment. Surely, Mr. President, the Government is in no such crisis, with the enemy at our gates, that all business methods should be overturned and that money should be recklessly appropriated and recklessly disbursed and even the names of the persons employed and their salaries carefully concealed from the legislative branch of the Government and from the American people.

There are a number of inquiries that I would like to pursue after I get the votes in this Chamber to get the information. I should like to know, for instance, how many labor agitators are being employed at \$15 a day to exploit the sale of liberty

bonds, and there are a number of other interesting questions which occur to my mind, but which I will not go into now, because I expect at a later date all these matters will be very fully gone into; but the trouble is the minority is utterly unable to secure information on these subjects.

I yield to the Senator from Illinois.

Mr. LEWIS. Mr. President, in view of the Senator's statement that there has been no information obtainable either at the instance of his own resolution or that of the Senator from New Hampshire concerning the question of the Creel bureau, may I ask the Senator has his resolution passed the body and has it developed that the bureau would not respond to the resolution? Is that what the Senator would mean to infer?

Mr. PENROSE. The bureau can not respond to resolutions which the majority party is careful to keep hidden in the precincts of the committee room.

Mr. LEWIS. Then, if I understand the Senator, the resolution has not passed.

Mr. PENROSE. The Senator knows very well it has not passed.

Mr. LEWIS. The bureaus have not declined the information? Resolutions have not passed requesting the information?

Mr. PENROSE. The party to which the Senator belongs whenever a resolution has been read has declined to give it consideration.

Mr. LEWIS. It may be that there were reasons in the committee that I know not, but I thought the Senator meant to infer that after we had passed a resolution some of those bureaus had declined to give the information. That interested me very much.

Mr. PENROSE. Mr. President, I seriously doubt the innocence of the Senator's knowledge. He is in this Chamber a good deal, and he must have recalled the debate on the Creel resolution introduced by me, and he must have recalled more than one occasion when it was reached on the calendar and objected to by some Senator belonging to the majority party.

Mr. JONES of Washington. Mr. President—

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Washington?

Mr. PENROSE. I yield.

Mr. JONES of Washington. I wish to say to the Senator from Illinois that the Senate has passed one resolution calling upon one of the departments for information that never was responded to by the department.

Mr. LEWIS. Mr. President, in response to both Senators let me say I have been constantly in the Chamber, and from time to time I have heard references on the part of some Senator to obtain the passage of some resolution. It is true I have heard objections, but founded on parliamentary reasons, and not being a member of the committee I did not investigate it; but I assure the Senator that I understood his statement, and I was afraid the country might understand it that, notwithstanding a resolution had passed calling for information requested by the Senator from New Hampshire or himself, these bureaus had declined or had refused to give that information, and that, I felt, would be contumely to the Senate and ought not to be encouraged by this body, whether it meant the majority rule or not. But it appears from the Senator's statement that the grievance of the Senator is that the matter has not been passed by the Senate committee or by the Senate.

It appears that the Senator from Washington urges that upon one occasion the resolution did pass and that, notwithstanding that passage, there was no reply. I regret he did not bring that promptly to the attention of the Senate, for I am sure the Senate would not tolerate such conduct on the part of any department in response to a resolution from the Senate, for such a defiance amounts to contempt that we ought not to encourage from any source. I regret that we have not heard more of such, if the Senator be not mistaken in his premises.

Mr. WEEKS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Massachusetts?

Mr. PENROSE. Yes.

Mr. WEEKS. Before the Senator continues the discussion, I was interested in the statement just made by the Senator from Washington. Perhaps I had overlooked the instance to which he called attention. I should like to have him tell the Senate what case it was and why action has not been taken.

Mr. PENROSE. I will cheerfully yield to the Senator from Washington for a statement.

Mr. JONES of Washington. It is a resolution passed in the last Congress. It is ancient history. I could name what it is. Why it was not answered I do not know; I have an idea. It passed the Senate, however, calling upon a certain department

for the copy of an executive order issued by that department. It was never answered.

Mr. SMOOT. Will the Senator from Pennsylvania yield to me?

Mr. PENROSE. Yes.

Mr. SMOOT. I wish to say also that at the last session of Congress I introduced a resolution asking for certain information in relation to the Shipping Board and what that board had done in view of what had been brought out by the discussion on the floor as to what Mr. Denman claimed and what Gen. Goethals claimed as to the building of wooden ships. I wish to say to the Senator from Illinois that no answer ever came to the Senate in response to that resolution.

Mr. LEWIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Illinois?

Mr. PENROSE. Yes.

Mr. LEWIS. Do I understand the Senator from Utah that the resolution was passed by this body?

Mr. SMOOT. It was passed by the Senate and never answered.

Mr. LEWIS. The Senate resolution was adopted, and no response whatever was given to it?

Mr. SMOOT. No response whatever that I have ever seen.

Mr. LEWIS. Then might I ask, Has the Senator made any effort in any form to get a reply, or does he think it may have been overlooked in some way, because we had a series of investigations superseding his resolution?

Mr. SMOOT. That may have been the case.

Mr. LEWIS. I regret that any such contempt of any such resolution of this body occurred.

Mr. McKELLAR. Mr. President—

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

Mr. PENROSE. Yes.

Mr. McKELLAR. I merely want to ask the Senator from Utah a question. Has any effort been made to take steps about the matter since the refusal of the executive department?

Mr. SMOOT. As a Senator of the United States I did not think it was incumbent upon me, after the Senate had passed the resolution, to follow it up and state that an answer should be made to the resolution.

Mr. McKELLAR. It just occurred to me that if it was not replied to it ought to have been replied to, and if the Senator was interested in it, it seems to me, something ought to have been done in the Senate. I would very cheerfully vote to take steps in the event any order of the Senate was disregarded.

Mr. SMOOT. I will say to the Senator that I never would have mentioned the fact at all if the question had not been raised in the Senate by an inquiry by the Senator from Illinois [Mr. Lewis]. I do not want to have it appear that I was piqued in any way by not having the department answer the resolution. It was not a reflection upon me; if any reflection at all, it was a reflection upon the Senate of the United States.

Mr. GALLINGER. Mr. President, at this point I ask the Senator from Pennsylvania to yield to me for a minute, as the statement has been made that I introduced a resolution that had not received attention. I will state I did introduce a resolution calling for such information in connection with the so-called Creel bureau, and I think I am correct in saying when I asked for its present consideration it was objected to, and I then sent it to the Committee on Appropriations, as it was a matter that dealt with the use of public money. I perhaps have myself to a certain extent to blame for not having urged the committee to take it up, but the committee has been very busy and I have been exceedingly busy outside of that committee in the Committee on Finance and other legislative work. As I said, perhaps I have not urged the committee as I ought to have done to give it consideration. Ordinarily, when an appropriation bill is acted upon by the committee, an adjournment is immediately had, and I have not seen an opportunity to do it. At the next meeting of the committee I shall ask the committee to at least give the matter consideration.

Mr. McCUMBER. Mr. President—

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

Mr. PENROSE. Yes.

Mr. McCUMBER. May I ask the Senator a question? I agree entirely with what the Senator has said about the inefficiency of the labor now employed in our several departments, and also in the fact that I think they have a third more people than they can properly use in the departments. But I want to call the Senator's attention to the fact that when the departments called for a class of labor, and especially for stenographers, they called for probably more than there were

in the country who could properly qualify as such. We have those people, and I am speaking now only of new clerks, who are inefficient, at least now. As long as we are having stenographers who can work out about 50 words in an hour or something like that—

Mr. PENROSE. Ten lines a minute.

Mr. McCUMBER. Yes; on a typewriter, does not the Senator think that, at least as to salaries, they are getting good wages, and that if they can not perform more than one-third of the ordinary service in seven hours, at least they ought to work for the Government eight hours a day?

Mr. PENROSE. I should like to see the reform on a broader scope and have the number of inefficient employees considerably reduced, as far as I am concerned.

But, Mr. President, to go back to the Creel resolution, I only referred to it as a single case. It is a trivial expenditure compared with many other phases of the present crisis, but it interests a good many people. Correspondents from all over the United States have written to me on this subject and represented the inefficiency of the Creel bureau. It is a kind of a court chronicle to exploit the virtues of the Chief Executive and his subordinates. I think it would be very interesting to have the salaries and the names of the employees. The expenditures are out of all reason under the Creel bureau. No accounting has been made for them that I can learn. I did see some reference in a debate in the House concerning the expenditures of the Creel bureau, but it was not enlightening. I am told, and the Senator from Utah [Mr. Smoor], I believe, has the same information, that over \$5,000 a day is being spent by that bureau; that correspondents of daily newspapers who ought to be compensated by their own papers are carried on the roll of the Creel bureau. Why should an inquiry, a legitimate and reasonable inquiry, be blocked? The Senator from Illinois can not conjure up a straw man and knock him down to obscure the situation.

I said nothing about departments not responding. I will take that point up if my resolution is ever considered, but I did charge, and I charge again, that that resolution has not been permitted to be considered even on the floor of the Senate when it came up in due order on the calendar.

Mr. SMITH of Georgia. Mr. President—

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Pennsylvania yield to the Senator from Georgia?

Mr. PENROSE. I do.

Mr. SMITH of Georgia. Has the Senator from Pennsylvania moved the consideration of the resolution?

Mr. PENROSE. Well, Mr. President, my breath was so completely taken away by the treatment accorded to the resolution—

Mr. SMITH of Georgia. I ask not argumentatively, but as a matter of information.

Mr. PENROSE. No; but I will do it now, if the Senator has no objection.

Mr. SMITH of Georgia. We can not displace the pending bill.

Mr. PENROSE. I can ask unanimous consent to have this business laid aside. It has been laid aside for a number of other purposes.

Mr. SMITH of Georgia. We shall finish this bill very soon.

Mr. PENROSE. Will the Senator, when this bill is through, vote to take up the resolution?

Mr. SMITH of Georgia. I will vote to take it up; yes.

Mr. PENROSE. My recollection is that the Senator from Georgia was the one who objected.

Mr. SMITH of Georgia. No; the Senator is mistaken.

Mr. PENROSE. I am a little nearsighted, and so I am not sure it was the Senator from Georgia.

Mr. SMITH of Georgia. I state positively that I did not.

Mr. PENROSE. I am satisfied with the Senator's statement.

Mr. SMITH of Georgia. The Senator from Pennsylvania knows it now, if he did not know it before.

Mr. PENROSE. I feel convinced the Senator from Georgia did not object.

Mr. SMITH of Georgia. I shall vote for the resolution.

Mr. PENROSE. It was some imposing personality who objected to the resolution. I do not, however, recall the name.

Mr. SMITH of Georgia. I am glad the Senator from Pennsylvania recognizes that there is an imposing personality in this place, but I did not object to the consideration of the resolution.

Mr. PENROSE. Mr. President, I do not know that I have anything further to say on this subject. I will take the Senator from Georgia at his word and count on his cordial and

effective cooperation with the majority party to get early action.

Mr. SMITH of Georgia. I personally should like very much to know about this bureau and its work.

Mr. PENROSE. I share the Senator's curiosity.

Mr. WILLIAMS. Mr. President, I have received a great many letters, chiefly from employees of the United States Government and from "their uncles and their cousins and their sisters and their aunts," concerning the position which I should take with regard to the proposed legislation to compel employees of the United States Government to work eight hours a day. As it is much easier for me to answer all these letters from my place here in the Senate than it would be to answer each one of them, I have risen for that purpose.

I want to say, Mr. President, that I am in favor of making the employees of the United States Government work at least eight hours, provided that provision is accompanied by another, paying them time and a half for overtime. If the provision is presented to me for a vote simply requiring them to work eight hours, I shall vote against it. If the provision is presented to me for a vote combining both propositions, that they shall work eight hours and shall be paid time and a half for overtime, I shall vote for it.

My reason for that, briefly stated, is this: I see no reason why there should be a Prætorian guard of laboring men in the United States, having special privileges merely because they are "at Rome"—at the Capital—and because they have easy access to Senators and Representatives, and because they are constituents of Senators and Representatives, exercising a good deal of influence through their mothers and their cousins and their sisters and their aunts at home. I think that they ought to be put exactly upon the same level as other laboring men.

Workingmen's unions in this country are demanding eight hours' work, or are demanding that there shall be a law not compelling them to work over eight hours, but they couple with it payment for overtime; that is, when they have voluntarily worked when an emergency arises requiring them to work over eight hours they shall be paid time and a half for extra time. I want to put the employees of the Government of the United States exactly on the same footing as all other employees.

It is not a new matter with me, Mr. President, at all to believe that there should be an eight-hour day for everybody who works, if he works protected from interruption by the weather and in a house. Of course the farmer can not work only eight hours, because it may be that, owing to weather conditions, he can work but one hour on Monday or two hours on Tuesday or three hours on Wednesday, and he must then make up on Thursday, Friday, and Saturday for the time that has been lost; but so far as all operatives are concerned—what has been lately called, somewhat too frequently I think, the proletariat are concerned—I think that old Sir Matthew Hale was right centuries ago, before this situation arose, when he said that a day was naturally divided into three equal parts—eight hours for work, eight hours for sleep, and eight hours for nutrition, recreation, edification, and worship. I hope that the time will come when nobody will want anybody else to work over eight hours, because I think that beyond that limit work becomes inefficient, for the body is tired, the mind is tired, and all the statistics bear me out that even when men work 10 hours, or even 9, the last hour is almost useless, and when 10 hours have been changed to 8 hours it has been found that men can do about as much work and very much better work—whether as much or not—within the 8 hours as within the 10.

But I do not want any Prætorian cohort or guard here in the city of Washington setting itself up and demanding special privileges over and above what is demanded by all labor and over and above what the consensus of opinion amongst workingmen has pretty well settled as a right settlement of the controversy, to wit, eight hours of work, with time-and-a-half pay for overtime.

Mr. REED. Mr. President—

The PRESIDING OFFICER. The Senator from Missouri.

Mr. SHEPPARD. Before the Senator from Missouri proceeds, will he allow me to make a suggestion right there?

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

Mr. REED. I do.

Mr. SHEPPARD. Mr. President, the Government employees are not asking for any special privilege. They would be satisfied with the standard eight-hour day, with adequate compensation and with time and a half for overtime, but that is not proposed here. I want to make that clear.

Mr. REED. Mr. President, the Prætorian guard which alarms my friend, the Senator from Mississippi [Mr. WILLIAMS], in this case is largely composed of women. I can as-

sure him that there really need be no apprehension that these young women and middle-aged women and old women will in any manner endanger the Nation. There will be no slaughter of another just Pertinax upon the steps of the Capitol; neither will there be any great pressure brought upon Congress that will compel it to act.

There is no use in trying to becloud this issue. If the Senate will keep to the real issue, I do not believe the so-called Borland amendment will pass.

For 20 years there has been upon the statute books a law which provides that Government employees shall not work less than seven hours a day, and that they shall work as much longer as their superiors demand, without a single penny extra pay. As the so-called Borland amendment stands, if it is passed, the employees will be compelled to work a minimum of eight hours a day and a maximum of as many hours as they are required to work, without any extra pay. That is something that is not demanded under the rules of any labor union; it is something that is not demanded under any statute of the United States of any other laborer in any department of the United States. It is not proposed here to establish an eight-hour day with overpay for extra time, but it is proposed to substitute a minimum eight-hour day with a maximum as high as the superior may require the employees to labor, and without a single penny of additional pay. Whoever votes to keep the Borland amendment in the bill will vote to compel these laborers to work at least eight hours and to work as much longer as their superiors shall require, even if it be far into the night, even if it includes Sundays; they must do so without a single penny of additional pay, although that is an obligation and a duty that is not imposed upon any other class of Government employees and is a regulation that would not be tolerated under the rules of union labor anywhere in the United States. So much for that. Let us start with the proposition clearly in our minds.

I incorporate in my remarks, without reading, the law as it now stands and, also, without reading, the so-called Borland amendment.

The PRESIDING OFFICER. Without objection, permission to do so will be granted.

The existing law on the subject is section 7, legislative, executive, and judicial appropriation act of March 15, 1898, as follows:

Hereafter it shall be the duty of the heads of the several executive departments, in the interests of the public service, to require of all clerks and other employees of whatever grade or class in their respective departments not less than seven hours of labor each day, except Sundays and days declared public holidays by law or Executive order: *Provided*, That the heads of the departments may, by special order, stating the reason, further extend the hours of any clerks or employees in their departments, respectively, but in the case of any extension it shall be without additional compensation.

The so-called Borland provision of the bill is as follows:

No part of any amount herein appropriated shall be used to pay salaries or for personal services in any department, bureau, or office in the District of Columbia which does not, subject to the provisions and exceptions of section 7 of the legislative, executive, and judicial appropriation act, approved March 15, 1898, require eight hours of labor each day.

Mr. REED. The facts are that these employees are, especially since the war began, frequently called on for extra service. They have performed that service and have never asked any additional pay. They could not get the additional pay under the law, as I have already stated. The Borland amendment, if passed, will single out one class of employees and compel them to work a full eight-hour day for their present wages and leave them liable to be compelled to work overtime without a single additional penny of pay.

As I have already stated, many of these employees have worked overtime without pay, and I have no hesitancy in saying that if the duties of their position require them, they will continue to work overtime during this war without complaint and without any appeal whatsoever to Congress for extra-time pay.

The next thing I call your attention to is the pay that is received. In order to hold these positions practically all the employees must pass civil-service examinations. They must have spent many years in school, for civil-service examinations are somewhat rigorous. Some of them must be, in fact, really specialists in their respective lines. Nearly all of them have to be experienced and skilled. That class of labor ought to be reasonably well paid, and yet I undertake to say without having gone into the figures, that the employees to which this so-called Borland amendment will chiefly apply are not receiving, on the average, much over \$1,200 a year.

Mr. CURTIS. Mr. President—

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

Mr. REED. I yield to the Senator from Kansas.

Mr. CURTIS. A couple of years ago a computation was made in one of the largest departments, and it was demonstrated that the average salary was a little over \$1,200 per annum.

Mr. REED. I am obliged to the Senator. Twelve hundred dollars may seem like a large salary at some places, but I assure you the clerk who can keep soul and body together in Washington on \$1,200 a year is a pretty good economist. Mark you, these clerks are required to dress decently, and, being human beings, notwithstanding the sneering remarks which have been made here, are entitled to have a room in which to live that is at least "wind and water tight" and reasonably well heated. A clerk who obtains a room in the city of Washington to-day is very likely obliged to pay for rent alone from one-fourth to one-third of his entire wages. For a mere place in which to sleep he must pay from \$25 to \$35 if the room is in a decent neighborhood. The clerks must pay for their meals. Try eating at a Washington restaurant and see if you can live on less than \$1.50 per day. Street-car fares, gas and light bills must be met. The clothing must be respectable. Sometimes doctor bills must be met, for our Government clerks get sick. Often these clerks support dependent mothers. They have families. Think of a Government clerk daring to have a wife and children! Many of the clerks are women. A woman who works seven hours of the day and goes home and cooks her own meals—and she comes mighty near having to do it if she lives on the salary paid in the departments—and takes care of her own room and does her own housework, as she must do if she lives on the salary provided, has worked long enough for any woman to work. Perhaps she has even then to do her own sewing or washing. That sort of a day's work ought to satisfy even the industrious author of this bill. There is a right and a wrong will to all things. You can not turn a wrong into a right by all the sneers that ever came from the curled lip of the creature who, occupying a superior position, employs it to insult those who fill the humbler places of life.

It may serve a good purpose to compare the salaries paid in the departments with wages obtained in other places. I hold in my hand a list of employees, numbering approximately 3,000, I think, at the Hog Island shipyard. The testimony taken this morning before the Commerce Committee is to the effect that these men were employed, in the first instance, at the regular price labor was commanding in Philadelphia and vicinity; that the prices were at once reviewed by the Wage Equalization Board, a Government board organized in the Department of Labor, and subsequently further reviewed, and that to the prices I am now about to read an average of 20 per cent has been added by this board representing the Government. The wage awards have been made retroactive to the early part of January.

These are the earnings. I do not read wages by the day, but weekly earnings. I give you just a few samples of them. I will take engineers; and will read the first six. These are the weekly earnings—I merely take the first six, because I am taking them as a possible average—\$69, \$94, \$88, \$46, \$65, \$60, \$111.

Mr. SMITH of Georgia. A week?

Mr. REED. A week. I will take the brakemen. They are receiving, as shown by this list, \$48, \$56, \$48, \$46, \$47, \$46, \$47, \$46, and on up to \$72; storekeepers, \$47, \$47; cement finishers, \$49, \$51, \$53; material checkers, \$47, \$46; divers, \$93; dock builders, running along the entire list, from \$60 to \$70; electricians, running from \$51 to \$75; firemen, running from \$58 to \$111, although the latter figure is generally out of proportion, but running up to \$82; field markers \$78 to \$90; garage men, \$48 to \$51; inspectors, \$53; special laborers, \$76. Then, laborers—now, get this—laborers, \$48.30, \$49, \$48, \$49, \$50, \$46; linemen, running from \$50 to \$72; marine department, \$50 to \$51; material distributors, \$53—

Mr. PENROSE. Will the Senator permit an interruption at that point—

Mr. REED. Yes.

Mr. PENROSE. Not to criticize in any way, but to call attention to the fact that the rates of wages the Senator is giving are the same which are being paid in private industrial plants in that neighborhood, and I think the day's work is 10 hours, if I am not misinformed.

Mr. REED. No; the day's work is eight hours, but the men who are getting this wage have worked overtime, practically all of them.

Mr. PENROSE. I think they work 10 hours.

Mr. REED. I think they do; and they get extra time over the eight hours.

Mr. PENROSE. That is counted in that computation, I presume.

Mr. REED. It is counted; I have already stated that. According to this list, miscellaneous mechanics receive all the way from \$48 to \$101.

Mr. GALLINGER. A week?

Mr. REED. A week.

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

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

Mr. REED. Certainly.

Mr. GALLINGER. I am giving very careful consideration to the motion made by the Senator from Texas, hoping that I will be enabled to vote right; but in listening to the Senator reading those figures I have wondered, if common laborers are being paid \$50 a week, what chance will there be to get laborers on the farms next year to raise food for our Army?

Mr. REED. That, of course, is quite another question. I am simply now trying to give the comparison, and I am trying to impress, if I can, the fact that these men are privileged to work extra time, and they get extra pay when they work extra time, as well as mighty good pay when they are not working extra time, but simply regular hours, are making, some of them, in a week's time as much as Government clerks make in a month's time.

I shall not read more. I will summarize by saying that the gentleman who appeared before the Commerce Committee testified this morning that the 3,000 men covered by the list were making over \$200 a month; that most of them were making over \$3,000 a year, and some of them far beyond that.

Mr. CALDER. Mr. President—

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

Mr. REED. Certainly.

Mr. CALDER. The pay that the Senator has quoted includes overtime, too, as I understand?

Mr. REED. I have stated that repeatedly. I am discussing the question that it is proposed to make these clerks work eight hours, and, then, under the law work as much overtime as is demanded of them, and to do it without any extra pay; and in that connection I am comparing their wage rate with the rate that even the common laborer is now receiving. The proposition to make them work eight hours a day has no virtue in it, except it be upon the principle that they ought to do more work for the same amount of money.

Mr. BORAH. Mr. President, may I ask the Senator a question?

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

Mr. REED. I do.

Mr. BORAH. There is a proposition pending somewhere in the Congress to raise the wages of Government employees.

Mr. REED. Very well.

Mr. SMITH of Georgia. It is pending in the other House to-day.

Mr. REED. I shall come to that in a moment.

Mr. BORAH. Stated in a single sentence, I think these clerks ought to be paid a reasonable wage; and then I think they ought to work a reasonable time during the day.

Mr. REED. I will come to that in a moment. The Senator has come in since I made my opening statement, and I want to say to him, because he is one of the fairest men in the Senate, that the present law requires these employees to work a minimum of seven hours and as much longer as may be required without pay. The Boriand amendment leaves them in that shape, except that it extends their time to eight hours, so that the proposition now is to make these employees, who on the average get approximately \$100 a month, work eight hours, without extra pay for overtime, although a great number of common laborers working in the Hog Island shipyards, where wages are regulated by a Government board that has been appointed for that purpose, are making over \$200 a month.

Mr. NORRIS. Mr. President—

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

Mr. REED. I do.

Mr. NORRIS. I confess I have been considerably surprised at the terms of the law as read by the Senator from Missouri and also by the Senator from Texas. I did not know that the head of a department had the power under the law to require his employees to work without extra pay any length of time that he saw fit. I can see that is a serious difficulty with the present law; but I want to suggest to the Senator that there are a great many employees who work seven hours and quit on the dot, while there are many others who work eight hours and

then go back at night and work 10 and 12 hours, so that there is no uniform rule. Some are doing their whole duty; some are doing more than we ought to require of them; and perhaps some are doing less than they ought to be required to do. Does not the Senator believe that we ought to specify the number of hours which should constitute a day's work and require that of all of them, and then obligate the Government, whenever the employees are required to work longer, to pay a higher rate of salary? In other words, treat them the same as men and women are treated in all other branches of labor.

Mr. REED. I doubt the proposition, but am not prepared at the moment to say more.

Mr. NORRIS. Under present conditions they are not all treated alike.

Mr. REED. Well, they may all be treated alike; they are all on the same—

Mr. NORRIS. It does not work out in that way in practice.

Mr. REED. They are all on the same legal basis.

Mr. NORRIS. It does not work out that way in practice.

Mr. REED. They are all on the same legal basis, and, answering the Senator's question at this time, although it rather breaks in on the thread of my remarks, this is what I have to say:

In the Bureau of Engraving and Printing they may to-night have to work overtime, some of them. To-morrow night in the Agricultural Department some of the clerks may have to work overtime. And so, without taking the time to go into the details of the illustration, I suppose it may be safely said there is not a single department in the city of Washington where the clerks are not required during this war period to work overtime. In the long run you find burdens are equalized. To introduce now the element of paying time and a half for overtime will, in my opinion, increase the burdens of the Government. As I said, it will not do us any good in the long run. If a change would benefit, it seems to me that somebody connected with some one of the departments would have discovered it long before this. Some of the heads of departments would have seen the necessity and would have recommended the change. Yet I am not aware of a single head of a department who has asked for the enactment of this statute.

Mr. SMITH of Georgia. Mr. President—

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

Mr. REED. I do.

Mr. SMITH of Georgia. What would the Senator think of the suggestion that the Borland amendment be itself amended, so that it would provide that if at any time these clerks were required to work overtime the amount of the overtime worked should be carefully recorded and a less number of hours given to make up for it on some other day, or that an increase of their annual leave be given, at the option of the clerk, to make up for the overtime worked, the regular day being eight hours, and whenever overtime was required that the clerk should be given credit for it?

Mr. REED. Mr. President, the answer I have to make is this: The man best capable of answering a question of that kind is the man who has been at the head of the department, the man who has had the experience. Here is a law that has been on the statute books for 20 years. Nobody ever found any trouble with it except a gentleman from my State and my district, my Congressman, the Hon. W. P. BORLAND. He is the man who made this discovery. The heads of the departments did not find it out; and some of the heads of these departments, I am afraid, are almost slave drivers themselves. I intend to touch on that a little bit later.

But before I leave the Hog Island situation, not only are these wages paid there—and the testimony is, and the finding of a Government board is, that they are the wages paid in Philadelphia and vicinity—not only are these high wages paid, but these men are furnished their meals on the ground at the actual cost of production when food is produced in great quantities. A meal is given to them for 30 cents that you could not get at the Willard Hotel for—I was going to say \$30; that might be a little high, but perhaps not very much too high if you allow for the tips. I do not mean by that to say that it is any too good a meal for an able-bodied workingman. I am only comparing prices there with those at the Willard as they were when I was last there. It has been some time since I have had the courage to visit that palace of pleasure. I understand, however, it is still the favorite habitat of Congressmen who practice economy by cutting down the wages of women clerks. [Laughter.]

Mr. PHELAN. Mr. President—

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

Mr. REED. I do.

Mr. PHELAN. I desire to ask the Senator from Missouri whether he has statistics affecting the wages of bookkeepers and clerks? If so, they might make a more correct parallel with the classes of labor we are discussing.

Mr. REED. No; I have not. I never could see any reason, though, why a bookkeeper or a clerk should get less wages than a mechanic or a common laborer, although I am free to say that in some places I think since union labor has been thoroughly organized it does get better wages than bookkeepers or clerks. That is because it has demanded and commanded fairer compensation.

Mr. PHELAN. I understand that the Senator is contending that it is more advantageous, then, for the Government to maintain the present status of its employees than to adopt the Borland amendment. The Senator is arguing, of course, from the point of view of the interests of the Government, that the Government has an advantage in requiring but seven hours' work without allowing extra compensation for overtime.

Mr. REED. No; the Senator does not quite get my position. I am arguing, as a matter of fairness to these employees, that they should not be required, as a matter of law, to work this additional hour. I am arguing that the Government suffers no disadvantage because it can call for extra work without extra pay. I am also calling attention to the fact that the wages these clerks receive are very much lower than the wages received in other vocations and callings since the war began; and I instanced the Hog Island testimony because the wages there are fixed by a Government board of supposed experts who studied the whole situation; that is all.

In addition to the cheapness of meals, many of the men at Hog Island are roomed on the ground at 10 cents a night, furnished a clean bed in sanitary quarters for 10 cents a night, and families that reside outside of the grounds are housed in quarters that have been arranged for at moderate rents. Among other places that have been utilized are the Girard estate properties, which are leased at a percentage which, I think, pays but a very small return upon the capital invested.

Mr. President, at a time when values are changing as they are at this time, when the cost of living is becoming so enormously high, when it is becoming so high in the city of Washington that we are about to pass a law—at least, it appears that we are about to pass a law—regardless of the Constitution and Magna Charta and the common law, and everything else, that will regulate the charges for rents, and so forth—at a time like that it is proposed to take the poorest paid employees of the Government, and yet about the highest class employees of the Government, and extend their hours of labor. I say that that is unfair; it is contrary to common equity and justice.

Now I come to the other question.

Some of those who advocate this law say that "We are going to make these people work eight hours a day, but we are going to make it up to them by raising their wages." Now, I wish that those who propose to advocate that theory might give me the benefit of their attention.

Mr. JONES of Washington. Mr. President—

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Missouri yield to the Senator from Washington?

Mr. REED. I do.

Mr. JONES of Washington. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

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

Beckham	Hale	McNary	Smith, Ga.
Borah	Harding	Martin	Smoot
Calder	Henderson	Myers	Sterling
Colt	Hollis	New	Sutherland
Culberson	Jones, Wash.	Norris	Swanson
Cummins	Kellogg	Nugent	Thomas
Curtis	Kendrick	Overman	Townsend
Dillingham	Kenyon	Penrose	Trammell
Fall	King	Phelan	Wadsworth
France	Kirby	Pomerene	Warren
Frellinghuysen	Knox	Reed	Watson
Gaffinger	Lewis	Shafroth	Williams
Gerry	McCumber	Sheppard	Wolcott
Gore	McKellar	Smith, Ariz.	

Mr. GERRY. I have been requested to announce that the Senator from Tennessee [Mr. SHELDON] and the Senator from Arkansas [Mr. ROBINSON] are detained on official business.

Mr. SUTHERLAND. I desire to announce the unavoidable absence of my colleague [Mr. GORFF] by reason of illness.

Mr. TRAMMELL. I wish to announce the unavoidable absence of the Senator from South Dakota [Mr. JOHNSON] on official business.

Mr. SHEPPARD. I desire to announce the absence on official business of the Senator from Florida [Mr. FLETCHER], the Senator from Louisiana [Mr. RANSELL], the Senator from Minnesota [Mr. NELSON], and the Senator from California [Mr. JOHNSON].

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

Mr. REED. Mr. President, the argument is made that these people ought to work an extra hour, but that they ought to have more pay; and the statement is made that a bill has been already introduced in the House to increase their pay. Let us see where that leaves us. What is the complaint about the shortness of the hours per day? What virtue is there in that complaint?

It is not claimed that any of these departments are behind with their work and that they could bring their work up to date by working an additional hour. Indeed, that can not be claimed, because the boss in the department has the right to tell the clerks to come and work 8 hours or 9 hours or 10 hours or 11 hours, and not a single penny additional has to be paid. The head of any department can issue an order to-morrow morning, if they are behind with their work, for every clerk to report an hour earlier and to stay an hour later, or even more hours, either way, if he sees fit. So that the demand for an extra hour can not be justified upon the ground that "It is because the work is behind, and hence it is necessary to catch up the work."

What, then, is the sole ground upon which it can rest?

Mr. SMITH of Georgia. Mr. President—

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Georgia?

Mr. REED. I do.

Mr. SMITH of Georgia. Is it not true that the departments are just bringing people by the hundreds here and packing even their corridors with extra people, upon the ground that the regular force can not do the work?

Mr. REED. I will answer that question in a moment. I prefer to answer it by itself. Let me continue the argument I was making.

Mr. SMITH of Georgia. I beg the Senator's pardon. I did not intend to divert him.

Mr. REED. That is all right.

The argument in favor of the eight-hour day is not advanced now by its author, and is not advanced now by anybody, upon the ground and for the reason that the department is behind in its work, and hence it is necessary to have this additional labor, or the department will remain behind in its work. The argument that was made in favor of this amendment in the first instance, and the only sound argument that can be made in favor of it now, is that these people are only working seven hours and that they are being paid enough so that they ought to work eight hours, and that it is therefore unjust to let them off at the end of seven hours. Now, gentlemen are telling us in the other House, and Senators are telling us here, that they propose to vote additional pay to these clerks on account of the eight hours.

How much will the Government save, if it has a hundred clerks who work an aggregate of 700 hours in a day, and who receive \$700 for it—I am using that sum merely to make easy figures—if it compels them now to work 800 hours, and pays them \$800 for it? Will the Government make anything? The author of this amendment may be able to go out to the farmers and tell the farmers, "I made these lazy clerks down at Washington work eight hours a day," but he will fail to tell them that he made the Government pay an additional amount for that additional hour.

Mr. SMOOT. Mr. President, will the Senator yield to me?

Mr. REED. I yield, gladly.

Mr. SMOOT. I will say to the Senator from Missouri that as far as I am personally concerned—and I think it is the case with many other Senators to whom I have talked—no matter whether the Borland amendment is agreed to or not, the clerks in the departments will receive an increased compensation. They did last year, and they will this year; and I want now to express my opinion that it will be a larger increase this year than it was last year.

Mr. REED. Very well. That increase is going to be made, then, regardless of the question of the hours.

Mr. SMOOT. In my opinion, it will be.

Mr. REED. It is not being made for the purpose of compensating for the additional time. It therefore affords no basis whatever for the claim that has been advanced that these people should be required to work eight hours in the interest of economy; does not jump true with the assertion that they are underpaid, and hence are entitled to a raise of wages.

Mr. SMOOT. I hope the Senator will understand that I did not make the statement that I made by way of an argument.

Mr. REED. Oh, no.

Mr. SMOOT. I simply made the statement as to what I believed would take place, and I am quite sure it will.

Mr. REED. I now come to answer the question of the Senator from Georgia [Mr. SMITH], which was whether the departments were not now behind with their work, and are therefore bringing in large numbers of people from the outside, so that the corridors were packed, and so forth.

The Senator from Georgia always asks practical questions. He is one of the fairest minded men in this body; and if he is committed to the other side of this case I can only express my regret. My answer to the question is this:

If the departments have needed extra help, and have brought in that extra help, and the people now employed are not being paid too much, then we might as well hire some extra help and let them all work seven hours, if the expense to the Government is thereby not increased, as to have those who are here work eight hours, and increase their wages, and bring in a less amount of help from the outside. You gain nothing by that. If it takes 800 hours of labor for one man to complete a task, it will take 100 laborers one day, working eight hours, to finish the job, or it will take approximately 114 laborers one day, working seven hours, to do the work. The Government might as well hire the 14 extra men as to pay the 100 men for the extra hour. If you make them work eight hours a day in order to do one-eighth more work and pay them one-eighth more wages, you come out at exactly the same point financially as you would if you allowed them to work seven hours a day at the same wages and hired one-eighth more employees. There is nothing in that argument.

The fact of the matter is that the author of this amendment, finding that a good deal of a hornet's nest had been stirred up, is reported in the newspapers to have made the statements that he was willing to raise the wages of the clerks, but he wanted them to work more hours. Now, if you raise the wages so that the raise of wages is equal to the additional length of time these people work, the Government comes out exactly where it was in the first instance so far as finances are concerned.

Mr. SMITH of Georgia. Mr. President, will the Senator let me ask him another question?

Mr. REED. Yes.

Mr. SMITH of Georgia. Has not a condition developed in Washington whereby the expense of living is so great that we are compelled to pay more to a certain class of our clerks to enable them merely to live here, and is not that necessary whether we increase the hours of work or not?

Mr. REED. Well, if that is to be done because of the general advance—

Mr. SMITH of Georgia. I do not mean to express an opinion about it. I merely present that thought to the Senator to get the benefit of his opinion.

Mr. REED. If that is to be done because of an advance in the cost of living—because, in other words, of a depreciation in the value of money—and because of the extortion and the profiteering by those who rent rooms and buildings in this city, then let us do that as a separate proposition upon its merits. Let us not confuse that question with this question of hours of labor. The truth is, and I state it again, that the author of this bill, having introduced it with the idea of extorting more work from these people so that he could make campaign material of it in his district, then undertook to square himself with union labor by writing a letter to union labor saying he was willing to raise the wages. At least he was so reported in the Washington papers. I never saw the statement denied.

Mr. SMITH of Georgia. I wish the Senator to understand that I am disposed to agree with him on that subject. The question of raising their pay or not raising it is not involved in this question, and we ought to dispose of the question of an eight-hour day on its merits.

Mr. REED. Absolutely. I am glad that the Senator from Georgia made his last statement. It is the statement of a great, big, fair man. I hope before this debate is over these over-worked and underpaid people will have the benefit of his great support, and he is just a big enough man to take that side if he is convinced. I know he is pretty hard to convince, because he does his own thinking; but he is a man who listens to others, and that is one of the qualities of greatness.

Of course, the question of a raise of wages generally in the city of Washington ought to be settled by itself. It ought to be made to apply where it should apply, and not otherwise, and of course the question of hours of labor ought to be settled by itself upon its merits, and it should be mixed with nothing else.

Now, it is said we are bringing in extra employees. We are bringing in many extra employees, but I do not at all agree to the proposition that we are bringing in a great number of supernumeraries and useless employees. But if we were, that has nothing to do with this case. If supernumeraries and useless employees are being imported into Washington by the hundreds or by the thousands that is not the fault of the old clerk who has been here, and for the most part it is not the fault of the old head of a department who has all along been here. If the fault exists it will be found in some of these new-made bureaus, these newly organized concerns, where the civil service has been disregarded, where wages have been fixed by some man who organized the bureau to suit himself, and where the wages are frequently out of all proportion to the wages paid in the Agricultural Department and other regular departments. We are straining at gnats and swallowing camels. We are saving at the spigot and paying no attention to the bung-hole. You are proposing to say to these old-time clerks, who have devoted their lives to the service of the Government in the Agricultural and the other regular departments of the Government, "You have got to work longer at your present wages, work overtime while the war is on," because in some new bureau they have too many clerks. Not a single reformer is throwing financial fits because the much higher salaries are being paid in the newly organized bureaus than are paid to the old-time clerks in the Agricultural Department. I do not say they are getting too high pay in the new bureaus, but they are receiving much higher pay than those in the regular departments.

Now, what do we gain by making the old clerk, who has been here for years and who knows his business, work an extra hour because some other bureau organized since the war began has some incompetent or inexperienced clerk? That does not answer the question that we must answer here to-day. It does not meet the issue.

What is the real question that ought to be argued here to-day? The real question and the only question, in my opinion, that ought to be settled here to-day is this: Are these people rendering a reasonable day's work for the pay they are receiving? The question whether we need them an hour longer or five hours longer is not before us, because if called upon they must work that hour or that five hours without any additional pay.

Mr. President, answering the question, I observe, first, that a very large percentage of these clerks are women, and because they are women we are able to get them at a less wage than we could men, speaking generally. And because the great majority of them are women having to make their living, I think they are entitled to a little shorter hours than men who work in the open and have the benefit of God's sunshine and His breezes. These people work inside, and most of them work at a mental labor which requires them to be taxed to a very high degree. I am not talking of slackers; I am not talking of loafers. If there are slackers and loafers, then find the head of the department who permits the slacking and loafing and let us take his head off. That is the answer. You never can get an honest day's work, you never can get good results, if the head of the department, if the boss himself, is not there to attend to business. I do not care if you were to demonstrate that two-thirds of the clerks were slackers, I would answer that has nothing to do with this case, but has to do with the boss, with the head of the department, and the head of the department who permits it ought to be put out of office. But I do not think it is permitted to any great extent among the older departments, very little indeed.

Let us consider the question of seven hours a day now. There is a mighty big difference between mental labor and physical labor. I have worked at physical labor and I have tried to work at mental labor. I say that you can take the man who works at physical labor under modern conditions and it is not nearly as destructive to his body, not nearly as wearing to his nervous system as is mental labor. If you do not believe that let me call your attention to the fact that there is hardly a single one of the great banks of the country where the clerks work over seven hours a day. Why is that? Because of the strain on the brain of a man who has to deal with a set of books, where a mistake may involve many large sums of money. No man is up to his best if you work him too long. How many students put in over six hours' actual work a day? How many men are capable of working over six hours a day at hard mental labor?

I do not mean, now, where a man sits in his office and talks a little with A, and consults with B, and reads a book touching upon some subject for half an hour, and writes a letter. I am talking about the man who has to do a particular task and to do it over and over again, and to do it with absolute accuracy. How many girls can sit in an office and pound a typewriter

steadily for seven hours a day and not break down under the the strain? I mean where they are required to work; I do not mean where they sit around.

I want to tell those of the Senators who are here to-day that I hope before they vote for additional hours of labor they will go down to one department that I happened to visit. True, it is not covered by this bill; but surely, if we put in this provision and make the clerks in the Agricultural Department work eight hours, we must pass similar laws regulating all other departments.

Mr. SMITH of Georgia. We must put them in all or none.

Mr. REED. I visited the Auditor for the Post Office Department. Let me describe the place. The auditor may be here to-morrow denying the statement I am going to make, but all the witnesses this side of the pearly gates will never remove from my mind the impression I received. I saw scores and scores and scores of young women and middle-aged women and some old women and a few men—nearly all women, though—sitting down at a new-fangled machine, and each of them had before her eyes where she could see it a card with a post-office number upon it, with the figures showing the amount of some postal transaction. It may have been a money order for 10 cents or it may have been one for \$10. She was required to touch exactly the right keys, to punch exactly the right number in a card, and then to punch exactly the right amount in dollars or cents, and if she missed a single figure, if she touched the wrong key once, she was docked, and when she had a certain number of dockage marks against her pay was liable to be reduced or she was liable to discharge. So hour after hour they sat there, and there they still sit, like automatons, like human machines, their eyes glued upon the paper before them, their fingers working almost, it seems, by magic, touching with great rapidity these keys, then quickly seizing another card and replacing the one just completed. Employees in that department tell me that scarcely a week passes that does not record the fact that some poor girl or woman is stricken with nervous prostration. A body has been broken on the wheel of labor—discarded as worn-out human machinery—mere wastage, no longer to be counted. But the God above, looking down in kindness, sees the frail limbs writhe in pain; His tender ears hear the cries of despair that come from the wretched lips of women who must toil or starve and who have fallen under the cross of labor.

Seven hours and a half a day at that kind of work is about as bad as it was to serve in the galleys of old Rome. But, of course, they ought to be made to stay another hour if it will get a few votes for somebody who desires to go out and tell the farmers in his district that "he made the lazy clerks down in Washington work an extra hour." I do not mean to say that that is the motive at all that inspires many of those, in fact the majority of those, who have been for this measure; but I beseech the Members of the Senate before they vote for a bill of this kind to take into consideration the fact that there are places where the men and women do not work hard enough and where, perhaps, a remedy ought to be established; there are other places where they work like slaves, so that the heart of any human being will bleed as he stands and looks at them bending to their tasks.

There are departments here in this city where chemists are shut up for many hours with the noxious and poisonous vapors that they must breathe in order to compound those products that are necessary to carry on the war. But there is to be no exception to the new rule. They must stay eight hours, no matter how it racks their nerves, no matter how it poisons their lungs, no matter if their efficiency is thereby reduced; there is to be no exception.

Senators, let me tell you something. I have found that when a condition has existed for 20 years or more and it has been generally applied—now note the condition—and where a large number of men have had the enforcement of it and all have been free to act and not one of them has suggested a change, generally it is not wise for an outsider to rush in and force a change. It is generally well to let well enough alone. This rule will cover a multitude of varied activities. It will apply to law clerks.

Mr. SMITH of Georgia. Are eight hours too long for them?

Mr. REED. Absolutely. Eight hours are too long for any man to really grub and work at books. I do not mean to say you can not sit around and mull things over; I am talking about work; and that is what these people are supposed to give us. I say there is not a man living who can sit down and put in eight hours a day absolutely at his desk on legal propositions and stand up under it. I do not refer to talking to your clients and that sort of thing. I have done that for 14 hours a day many a time.

Mr. SMITH of Georgia. Do not the law clerks confer together a part of the time? Do they not confer with their superiors?

Mr. REED. Possibly.

Mr. SMITH of Georgia. Do they not spend about as much time talking over what they are working upon in the departments as a clerk in a law office?

Mr. REED. I do not think so; but I say that the right kind of a law clerk, with the business he has to perform, will work it out if it takes him 14 hours a day; but the next day if he was in Senator SMITH's office or in mine and worked for only three hours we would say nothing about it. We are talking about people working by rule, working so much each day, measured out to them, and they must do it.

If we pass this law, we should logically make it apply to the clerks in our offices. Yet if I had a clerk in my office whom I had to work under the eight-hour rule I would not have him there five minutes. I require and expect him to help me out with my work, and if he wants a day off or if he wants to put in two hours a day when work is slack I say nothing, but if he has to put in 16 hours the next day and makes complaint he can not work for me. I expect my clerks to take an interest and get out the work, and I expect to treat them like men and give them some liberties. That is the spirit of the present law.

As it stands now the law allows the head of a department to say to his people, "You must be here seven hours a day anyhow; if I want you longer you must come." It is proposed now that they must come for eight hours and also come the extra hours without pay. Senators, it is a cheap performance.

Oh, of course they say war is on and everybody ought to work now. What difference does that make? If because of this war we get behind in these departments, the head of the department will say to these clerks, "I want you here an hour earlier in the morning, and you must work an hour or two hours later." They have said it in some of the departments, and, having caught up with their work, they then released their clerks.

I have taken much more time than I expected. I did not have time to prepare what I wanted to say on this matter, and it always takes a good deal longer to make a speech when you are not prepared than when you are. That accounts for the great length of many of mine. But I come back to this proposition: Wages of clerks are very low on the average; I mean low for the city of Washington, because the expense of living is very high here. Mostly women will be affected, women who have to live in rooms, many of them who have to get their own meals and attend to their own house work. If they do that and work seven hours a day it is long enough and it is hard enough. Hard taskmasters do not get good results. I do not want to see it made so that women who work in these departments can not make a decent living, and I do not want to see it made so hard that they will break down under the strain of long hours. Seven hours a day working over books or pounding a typewriter or working on a comptometer, or doing any of the other difficult tasks that have to be performed by first-class clerks, are as many as any poor girl or woman ought to be compelled to labor. We do not need to require them to work out their very heart's blood even if we are in a war. We will not get any more labor in the long run out of them, because a person who is weary and worn and tired and half sick can not perform a full day's work.

Let this matter stay where it has been. Let the head of a department be authorized to require more than seven hours of labor whenever he needs it. Let him release his help at the end of seven hours when he can do so without impairing the public service. Who is raising complaint about present conditions? What head of a department has complained? Who has been wronged or injured by this thing? Where did this agitation begin? Has the President seen anything wrong and called our attention to it? No. Has the Secretary of Agriculture told us that he needs his employees more hours? No. He is there on the job. He knows about as much what he needs in his offices as the Representative in Congress from the fifth district of Missouri. He is quite as intelligent, he is quite as patriotic, he is quite as honest, he is quite as far removed from the cheap demagogue. There is not a word of protest from the Secretary of Agriculture. Has Mr. Secretary Lane asked us to regulate the hours of the clerks in his department? It occurs to me, as I stand here, that my distinguished friend, the Senator from Georgia [Mr. SMITH] was Secretary of the Interior when this law was upon the statute books.

Mr. SMITH of Georgia. Will the Senator allow me to interrupt him?

Mr. REED. Certainly.

Mr. SMITH of Georgia. There were so many clerks in the department at that time that seven hours a day were ample

to do all the work. Not only is that true, but in many branches of the Interior Department I found the work a year and a half behind when I took charge. In a year and a half it was all current. It never occurred to me that we should increase the number of hours, unless we gave up some of the clerks.

Mr. KNOX. Mr. President—

Mr. REED. I yield to the Senator.

Mr. KNOX. Will the Senator from Missouri permit me to state my experience at the head of two departments for a considerable period of time—the Department of State for four years and the Department of Justice for three and a half years? Although both those departments were undermanned, both being relatively small departments and never having had the pull in Congress that the larger departments have, I never could get quite the number of clerks I wanted, yet my experience has been that although called upon sometimes day after day for weeks for extra service there never was the slightest complaint; that they had become accustomed to it; that it was a part of their duties to come when the necessity required, and they made no complaint. I think the most practicable rule we can have is the rule that now obtains.

Mr. REED. Mr. President, I am delighted to hear that statement from the Senator from Pennsylvania, who speaks out of the abundance of a long and a very extensive experience and illustrious career. I am also delighted to have the testimony of the distinguished Senator from Georgia, because it completely bears out what I have been saying. He tells us that there was a superabundance of clerks in the Interior Department when he went in, that the work was away behindhand, but that in a short time after he took charge the work was up to date. It depends always on who is at the head of a department. With the Senator from Georgia [Mr. SMITH] at the helm, without abusing anybody, he would get the work up; and with the Senator from Pennsylvania at the head of a department, without abusing anybody or calling on Congress to pass any harsh laws, he would have such a spirit among his employees that they would keep the work up.

I pass on down the line now. Has Mr. Secretary Lane asked for this, I repeat? No; and yet Secretary Franklin K. Lane is generally reputed to be a practical, hard-headed man who expects a day's work for a day's pay. Without at all having the reputation of being a hard taskmaster he is regarded as a most efficient and careful man. Has the Secretary of War asked for it? No. If there is any place in all the departments where the pressure of work has come hard and insistent, it has been in the War Department; but the Secretary of War has not asked for any such rule, and I apprehend that if the Secretary of War wanted his clerks to work all night there would not be a single laggard among them.

Mr. SMITH of Georgia. Mr. President, the Secretary of War did ask for more than \$4,000,000 of additional money to pay his extra force during the present year.

Mr. REED. Exactly; but while he is asking for that he did not ask that his clerks should be compelled by law to work a longer time than that already fixed. There was a necessity for extra clerks, and I have no doubt clerks in the departments have been working far into the night and doing it without any extra pay. I might call the roll of the entire Cabinet, but all would answer that they have not asked this law.

Is it not singular, now, that it remains for a Representative from the fifth district of Missouri to discover what neither President Wilson nor a single Cabinet officer had discovered—that there was something wrong in these departments? Is it not strange that this amendment, which has been turned down time and again in the House of Representatives, was finally got through as a war measure? I am sorry it is here. It will do no good to anybody. Let these heads of the departments run their own departments; let them be responsible. They can make their clerks work all night if they need them, and I would fire a clerk in five minutes who would not work all night if I needed him at a time like this, provided he was able to work all night. I would not expect him to do that, however, very many nights.

Mr. THOMPSON. Mr. President, will the Senator yield to me?

Mr. REED. Yes.

Mr. THOMPSON. Does not the Senator know that the clerks who are now in the War Department work every night?

Mr. REED. I think they do. I have already stated that. I am coming back again to this proposition, because I want to get it impressed on the Senate if I can.

A very great proportion of these clerks are women—women who have to earn their own living. I say now that my heart bleeds every time I see a lot of women going down the street in the morning on their way to some shop or store or office where

they work for a living. I wish to God no woman in this world ever had to do any work except in the home of a father or a mother or in the home of some good man who was her husband.

Mr. SMITH of Georgia. And that there was a sufficient number of men of enough account to take care of all of them.

Mr. REED. Yes; I wish so; but that is not the way life is running now. As soon as girls are out of school they have to take up their tasks—a very large percentage of them—and, no matter how strong the dear women may think they are, they are not fitted by the Almighty for the hard contests of the world. There is not a woman who ever lived, who was an honor to her sex, who did not need the shelter of a home. It may be she could get along without home or protector, but it was by taxing her soul and her body and her energies and her life. They are down here in these—I will not say sweatshops—but in these Government offices, and seven hours a day is long enough for them to work, unless in case of a rare emergency.

I do not class them at all with the big, husky, muscular fellows who work in the gun factory, who are in the open air, whose blood circulates with all the force and energy of splendid health, who can eat a peck of pork and beans at dinner and digest it; who are living the lives men ought to live—I do not put in the same class with these stalwart men the poor, pale girl, who sits, with her brain tense and her fingers nimbly running over the keys of a machine, whose mind is working, whose fingers are working, who must remain seated in one position, away from the sunlight, away from the air, away from exercise. There is a difference. This Senate will do itself no greater credit than by recognizing that difference.

Let the heads of the departments alone; let them run their own departments; let the clerks in the departments work seven hours; and, if they need them eight hours, let them call them in, but do not pay them anything more for it; but when the extra time is no longer necessary, let the clerks have the hour in the sunshine; let them walk out where the trees are green and where there is an occasional flower to look at; but do not pen them up for the sake of penning them up. It is not necessary.

There is a principle which runs through the employment of clerks who do mental labor in departments and offices that does not apply at all to a gun factory. Let me tell you what that is. It may be that it will have the effect on some benighted soul who is about to vote for this provision of the bill. If I am running a gun factory, I can lay out a certain amount of steel; I can start a certain number of lathes moving; I can plan the task so that every minute of the day will work along and everybody every minute of the day will be busy. I can do that day after day and week after week, and if I find out I am going to be short of material for a week or for a day, I can lay off so many men. That is a principle that runs through that kind of work. But I will give you an illustration upon the other side.

In order to illustrate the principle I will take an extreme case, a United States marshal's office. You have to have men there to serve summonses when the emergency arises. A great deal of the time they are sitting around, doing nothing; but you must have the surplus there to take care of the emergency when the emergency comes. So it is in your offices. The work does not come as it does in a gun factory, every single hour of the day a certain amount coming in, but there will be hours when there will be some slack work, and often there will be hours when there is an extra demand upon you so that when you come to apply an absolute eight-hour day to the clerk, and say he has got to stay there whether the work is there or not, you have imposed an unnecessary hardship on him. What you ought to do is to say that he shall be there 8 hours or 10 hours or 12 hours if the work is there, but when the work is not there, then he is to be allowed to relax. That is the proper principle upon which to do office work. It is the principle that runs through office employments; it is the principle that runs through almost every office in the world, except where they have the thing organized into a sort of sweatshop.

I beg pardon for having taken so much time of the Senate.

Mr. GORE. Mr. President, I gave notice this morning of an amendment which I intended to offer to the Agricultural appropriation bill. I find on examining it that I desire to perfect it; and I ask unanimous consent to do that.

The VICE PRESIDENT. The Senator has a right to perfect it to-day.

Mr. SMITH of Georgia. Mr. President, like the Senator from Missouri [Mr. REED], I have not prepared a speech, but, not like him, I shall occupy only a few minutes.

I indorse a great deal that he has said—his splendid tribute to women and his expression of intense sympathy for them when they are called upon to endure hard labor. I most deeply regret that there is not a strong man to care for every woman,

and when I see a woman compelled to engage in hard labor I always stop to think, Is not some man to blame for it?

Mr. President, we all have constituents in these departments. I have many. I am proud to call them my personal friends, and for them I have the most cordial affection. I believe, however, in the eight-hour rule for a day's work, except where the work is of such variety and so changeable that a longer number of hours is entirely practicable and not too severe a strain upon the person doing the work. I believe in the eight-hour limitation, because I think it is best for the human race. I think the limit of eight hours for a continuous day's work is saving to the person and saving to the Nation. More than 40 years ago, long before eight hours had been recognized as a limit for a day's work, I began a fight in my State against excessive hours of labor.

I do not like the present statute; I do not like the provision that clerks in the departments may be worked just as many hours as desired by their superiors. I do not believe in the eight-hour day and time-and-one-half pay for extra hours. I do not believe in extra hours; and if extra hours are required on one day I believe in having those hours made up to the workmen by lessened hours on some other day just as soon thereafter as possible. I believe in the eight-hour day, because I think that is the average length of time that a man ought to work in the interest of his health, in the interest of his mental and moral development, and in the interest of other responsibilities he may carry. To work him 12 hours and pay him double time for the four extra hours does not save his life or save his health or develop his mind and character; it is an excessive, unwise, improper wearing of the man or the woman who is required to work that length of time. When, perchance, extra hours must be given upon a particular day, instead of double pay or time-and-a-half pay, I think the true rule should be that just as speedily as possible an equivalent number of hours should be taken off of a subsequent eight-hour day so that the average time of employment shall be eight hours daily.

Mr. President, the Borland amendment came to the Agricultural Committee, and, with one dissenting vote, we approved it. I am in favor of amending the Borland amendment by providing that if at any time clerks are required to work over eight hours the time shall be kept and shall be given to them in a day with full pay without work.

Under the present system employees have 30 days' leave with full pay and an additional 30 days' sick leave with full pay when they are sick. If they work over eight hours a day, the extra time should be added to their 30 days' leave or, better still, the day without work should be allowed as soon as eight hours of extra work have been performed. How does the system work at present? Some of the clerks in a department may be called upon to work 10 hours, while others are working 7, and those who work 10 hours get no credit for the 3 extra hours. How much better it would be to require them all to work eight hours, and if, perchance, any are called upon to work over eight hours, then give them credit for it in reduced hours on some day or days later on?

Mr. REED. Mr. President—

Mr. SMITH of Georgia. I yield to the Senator.

Mr. REED. Of course, that proposition may be a very meritorious one, but the Senator will agree with me that that is not the proposition we are now discussing.

Mr. SMITH of Georgia. I have an amendment to the so-called Borland amendment, which I intend to ask the Senate to accept, and it is therefore the proposition which I am considering. It has been the view that I have entertained with reference to the subject by reason of which I felt justified in voting for the Borland amendment.

Mr. REED. That is a very different proposition; many people will agree to that.

Mr. SMITH of Georgia. I understand, of course, that it is a different proposition.

Mr. KENYON. Mr. President, will the Senator read the amendment he intends to offer, so that we may listen to his discussion in the light of the proposed amendment?

Mr. SMITH of Georgia. After the so-called Borland amendment I propose to add:

And when work is required in excess of eight hours the extra time shall be kept and leave shall be allowed to the employee required to do the extra work to an extent equal to the extra service.

Mr. SMOOT. I suggest to the Senator to put in the words "annual leave," so that it will come in the same year.

Mr. SMITH of Georgia. Very well. The leave ought to be at the option of the clerk. If a clerk worked over eight hours for a week, I think it would be wise to give extra time or leave to the clerk immediately thereafter, if the clerk so desires, but certainly within the year, and I will change the language

so that the clerk shall have it at least in the year. I believe the wisest course would be for a clerk who has worked eight hours' extra time to be given an extra day for rest immediately thereafter, or as soon as the clerk desires it.

Mr. KENYON. Mr. President, I am glad the Senator has introduced that amendment. I shall favor it if the motion of the Senator from Texas is defeated. I had intended, if the motion was defeated, to submit an amendment providing that the requirement as to eight hours' labor shall remain in force during the existence of this war. I think possibly the amendment of the Senator from Georgia may obviate the necessity of that. I had intended to vote against the motion of the Senator from Texas, and I wanted to state in the Record at some time that I would offer that amendment, making this provision applicable during the present war. That, however, may not be necessary in view of the Senator's proposed amendment.

Mr. SMITH of Georgia. Now, let us see what the condition is in Washington at the present time. All the departments are greatly overworked; into the departments are being brought large numbers of additional clerks; the halls are filled with desks and with women at work; and in some places you will see women working into the night. I believe it would be vastly better for all of them to work a regular eight-hour day, and if in any division women are asked to work two hours extra I think as soon as they have earned a day's leave by eight hours' extra work they ought to be given a day's leave for rest. I do not know but that it would be better in framing this amendment to provide that as soon as the extra work has amounted to eight hours, at the option of the person required to do the extra work, the privilege should be given of a day's leave.

My view of this eight-hour rule has always been that it was in conservation of human life and human health and the saving of human life and human health, particularly where the work was steady, unvaried work. I do not apply the eight-hour rule to varied work, such as the work of a Senator. We may begin at 8 o'clock in the morning and work until 11 o'clock at night, and yet the variety and change of our work is such that it is entirely different from the work of a person who sits at a desk and hammers at one steady proposition for eight hours. Where the work is steady and continuous, without the rest of variety, there should be an unyielding limit of eight hours, without added hours of work; and if it is necessary to work extra time, those hours of extra work should be made up by days of less than eight hours' work.

The Senator from Missouri said that the heads of departments have not called for the proposed change in the law. That is true. I think the whole subject has been brought to public attention with more force within the past 12 months than ever before. For the first time we have found the departments here entirely unable to do their work on account of the pressure coming upon them. For one department to ask Congress in a deficiency appropriation bill for over \$4,000,000 to pay extra clerks is something unprecedented in the history of the Government. The truth is that I have thought in that department they have so many clerks that they can not work; they seem to be falling over each other, with messengers sitting around the doors in each other's way. There are enough idle watchmen and messengers in some departments in Washington sitting about the doors as you walk through to make you tired.

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Georgia yield to the Senator from New Hampshire?

Mr. SMITH of Georgia. I do.

Mr. GALLINGER. I quite agree with the Senator in the observation he has just made. I sat in a certain bureau not long ago and watched some women who had been brought, I presume, from the interior, perhaps from the far West, or possibly from New England, at salaries of \$1,000 or \$1,100 a year, when I would not have given anyone of them \$5 a week to do work for me. But they are there. They are in the way of each other, and I think that the reform ought to be made at that point. The fact is that there have been brought here a mass of young people without any equipment to do the work that is required of them. I read in a newspaper the other day that a certain gentleman, not the head of a department, said, if he was correctly quoted, he would like to get 1,200 stenographers, but he did not know where he could find more than 12. Twelve hundred stenographers! It is absurd; there is no such demand to warrant any such statement as that.

Mr. SMITH of Georgia. Mr. President, will the Senator stop a moment?

Mr. GALLINGER. Yes.

Mr. SMITH of Georgia. If that gentleman was in the public service, I think we should obtain some competent man to take his place.

Mr. GALLINGER. I think so, too. I am following the Senator's speech very carefully, because I am seeking information on this complicated subject, and we all want to do the right thing by these employees. The clerks have substantial advantages over clerks employed in private business. A young man or a young woman clerk in my section of the country gets a vacation of about two weeks in the year. The young men and young women in the Government departments get a regular month's vacation; and then they get an additional month if they are sick. I presume that they are all honest about being sick, but plenty of them get that additional month. Some of them, to my knowledge, go to Europe during those two months and take other trips abroad.

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

Mr. GALLINGER. The Senator from Georgia has the floor; out, if he has no objection, I will yield.

Mr. KING. I want to suggest to the Senator that I have had a great many complaints from the business and professional men of this city because the departments are taking away all of their employees. Senators complain about paying the employees of the departments too small wages, and yet those wages are nearly double what is paid here in private employment; where the hours of labor are very much longer than in the Government service; where the conditions are not nearly so favorable; and where the work is infinitely harder than that in the Government service.

Mr. GALLINGER. I beg pardon of the Senator from Georgia for taking so much time. My sympathies are along the same line that the sympathies of the Senator from Georgia run, and yet there are two sides to the question. Two or three years ago in the city of Washington I sat at a table not far removed from an interesting young woman who complained to me with a good deal of regularity of the inadequacy of her salary; and yet, to my knowledge, she went to the grand opera four nights in that particular week. I did not go at all, because I thought I could not afford it, but she went. One Senator has complained that these young women do not have recreation. I think they get a good deal of recreation, because a great many of them go every night to the moving-picture shows. That, of course, does not touch the question at issue at all, except in a collateral way.

Mr. KING. Mr. President, if the Senator from Georgia will yield to me for one further observation, I want to suggest to the Senator from New Hampshire that within the past six months I have had applications from at least 50 or 75 individuals who were formerly in the Government service, but who went back into private life and failed or found the work there too arduous. They have come back now, and have earnestly sought positions at the hands of the Government, indicating conclusively—and they so state—that they would very much prefer to work for the Government than to work for private individuals or to work for themselves.

Mr. SMITH of Georgia. Mr. President, my sympathy goes out to every one who has a hard struggle to meet expenses and to all who struggle for a livelihood, and yet we ought to think of all the people of the United States, and remember that the balance of the people of the United States pay the salaries of those in office, and we ought always to seek to equalize the compensation we give to those in office, with a regard to what the same work brings to those not in office. However much we may desire larger pay to all, whether in or out of Government service, we must remember that compensation for labor can not be pressed beyond the value of the laborer's production.

There has recently been an examination made by the Railroad Wage Commission of the Interstate Commerce Commission, and a statement has been furnished me of the report of one of the important railroad systems operating through Washington, D. C., showing salaries paid to its clerical employees during the month of December, 1917, and the analysis that I intend to furnish the Senate is based upon a summary submitted by the company covering five representative divisions of the company's system.

The divisions reported on were selected by the railroad under the following instructions from the commission:

These divisions must be so selected as to avoid valid criticism as to their not being truly representative of the entire system.

The Senator from Missouri [Mr. REED] gave us figures of compensation paid to the employees at Hog Island. From what I have heard of Hog Island it is about the last place I would select as an example for consideration in the line of any other endeavor in the United States, unless it were to express the hope that it would not be followed as an example. I would cite it only to guard against what seems to have gone on there. But when you come to the employees of a railroad company, and take 10 divisions, and take the clerical force of a railroad company, you get into the same class as our average clerical work here.

The figures are really surprising. They indicate compensation which I think was too low.

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

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

Mr. SMITH of Georgia. I do.

Mr. KING. Does not the experience of individuals who have come in contact with employees in the railroad service and those who have come in contact with those who are working for the Government conclusively demonstrate that the service rendered by employees in private activities is very much greater per hour, per day, per month, or per year than that rendered to the Government by the employees of the Government?

Mr. SMITH of Georgia. My observation of the work in railroad offices has rather impressed me with the thought that it was being done with more force, with more vigor, and more dispatch—

Mr. KING. And more efficiency?

Mr. SMITH of Georgia. And with more efficiency than I have usually seen it conducted in the departments in Washington.

Now, here is the result. These figures were prepared by the railroad companies in connection with a demand for an increase of freight rates, so there was every inducement to furnish the figures indicative of their expenses in a way that was as favorable as possible to the railroad company, and it was to the interest of the railroad company to select the divisions representing its highest average of salaries.

They were showing how heavy their expenses were and how their expenses had increased:

Two hundred and ninety-nine clerks out of 1,043 were paid between \$75 and \$100 per month.

Six hundred and sixteen received between \$30 and \$75 per month.

A total of 915 clerks received \$100 and less per month out of a great total of 1,043.

Mr. President, I have the statement in detail, and I ask leave to print it in the Record.

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

The statement referred to is as follows:

Pay of railway employees.

CLERKS, \$900 AND UPWARD (EXCLUDING TELEGRAPHER CLERKS).

Rate per month.	Days per week.	Total number employees.	Eight-hour day.			Nine to twelve hour day.		
			Number employees.	Number actually working overtime.	Number due to receive pro rata pay for overtime.	Number employees.	Number actually working overtime.	Number due to receive pro rata pay for overtime.
\$75 to \$80.....	6	53	17	5	36	3	6
7	53	15	5	.....	38	1	.....
\$80 to \$90.....	6	53	6	.....	47	3	4
7	69	24	5	.....	45	2	.....
\$90 to \$100.....	6	43	7	2	.....	36	.....
7	28	11	1	.....	17	4	.....
\$100 to \$110.....	6	16	3	2	13	1
7	21	4	.....	.....	17	1	.....
\$110 to \$120.....	6	15	2	.....	13	.....	.....
7	14	2	.....	.....	12	4	.....
\$120 to \$130.....	6	1	1	.....	1	.....	.....
7	9	5	1	.....	4	.....	.....
\$130 to \$140.....	6	3	.....	.....	3	.....	.....
7	5	3	1	.....	2	.....	.....
\$140 to \$150.....	6	.....	.....	.....	.....	.....	.....
7	2	.....	.....	.....	2	.....	.....
\$150 to \$160.....	6	.....	.....	.....	.....	.....	.....
7	.....	.....	.....	.....	.....	.....	.....
\$160 to \$170.....	6	.....	.....	.....	.....	.....	.....
7	1	.....	.....	.....	1	.....	.....
\$170 to \$180.....	6	.....	.....	.....	.....	.....	.....
7	1	.....	.....	.....	1	.....	.....
Total.....		387	99	22	288	19	10

CLERKS, BELOW \$900 (EXCLUDING TELEGRAPHER CLERKS).

Less than \$30.....	6	.....	.....	.....	.....	.....	.....	.....
7	3	.....	.....	.....	3	.....	.....	.....
\$30 to \$40.....	6	3	.....	.....	3	.....	.....	.....
7	6	.....	.....	.....	6	.....	.....	.....
\$40 to \$50.....	6	28	.....	.....	28	3	.....	.....
7	18	1	.....	.....	17	1	.....	.....
\$50 to \$60.....	6	14	4	.....	50	8	.....	.....
7	83	10	.....	.....	73	2	.....	.....
\$60 to \$70.....	6	169	17	4	.....	152	25	.....
7	141	13	1	.....	136	2	.....	.....
\$70 to \$75.....	6	64	11	2	.....	53	8	8
7	39	8	.....	.....	31	.....	.....	.....
Total.....		616	64	7	.....	552	47	8

Pay of railway employees—Continued.
MESSENGERS AND ATTENDANTS, \$720 AND BELOW.

Rate per month.	Days per week.	Total number employees.	Eight-hour day.			Nine to twelve hour day.		
			Number actually working over-time.	Number due to receive pro rata pay for over-time.	Number employees.	Number actually working over-time.	Number due to receive pro rata pay for over-time.	Number employees.
Less than \$30...	6 7	1 18	1 1	.....	1 17	.....	.....
\$30 to \$40.....	6 7	1 6	1 1	.....	5 .....	.....	.....
\$40 to \$50.....	6 7	2 6	.....	.....	2 6	.....	.....
\$50 to \$60.....	6 7	5 .....	.....	.....	5 .....	.....	.....
Total.....	.....	39	3	1	36	.....	.....

Mr. SMOOT. Mr. President, does that refer to the employees of the railroad or to the employees of the departments?

Mr. SMITH of Georgia. It is a statement of the pay of the employees of the railroad. I have presented this statement in detail of the employees of the railroad to which I have just referred.

Mr. KING. Mr. President, will the Senator permit an indirect question?

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

Mr. SMITH of Georgia. I do.

Mr. KING. Is there anything to indicate the sex of the employees? And if there is not, does not the Senator think that the majority of them are males?

Mr. SMITH of Georgia. I have nothing to indicate the sex, but I should certainly say that the average of males is much larger in the railroad service than it is in the departments here.

I print this statement in order that our employees in Washington may see that they are not unkindly treated; that relatively their compensation is not unjustly decreased; and that as compared to their fellow citizens who are at work at home, even though they are men, they are paid more for the amount of work that they do than is paid in private employment.

Mr. GALLINGER. Mr. President—

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

Mr. SMITH of Georgia. I do.

Mr. GALLINGER. Does not the Senator likewise, in that connection, feel justified in making the suggestion that in all human probability at this session of Congress some added compensation will be given to the employees of the departments?

Mr. SMITH of Georgia. I think undoubtedly it will be done. During the address of the Senator from Missouri [Mr. REED] that subject was up, and the Senator from Utah [Mr. SMOOT] and I expressed the opinion that it would be done; and I furthermore expressed the opinion that I was in favor of some increased compensation without regard to the change of hours, whether we leave them seven hours or provide for eight hours. If we stand on the law as it is now, we have determined the hours. The expenses in Washington at present are heavy, and if we bring people here we ought to give them a chance to live by what we pay them, even though they do receive more than is paid for similar work in other parts of the country.

Mr. GALLINGER. Mr. President, probably the Senator has had this matter called to his attention, and I do not know how far it will go toward relieving the situation; but the Government is now employing women to take houses in the city of Washington, the Government becoming responsible for the rent for a certain length of time, and fixing a maximum price that the women running these houses shall exact of the girl clerks who have come here; and, as I understand, the maximum is \$10 a week.

Mr. SMITH of Georgia. For board and room?

Mr. GALLINGER. For board and room.

Mr. SMITH of Georgia. That will quite substantially improve the situation, and I am very glad to know it is being done.

Mr. GALLINGER. I state that because I know a very excellent woman from my own State who has taken a house upon those terms. The Government likewise advances money for the furnishing of the house, to be paid back in installments.

Mr. SMITH of Georgia. This whole condition in Washington is abnormal. Our whole course in connection with governmental matters is abnormal. As a general proposition, I believe in employing those that the Government needs to serve the Govern-

ment and letting them attend to their private affairs just like any one else, with just as little paternalism and interference with individual responsibility as possible. But we have a condition in Washington now that is so entirely unprecedented that I think it excuses unprecedented attention to the situation.

I shall not detain the Senate longer, and I wish again to say that in presenting this table showing compensation I commend it to the attention of those employed in the Government service in Washington. I think it will make them feel a spirit of greater contentment with what they are receiving. I think if they have forgotten what the compensation is to the public generally at home, it will remind them of it, and they will realize that they at least are not being unkindly treated.

EXECUTIVE SESSION.

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

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Friday, March 15, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 14, 1918.

AID IN COAST AND GEODETIC SURVEY.

Herman Odesky, of New York, to be aid in the United States Coast and Geodetic Survey, Department of Commerce, vice F. C. Nyland, resigned. (By promotion from deck officer.)

SURVEYOR GENERAL.

Charles E. Davidson, of Alaska, to be surveyor general of Alaska, his term of office having expired. (Reappointment.)

UNITED STATES CIRCUIT JUDGE.

Martin T. Manton, of New York (now serving as United States district judge, southern district of New York), to be United States circuit judge, second circuit, vice Alfred C. Coxe, resigned.

JUDGE OF THE MUNICIPAL COURT, DISTRICT OF COLUMBIA.

Milton Strasburger, of the District of Columbia, to be judge of the municipal court, District of Columbia. A reappointment, his term expiring April 6, 1918.

UNITED STATES ATTORNEYS.

Richard H. Mann, of Petersburg, Va., to be United States attorney eastern district of Virginia. A reappointment, his term expiring April 24, 1918.

Richard Evelyn Byrd, of Roanoke, Va., to be United States attorney western district of Virginia. A reappointment, his term expiring April 6, 1918.

UNITED STATES MARSHALS.

John J. Bradley, of Chicago, Ill., to be United States marshal northern district of Illinois. A reappointment, his term expiring April 28, 1918.

John G. Saunders, of Richmond, Va., to be United States marshal eastern district of Virginia. A reappointment, his term expiring April 16, 1918.

T. G. Burch, of Martinsville, Va., to be United States marshal western district of Virginia. A reappointment, his term expiring April 6, 1918.

REGISTERS OF LAND OFFICES.

Oliver C. Harper, of California, to be register of the land office at Independence, Cal., his term of office having expired. Reappointment.

Joseph Winczewski, of Minnesota, to be register of the land office at Duluth, Minn., his present term expiring April 26, 1918. Reappointment.

COLLECTOR OF CUSTOMS.

George H. Rowley, of Greenville, Pa., to be collector of customs for customs collection district No. 12, with headquarters at Pittsburgh, Pa., to fill an existing vacancy.

TEMPORARY PROMOTIONS IN THE ARMY.

INFANTRY ARM.

To be colonels with rank from December 21, 1917.

Lieut. Col. Fred L. Munson.

Lieut. Col. Thomas M. Anderson, jr.

To be first lieutenant with rank from October 26, 1917.

Second Lieut. Bernard M. Barcalow.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

INFANTRY ARM.

Second Lieut. Frederick M. Vinson to be first lieutenant with rank from August 7, 1917.

To be first lieutenants with rank from October 30, 1917.

Second Lieut. George W. Griner, jr.

Second Lieut. Hugh T. Mayberry.

To be first lieutenants with rank from November 5, 1917.

Second Lieut. Charles D. Pearce, jr.

Second Lieut. Edward D. McDougal, jr.

Second Lieut. Philip W. Lowry.

Second Lieut. Charles P. Winsor.

Second Lieut. John Doble.

Second Lieut. Moses McK. Darst.

Second Lieut. Robert R. Smith.

Second Lieut. Evan C. Dresser.

Second Lieut. James G. Carr.

Second Lieut. Daniel E. Farr.

Second Lieut. Chester McN. Woolworth.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 14, 1918.

JUDGES OF THE MUNICIPAL COURT, DISTRICT OF COLUMBIA.

Edward B. Kimball to be judge of the municipal court, District of Columbia.

Michael M. Doyle to be judge of the municipal court, District of Columbia.

UNITED STATES MARSHALS.

Charles T. Walton to be United States marshal, southern district of California.

John Q. Newell to be United States marshal, western district of Oklahoma.

James S. Magee to be United States marshal, middle district of Pennsylvania.

Clarence E. Smith to be United States marshal, northern district of West Virginia.

UNITED STATES DISTRICT ATTORNEY.

Bert E. Haney to be United States attorney for the district of Oregon.

APPOINTMENT IN THE NATIONAL ARMY.

CORPS OF ENGINEERS.

Col. Charles Keller to be brigadier general.

TRANSFER TO THE ACTIVE LIST OF THE ARMY.

INFANTRY ARM.

To be captain with rank from October 3, 1915.

First Lieut. Sydney Smith, retired.

PROMOTIONS IN THE ARMY.

COAST ARTILLERY CORPS.

William K. Moore to be captain.

INFANTRY.

Edwin J. Nowlen to be captain.

Sam P. Herren to be captain.

POSTMASTERS.

PENNSYLVANIA.

Loyal G. Hoffman, Boswell.

Henry W. Rinehart, Millerstown.

MICHIGAN.

Floyd Sanford, Addison.

Frank G. Hamilton, Mesick.

William D. Colegrove, Remus.

HOUSE OF REPRESENTATIVES.

THURSDAY, March 14, 1918.

The House met at 12 o'clock noon.

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

O Thou Eternal One, from whom proceedeth all that is pure and holy, Thou art the Father of life and light, truth, justice, mercy, and love. Help us, we beseech Thee, without the fear or favor of men, to seek by every means to develop these qualities in our own being, that we may press toward the goal of that perfected manhood, as we know it in Jesus Christ, and to Thee we shall ascribe all praise, in His name. Amen.

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

MEMBERS ELECT FROM THE STATE OF NEW YORK.

Mr. RIORDAN. Mr. Speaker—

The SPEAKER. The gentleman from New York.

Mr. RIORDAN. Mr. Speaker, the four Members who were elected at the recent special election in New York are present. Their certificates of election have not arrived on account of the

soldier vote. Under the laws of our State the votes cast by the soldiers can not be canvassed until six weeks after the election. There is no question about the election of any one of these Members. The plurality in every case is a substantial one, the lowest being more than 2,100, running up to nearly 6,000. I ask unanimous consent that they be sworn in at this time.

The SPEAKER. Is there objection?

Mr. MONDELL. Mr. Speaker, reserving the right to object, I think there is no disposition on the part of the House to prevent these gentlemen from being sworn in at this time. If the gentleman from New York will make a statement it will make it clear—I understand such a statement can be made—that the soldier vote can not under any circumstances affect the election of these Members; if the gentleman will kindly give their majorities and the best estimate possible of the soldier vote.

Mr. RIORDAN. The total soldier vote cast in the four districts is 353, which would make an average of less than 90 votes in a congressional district. The majorities by which the four Members were elected, as shown by the returns, are: Mr. DELANEY, from the seventh district, succeeding Mr. Fitzgerald, plurality 3,166; Mr. CLEARY, succeeding Mr. Griffin, plurality 4,744; Mr. DONOVAN, succeeding Mr. Hulbert, plurality 2,102; Mr. GRIFFIN, succeeding Mr. Bruckner, plurality 5,937.

Mr. MONDELL. These pluralities seem to be larger than we wish they were, and it seems to indicate there can be no doubt of the election of these gentlemen, and I hope there will be no objection to their being sworn in.

The SPEAKER. Is there objection?

Mr. MEEKER. Mr. Speaker, reserving the right to object, do I understand that this Congress is asked to seat these gentlemen before the count is all in?

Mr. RIORDAN. Yes, sir; for the reason—

Mr. MEEKER. I object.

Mr. RIORDAN. Will the gentleman withhold that for a moment?

Mr. MEEKER. Yes.

Mr. RIORDAN. The count is all in and so is the soldier vote; but under the State law providing for the vote of the soldiers in France and other places—that did not affect this particular election; there are only 353 of those votes—they can not be canvassed by our local canvassers until six weeks after election.

Mr. MEEKER. For the time being I object.

Mr. MONDELL. I trust the gentleman will not object.

Mr. MEEKER. I object for the present.

Mr. MONDELL. There seems to be no doubt—

The SPEAKER. The gentleman from Missouri objects.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3833. An act to authorize Cole and Osage Counties, Mo., to construct a bridge across the Osage River; and

S. 41. An act to authorize the sale of certain lands at or near Yellowstone, Mont., for hotel purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3752) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes.

SENATE BILLS REFERRED.

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

S. 3833. An act to authorize Cole and Osage Counties, Mo., to construct a bridge across the Osage River, to the Committee on Interstate and Foreign Commerce.

S. 41. An act to authorize the sale of certain lands at or near Yellowstone, Mont., for hotel purposes, to the Committee on Public Lands.

ENROLLED BILL PRESENTED TO THE PRESIDENT.

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 bill:

H. R. 175. An act to amend an act entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal year 1915 and for prior years, and for other purposes."

REFERENCE OF A BILL.

Mr. RAKER. Mr. Speaker, by direction of the Committee on Woman Suffrage I ask unanimous consent to have the bill H. R. 4665, a bill granting right of suffrage to women of Hawaii, retransferred from the Committee on the Territories to the Committee on Woman Suffrage.

The SPEAKER. The Clerk will report the bill by title.
The Clerk read as follows:

A bill (H. R. 4665) granting to the Legislature of the Territory of Hawaii additional powers relative to elections and qualifications of electors.

The SPEAKER. Is there objection?

Mr. JOHNSON of Washington. Mr. Speaker, I shall have to object for the present.

The SPEAKER. The gentleman from Washington objects.

Mr. RAKER. Mr. Speaker, under direction of the Committee on Woman Suffrage I move you as follows: That the bill H. R. 4665, a bill granting to the Legislature of the Territory of Hawaii additional powers relative to elections and qualifications of electors, referred to the Committee on Territories, be referred to the Committee on Woman Suffrage.

Mr. WALSH. Mr. Speaker, I move that that motion be laid upon the table.

The SPEAKER. The gentleman from Massachusetts moves to lay the motion upon the table.

Mr. SHERLEY. Mr. Speaker, I desire to make a preferential motion to either motion.

The SPEAKER. What is the preferential motion?

Mr. SIMS. I want to make one.

Mr. SHERLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the legislative, executive, and judicial appropriation bill.

Mr. SAUNDERS of Virginia. Mr. Speaker, why is that a preferential motion?

The SPEAKER. It is not.

Mr. SIMS. I wish to call up the conference report on the railroad-control bill.

The SPEAKER. The Chair will get around to all of them.

Mr. SHERLEY. Mr. Speaker, the motion of the gentleman from California [Mr. RAKER] is not preferential over a motion from a committee having the powers that the general appropriating committees have for the consideration of their bills.

Mr. SAUNDERS of Virginia. If this situation presents a question of preferential consideration then the preference should be given to the motion of the gentleman from California to correct an erroneous reference of a public bill. Rule XXII, subsection 3, provides specifically for this motion, and prescribes that it may be made on any day after the reading of the Journal, by unanimous consent, or on motion of a committee claiming jurisdiction. The gentleman from California makes his motion on the authority of his committee claiming jurisdiction. The rule contemplates immediate action, since it excludes debate. Moreover the motion can be made at only one moment of time, that is, the moment immediately succeeding the reading of the Journal. These circumscriptions about the motion indicate that the time given is sacred to this motion, and that a Member in a position to make the motion under the rule, and appearing at the prescribed time, should be protected in his right and have his motion submitted. There is no provision in the rules or in the precedents of which I am aware which gives a Member rising to make a motion to go into the Committee of the Whole to consider a general appropriation bill the right to displace a Member proceeding under the rule to correct an erroneous reference and have his motion submitted in preference to the prior motion intended to correct the reference complained of. The House can decline to make the correction, and then go into the Committee of the Whole if it so desires. But this is a matter in the discretion of the House. The Member who has secured recognition to make the motion to correct an erroneous reference is entitled to have his motion submitted as a matter of right. He is not subject to displacement by the motion to go into Committee of the Whole.

The SPEAKER. The question is on the motion of the gentleman from Massachusetts [Mr. WALSH], to table the motion of the gentleman from California [Mr. RAKER].

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. WALSH. Division, Mr. Speaker.

The House divided; and there were—ayes 21, noes 69.

Mr. WALSH. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. The gentleman from Massachusetts makes the point that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors and the Sergeant at Arms will notify the absentees. Those in favor of the motion to table will, as their names are called, vote "yea," and those opposed will vote "nay," and the Clerk will call the roll.

The question was taken; and there were—ayes 64, noes 268, answered "present" 4, not voting 92, as follows:

YEAS—64.

Almon	Dewalt	Howard	Romjue
Bell	Dominick	Hull, Tenn.	Rouse
Black	Doremus	Humphreys	Rucker
Blackmon	Dupré	Kincheloe	Sanders, La.
Borland	Flood	Larsen	Sisson
Brand	Focht	Lee, Ga.	Slayden
Burnett	Garner	Leshar	Small
Byrnes, S. C.	Garrett, Tenn.	Lever	Steagall
Candler, Miss.	Glass	Lufkin	Stephens, Miss.
Cannon	Gray, Ala.	Mansfield	Vinson
Carlin	Hamlin	Morin	Voigt
Coady	Hardy	Nicholls, S. C.	Walsh
Collier	Harrison, Miss.	Overstreet	Whaley
Connally, Tex.	Heflin	Parker, N. J.	Wilson, Tex.
Cooper, W. Va.	Helm	Price	Wise
Dent	Holland	Quin	Woodyard

NAYS—268.

Alexander	Fess	Linthicum	Rodenberg
Anderson	Fields	Littlepage	Rogers
Ashbrook	Fisher	Loebck	Rose
Aswell	Fordney	London	Rowe
Ayres	Foster	Lou-r-gan	Rowland
Bacharach	Francis	Longworth	Rubey
Baer	Frear	Lundeen	Russell
Bankhead	Freeman	Lunn	Sabath
Barkley	French	McAndrews	Sanders, Ind.
Barnhart	Fuller, Ill.	McArthur	Saunders, Va.
Beakes	Gallagher	McClintic	Scott, Iowa
Beshlin	Gandy	McCormick	Scott, Mich.
Blanton	Gard	McCulloch	Sells
Bowers	Garrett, Tex.	McFadden	Shackleford
Brodbeck	Glynn	McKenzie	Shallenberger
Browne	Godwin, N. C.	McKinley	Sherwood
Burroughs	Good	McLaughlin, Mich.	Shouse
Butler	Goodwin, Ark.	McLaughlin, Pa.	Sims
Byrns, Tenn.	Gordon	McLamore	Sinnott
Caldwell	Graham, Ill.	Madden	Slemp
Campbell, Kans.	Green, Iowa.	Magee	Sloan
Cantrill	Greene, Mass.	Maher	Smith, Idaho
Caraway	Greene, Vt.	Mapes	Snell
Carter, Okla.	Gregg	Martin	Snook
Cary	Griest	Mason	Stedman
Church	Hadley	Mays	Steele
Clason	Hamilton, Mich.	Meecker	Steenerson
Claypool	Harrison, Va.	Miller, Minn.	Sterling, Ill.
Connely, Kans.	Haskell	Miller, Wash.	Stines
Cooper, Ohio	Hastings	Mondell	Strong
Cooper, Wis.	Haugen	Montague	Sullivan
Copley	Hawley	Moon	Sumners
Cox	Hayden	Moore, Pa.	Sweet
Crago	Hayes	Moore, Ind.	Swift
Cramton	Heaton	Morgan	Tague
Crisp	Helvering	Mott	Taylor, Ark.
Crosser	Hensley	Neely	Taylor, Colo.
Dale, N. Y.	Hersey	Nelson	Temple
Dale, Vt.	Hicks	Nolan	Thomas
Dalinger	Hilliard	Norton	Thompson
Darrow	Houston	Oldfield	Tilman
Davidson	Huddleston	Oliver, Ala.	Timberlake
Davis	Hull, Iowa	Oliver, N. Y.	Towner
Decker	Igoe	Olney	Van Dyke
Dempsey	Ireland	Osborne	Venable
Denison	Jacoway	O'Shaunessy	Vestal
Denton	Johnson, Ky.	Overmyer	Volstead
Dickinson	Johnson, Wash.	Padgett	Waldow
Dillon	Jones, Tex.	Palge	Walton
Dixon	Jones, Va.	Park	Wason
Doelling	Juul	Peters	Watkins
Doollittle	Kahn	Phelan	Watson, Pa.
Doughton	Kearns	Pou	Weaver
Dowell	Keating	Pratt	Welling
Drane	Kelly, Pa.	Purnell	Welty
Dyer	Kennedy, Iowa	Rainey	Wheeler
Edmonds	Kennedy, R. I.	Raker	White, Me.
Elliott	Kettner	Ramsey	Williams
Ellsworth	Kless, Pa.	Ramsayer	Wilson, Ill.
Elston	King	Randall	Wingo
Emerson	Kiukaid	Rankin	Winslow
Esch	Kitchin	Rayburn	Wood, Ind.
Evans	Knutson	Reavis	Woods, Iowa
Fairfield	La Follette	Reed	Wright
Farr	Langley	Riordan	Young, N. Dak.
Ferris	Lazaro	Roberts	Young, Tex.
	Lehbach	Robinson	Zihlman

ANSWERED "PRESENT"—4.

Booher	Browning	Key, Ohio	Sherley
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NOT VOTING—92.

Anthony	Drukker	Hamilton, N. Y.	Merritt
Austin	Dunn	Heintz	Mudd
Bland	Eagan	Hollingsworth	Nichols, Mich.
Britten	Eagle	Hood	Parker, N. Y.
Brumbaugh	Estopinal	Husted	Platt
Buchanan	Fairchild, B. L.	Hutchinson	Poik
Campbell, Pa.	Fairchild, G. W.	James	Porter
Capstick	Flynn	Johnson, S. Dak.	Powers
Carew	Foss	Kehoe	Ragsdale
Carter, Mass.	Fuller, Mass.	Kelley, Mich.	Robbins
Chandler, N. Y.	Gallivan	Kraus	Sanders, N. Y.
Chandler, Okla.	Garland	Kreider	Sanford
Clark, Fla.	Gillett	LaGuardia	Schall
Clark, Pa.	Goodall	Lea, Cal.	Scott, Pa.
Costello	Gould	Lenroot	Scully
Currie, Mich.	Graham, Pa.	Little	Sears
Curry, Cal.	Gurry, N. J.	McKeown	Siegel
Dies	Hamill	Mann	Smith, Mich.

Smith, C. B.	Sterling, Pa.	Tilson	Ward
Smith, T. F.	Stevenson	Tinkham	Watson, Va.
Snyder	Switzer	Treadway	Webb
Stafford	Talbott	Vare	White, Ohio
Stephens, Nebr.	Templeton	Walker	Wilson, La.

So the motion to table was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. GRAY of New Jersey (for) with Mr. STEPHENS of Nebraska (against).

Until further notice:

Mr. THOMAS F. SMITH with Mr. HUTCHINSON.

Mr. HOOD with Mr. NICHOLS of Michigan.

Mr. TALBOTT with Mr. BROWNING.

Mr. BOOHER with Mr. TREADWAY.

Mr. SCULLY with Mr. AUSTIN.

Mr. WILSON of Louisiana with Mr. GEORGE W. FAIRCCHILD.

Mr. SEARS with Mr. HAMILTON of New York.

Mr. McKEOWN with Mr. BENJAMIN L. FAIRCCHILD.

Mr. BRUMBAUGH with Mr. ANTHONY.

Mr. FLYNN with Mr. BLAND.

Mr. CLARK of Florida with Mr. BRITTEN.

Mr. CAREW with Mr. FULLER of Massachusetts.

Mr. BUCHANAN with Mr. CARTER of Massachusetts.

Mr. CAMPBELL of Pennsylvania with Mr. GARLAND.

Mr. HAMILL with Mr. JAMES.

Mr. ESTOPINAL with Mr. GILLET.

Mr. DIES with Mr. DUNN.

Mr. LEA of California with Mr. CHANDLER of Oklahoma.

Mr. GALLIVAN with Mr. HUSTED.

Mr. EAGAN with Mr. GOODALL.

Mr. POLK with Mr. CHANDLER of New York.

Mr. KEHOE with Mr. GRAHAM of Pennsylvania.

Mr. RAGSDALE with Mr. FOSS.

Mr. EAGLE with Mr. GOULD.

Mr. SCHALL with Mr. COSTELLO.

Mr. CHARLES B. SMITH with Mr. SIEGEL.

Mr. STERLING of Pennsylvania with Mr. SWITZER.

Mr. STEVENSON with Mr. WARD.

Mr. WALKER with Mr. MUDD.

Mr. WATSON of Virginia with Mr. ROBBINS.

Mr. WEBB with Mr. SANDERS of New York.

Mr. WHITE of Ohio with Mr. SANFORD.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present, and the Doorkeeper will open the doors. The question is on the motion of the gentleman from California [Mr. RAKER] to rerefer.

The motion was agreed to.

Mr. SIMS and Mr. RAKER rose.

Mr. RAKER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RAKER. Is not an application for a rereference in order?

The SPEAKER. Yes. The gentleman has just had it.

Mr. RAKER. I have another one.

The SPEAKER. Well, the gentleman will not get it up.

FEDERAL CONTROL OF RAILROAD TRANSPORTATION.

Mr. SIMS. Mr. Speaker, I call up the conference report on the railroad bill (S. 3752).

The SPEAKER. The gentleman from Tennessee calls up the conference report on the railroad bill. The Clerk will read the conference report.

Mr. SIMS. Mr. Speaker, I ask unanimous consent that the statement may be read instead of the report.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the statement be read in lieu of the report. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, may I inquire of the gentleman from Tennessee whether it is his purpose to explain in a general way the changes that have been effected in conference in the bill as it passed the House after the statement or conference report has been read?

Mr. SIMS. Yes.

Mr. STAFFORD. I have no objection, then.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on March 13, 1918, approved and signed bill of the following title:

H. R. 7998. An act granting the consent of Congress to the village of East Dundee and the village of West Dundee to construct a bridge across the Fox River.

FEDERAL CONTROL OF RAILROAD TRANSPORTATION.

The SPEAKER. Is there objection to the reading of the statement in lieu of the report?

There was no objection.

The SPEAKER. The Clerk will read the statement. The statement was read.

CONFERENCE REPORT NO. 376.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3752) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, 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 disagreement to the amendment of the House, and agree to the same with an amendment as follows: In lieu of the matter proposed by the House, insert the following:

"That the President, having in time of war taken over the possession, use, control, and operation (called herein Federal control) of certain railroads and systems of transportation (called herein carriers), is hereby authorized to agree with and to guarantee to any such carrier making operating returns to the Interstate Commerce Commission, that during the period of such Federal control it shall receive as just compensation an annual sum, payable from time to time in reasonable installments, for each year and pro rata for any fractional year of such Federal control, not exceeding a sum equivalent as nearly as may be to its average annual railway operating income for the three years ended June 30, 1917. That any railway operating income accruing during the period of Federal control in excess of such just compensation shall remain the property of the United States. In the computation of such income, debits and credits arising from the accounts called in the monthly reports to the Interstate Commerce Commission equipment rents and joint facility rents shall be included, but debits and credits arising from the operation of such street electric passenger railways, including railways commonly called interurbans, as are at the time of the agreement not under Federal control, shall be excluded. If any lines were acquired by, leased to, or consolidated with such railroad or system between July 1, 1914, and December 31, 1917, both inclusive, and separate operating returns to the Interstate Commerce Commission were not made for such lines after such acquisition, lease, or consolidation, there shall (before the average is computed) be added to the total railway operating income of such railroad or system for the three years ended June 30, 1917, the total railway operating income of the lines so acquired, leased, or consolidated, for the period beginning July 1, 1914, and ending on the date of such acquisition, lease, or consolidation, or on December 31, 1917, whichever is the earlier. The average annual railway operating income shall be ascertained by the Interstate Commerce Commission and certified by it to the President. Its certificate shall, for the purpose of such agreement, be taken as conclusive of the amount of such average annual railway operating income.

"Every such agreement shall provide that any Federal taxes under the act of October 3, 1917, or acts in addition thereto or in amendment thereof, commonly called war taxes, assessed for the period of Federal control beginning January 1, 1918, or any part of such period, shall be paid by the carrier out of its own funds, or shall be charged against or deducted from the just compensation; that other taxes assessed under Federal or any other governmental authority for the period of Federal control or any part thereof, either on the property used under such Federal control or on the right to operate as a carrier, or on the revenues or any part thereof derived from operation (not including, however, assessments for public improvements or taxes assessed on property under construction, and chargeable under the classification of the Interstate Commerce Commission to investment in road and equipment), shall be paid out of revenues derived from railway operations while under Federal control; that all taxes assessed under Federal or any other governmental authority for the period prior to January 1, 1918, whenever levied or payable, shall be paid by the carrier out of its own funds, or shall be charged against or deducted from the just compensation.

"Every such agreement shall also contain adequate and appropriate provisions for the maintenance, repair, renewals, and depreciation of the property, for the creation of any reserves or reserve funds found necessary in connection therewith, and for such accounting and adjustments of charges and payments, both during and at the end of Federal control, as may be requisite in order that the property of each carrier may be returned to it in substantially as good repair and in substantially as complete equipment as it was in at the beginning of Federal control, and also that the United States may, by deductions from the just compensations or by other proper means and charges, be reimbursed for the cost of any additions, repairs, renewals, and

betterments to such property not justly chargeable to the United States; in making such accounting and adjustments, due consideration shall be given to the amounts expended or reserved by each carrier for maintenance, repairs, renewals, and depreciation during the three years ended June 30, 1917, to the condition of the property at the beginning and at the end of Federal control and to any other pertinent facts and circumstances.

"The President is further authorized in such agreement to make all other reasonable provisions, not inconsistent with the provisions of this act or of the act entitled 'An act making appropriations for the support of the Army for the fiscal year ending June 30, 1917, and for other purposes,' approved August 29, 1916, that he may deem necessary or proper for such Federal control or for the determination of the mutual rights and obligations of the parties to the agreement arising from or out of such Federal control.

"If the President shall find that the condition of any carrier was during all or a substantial portion of the period of three years ended June 30, 1917, because of nonoperation, receivership, or where recent expenditures for additions or improvements or equipment were not fully reflected in the operating railway income of said three years or a substantial portion thereof, or because of any undeveloped or abnormal conditions, so exceptional as to make the basis of earnings hereinabove provided for plainly inequitable as a fair measure of just compensation, then the President may make with the carrier such agreement for such amount as just compensation as under the circumstances of the particular case he shall find just.

"That every railroad not owned, controlled, or operated by another carrier company, and which has heretofore competed for traffic with a railroad or railroads of which the President has taken the possession, use, and control, or which connects with such railroads and is engaged as a common carrier in general transportation, shall be held and considered as within 'Federal control,' as herein defined, and necessary for the prosecution of the war, and shall be entitled to the benefit of all the provisions of this act: *Provided, however,* That nothing in this paragraph shall be construed as including any street or interurban electric railway which has as its principal source of operating revenue urban, suburban, or interurban passenger traffic, or sale of power, heat, and light, or both.

"The agreement shall also provide that the carrier shall accept all the terms and conditions of this act and any regulation or order made by or through the President under authority of this act or of that portion of the act entitled 'An act making appropriations for the support of the Army for the fiscal year ending June 30, 1917, and for other purposes,' approved August 29, 1916, which authorizes the President in time of war to take possession, assume control, and utilize systems of transportation.

"Sec. 2. That if no such agreement is made, or pending the execution of an agreement, the President may nevertheless pay to any carrier while under Federal control an annual amount, payable in reasonable installments, not exceeding 90 per cent of the estimated annual amount of just compensation, remitting such carrier, in case where no agreement is made, to its legal rights for any balance claimed to the remedies provided in section 3 hereof. Any amount thereafter found due such carrier above the amount paid shall bear interest at the rate of 6 per cent per annum. The acceptance of any benefits under this section shall constitute an acceptance by the carrier of all the provisions of this act and shall obligate the carrier to pay to the United States, with interest at the rate of 6 per cent per annum from a date or dates fixed in proceedings under section 3, the amount by which the sums received under this section exceed the sum found due in such proceedings.

"Sec. 3. That all claims for just compensation not adjusted (as provided in section 1) shall, on the application of the President or of any carrier, be submitted to boards, each consisting of three referees to be appointed by the Interstate Commerce Commission, members of which and the official force thereof being eligible for service on such boards without additional compensation. Such boards of referees are hereby authorized to summon witnesses, require the production of records, books, correspondence, documents, memoranda, and other papers, view properties, administer oaths, and may hold hearings in Washington and elsewhere, as their duties and the convenience of the parties may require. In case of disobedience to a subpoena the board may invoke the aid of any district court of the United States in requiring the attendance and testimony of witnesses and the production of documentary evidence, and such court within the jurisdiction of which such inquiry is carried on may, in case of contumacy or refusal to obey a subpoena issued to

any person, corporation, partnership, or association, issue an order requiring appearance before the board, or the production of documentary evidence if so ordered, or the giving of evidence touching the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. Such cases may be heard separately or together or by classes, by such boards as the Interstate Commerce Commission in the first instance or any board of referees to which any such cases shall be referred may determine. Said boards shall give full hearings to such carriers and to the United States; shall consider all the facts and circumstances, and shall report as soon as practicable in each case to the President the just compensation, calculated on an annual basis and otherwise in such form as to be convenient and available for the making of such agreement as is authorized in section 1. The President is authorized to enter into an agreement with such carrier for just compensation upon a basis not in excess of that reported by such board, and may include therein provisions similar to those authorized under section 1. Failing such agreement, either the United States or such carrier may file a petition in the Court of Claims for the purpose of determining the amount of such just compensation, and in the proceedings in said court the report of said referees shall be prima facie evidence of the amount of just compensation and of the facts therein stated. Proceedings in the Court of Claims under this section shall be given precedence and expedited in every practicable way.

"Sec. 4. That the just compensation that may be determined as hereinbefore provided by agreement or that may be adjudicated by the Court of Claims shall be increased by an amount reckoned at a reasonable rate per centum to be fixed by the President upon the cost of any additions and betterments, less retirements, and upon the cost of road extensions to the property of such carrier made by such carrier with the approval of or by order of the President while such property is under Federal control.

"Sec. 5. That no carrier while under Federal control shall, without the prior approval of the President, declare or pay any dividend in excess of its regular rate of dividends during the three years ended June 30, 1917: *Provided, however,* That such carriers as have paid no regular dividends or no dividends during said period may, with the prior approval of the President, pay dividends at such rate as the President may determine.

"Sec. 6. That the sum of \$500,000,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, which, together with any funds available from any operating income of said carriers, may be used by the President as a revolving fund for the purpose of paying the expenses of the Federal control, and so far as necessary the amount of just compensation, and to provide terminals, motive power, cars, and other necessary equipment, such terminals, motive power, cars, and equipment to be used and accounted for as the President may direct and to be disposed of as Congress may hereafter by law provide.

"The President may also make or order any carrier to make any additions, betterments, or road extensions, and to provide terminals, motive power, cars, and other equipment necessary or desirable for war purposes or in the public interest on or in connection with the property of any carrier. He may from said revolving fund advance to such carrier all or any part of the expense of such additions, betterments, or road extensions, and to provide terminals, motive power, cars, and other necessary equipment so ordered and constructed by such carrier or by the President, such advances to be charged against such carrier and to bear interest at such rate and be payable on such terms as may be determined by the President, to the end that the United States may be fully reimbursed for any sums so advanced.

"Any loss claimed by any carrier by reason of any such additions, betterments, or road extensions so ordered and constructed may be determined by agreement between the President and such carrier; failing such agreement the amount of such loss shall be ascertained as provided in section 3 hereof.

"From said revolving fund the President may expend such an amount as he may deem necessary or desirable for the utilization and operation of canals, or for the purchase, construction, or utilization and operation of boats, barges, tugs, and other transportation facilities on the inland, canal, and coastwise waterways, and may in the operation and use of such facilities create or employ such agencies and enter into such contracts and agreements as he shall deem in the public interest.

"Sec. 7. That for the purpose of providing funds requisite for maturing obligations or for other legal and proper expenditures, or for reorganizing railroads in receivership, carriers may, during the period of Federal control, issue such bonds,

notes, equipment trust certificates, stock, and other forms of securities, secured or unsecured by mortgage, as the President may first approve as consistent with the public interest. The President may, out of the revolving fund created by this act, purchase for the United States all or any part of such securities at prices not exceeding par, and may sell such securities whenever in his judgment it is desirable at prices not less than the cost thereof. Any securities so purchased shall be held by the Secretary of the Treasury, who shall, under the direction of the President, represent the United States in all matters in connection therewith in the same manner as a private holder thereof. The President shall each year, as soon as practicable after January 1, cause a detailed report to be submitted to the Congress of all receipts and expenditures made under this section and section 6 during the preceding calendar year.

"Sec. 8. That the President may execute any of the powers herein and heretofore granted him with relation to Federal control through such agencies as he may determine, and may fix the reasonable compensation for the performance of services in connection therewith, and may avail himself of the advice, assistance, and cooperation of the Interstate Commerce Commission and of the members and employees thereof, and may also call upon any department, commission, or board of the Government for such services as he may deem expedient. But no such official or employee of the United States shall receive any additional compensation for such services except as now permitted by law.

"Sec. 9. That the provisions of the act entitled 'An act making appropriations for the support of the Army for the fiscal year ending June 30, 1917, and for other purposes,' approved August 29, 1916, shall remain in force and effect except as expressly modified and restricted by this act; and the President, in addition to the powers conferred by this act, shall have and is hereby given such other and further powers necessary or appropriate to give effect to the powers herein and heretofore conferred. The provisions of this act shall also apply to any carriers to which Federal control may be hereafter extended.

"Sec. 10. That carriers while under Federal control shall be subject to all laws and liabilities as common carriers, whether arising under State or Federal laws or at common law, except in so far as may be inconsistent with the provisions of this act or any other act applicable to such Federal control or with any order of the President. Actions at law or suits in equity may be brought by and against such carriers and judgments rendered as now provided by law; and in any action at law or suit in equity against the carrier, no defense shall be made thereto upon the ground that the carrier is an instrumentality or agency of the Federal Government. Nor shall any such carrier be entitled to have transferred to a Federal court any action heretofore or hereafter instituted by or against it, which action was not so transferable prior to the Federal control of such carrier; and any action which has heretofore been so transferred because of such Federal control or of any act of Congress or official order or proclamation relating thereto shall upon motion of either party be retransferred to the court in which it was originally instituted. But no process, mesne or final, shall be levied against any property under such Federal control.

"That during the period of Federal control, whenever in his opinion the public interest requires, the President may initiate rates, fares, charges, classifications, regulations, and practices by filing the same with the Interstate Commerce Commission, which said rates, fares, charges, classifications, regulations, and practices shall not be suspended by the commission pending final determination.

"Said rates, fares, charges, classifications, regulations, and practices shall be reasonable and just and shall take effect at such time and upon such notice as he may direct, but the Interstate Commerce Commission shall, upon complaint, enter upon a hearing concerning the justness and reasonableness of so much of any order of the President as establishes or changes any rate, fare, charge, classification, regulation, or practice of any carrier under Federal control, and may consider all the facts and circumstances existing at the time of the making of the same. In determining any question concerning any such rates, fares, charges, classifications, regulations, or practices or changes therein, the Interstate Commerce Commission shall give due consideration to the fact that the transportation systems are being operated under a unified and coordinated national control and not in competition.

"After full hearing the commission may make such findings and orders as are authorized by the act to regulate commerce as amended, and said findings and orders shall be enforced as provided in said act: *Provided, however,* That when the President shall find and certify to the Interstate Commerce Commission that in order to defray the expenses of Federal

control and operation fairly chargeable to railway operating expenses, and also to pay railway tax accruals other than war taxes, net rents for joint facilities and equipment, and compensation to the carriers, operating as a unit, it is necessary to increase the railway operating revenues, the Interstate Commerce Commission in determining the justness and reasonableness of any rate, fare, charge, classification, regulation, or practice shall take into consideration said finding and certificate by the President, together with such recommendations as he may make.

"Sec. 11. That every person or corporation, whether carrier or shipper, or any receiver, trustee, lessee, agent, or person acting for or employed by a carrier or shipper, or other person, who shall knowingly violate or fail to observe any of the provisions of this act, or shall knowingly interfere with or impede the possession, use, operation, or control of any railroad property, railroad, or transportation system hitherto or hereafter taken over by the President, or shall knowingly violate any of the provisions of any order or regulation made in pursuance of this act, shall be guilty of a misdemeanor, and shall, upon conviction, be punished by a fine of not more than \$5,000, or, if a person, by imprisonment for not more than two years, or both. Each independent transaction constituting a violation of, or a failure to observe, any of the provisions of this act, or any order entered in pursuance hereof, shall constitute a separate offense. For the taking or conversion to his own use or the embezzlement of money or property derived from or used in connection with the possession, use, or operation of said railroads or transportation systems, the criminal statutes of the United States, as well as the criminal statutes of the various States where applicable, shall apply to all officers, agents, and employees engaged in said railroad and transportation service, while the same is under Federal control, to the same extent as to persons employed in the regular service of the United States. Prosecutions for violations of this act or of any order entered hereunder shall be in the district courts of the United States, under the direction of the Attorney General, in accordance with the procedure for the collection and imposing of fines and penalties now existing in said courts.

"Sec. 12. That moneys and other property derived from the operation of the carriers during Federal control are hereby declared to be the property of the United States. Unless otherwise directed by the President, such moneys shall not be covered into the Treasury, but such moneys and property shall remain in the custody of the same officers, and the accounting thereof shall be in the same manner and form as before Federal control. Disbursements therefrom shall, without further appropriation, be made in the same manner as before Federal control and for such purposes as under the Interstate Commerce Commission classification of accounts in force on December 27, 1917, are chargeable to operating expenses or to railway tax accruals and for such other purposes in connection with Federal control as the President may direct, except that taxes under Titles 1 and 2 of the act entitled 'An act to provide revenue to defray war expenses, and for other purposes,' approved October 3, 1917, or any act in addition thereto or in amendment thereof, shall be paid by the carrier out of its own funds. If Federal control begins or ends during the tax year for which any taxes so chargeable to railway tax accruals are assessed, the taxes for such year shall be apportioned to the date of the beginning or ending of such Federal control, and disbursements shall be made only for that portion of such taxes as is due for the part of such tax year which falls within the period of Federal control.

"At such periods as the President may direct, the books shall be closed and the balance of revenues over disbursements shall be covered into the Treasury of the United States to the credit of the revolving fund created by this act. If such revenues are insufficient to meet such disbursements, the deficit shall be paid out of such revolving fund in such manner as the President may direct.

"Sec. 13. That all pending cases in the courts of the United States affecting railroads or other transportation systems brought under the act to regulate commerce, approved February 4, 1887, as amended and supplemented, including the commodities clause, so called, or under the act to protect trade and commerce against unlawful restraints and monopolies, approved July 2, 1890, and amendments thereto, shall proceed to final determination as soon as may be, as if the United States had not assumed control of transportation systems; but in any such case the court having jurisdiction may, upon the application of the United States, stay execution of final judgment or decree until such time as it shall deem proper.

"Sec. 14. That the Federal control of railroads and transportation systems herein and heretofore provided for shall con-

time for and during the period of the war and for a reasonable time thereafter, which shall not exceed one year and nine months next following the date of the proclamation by the President of the exchange of ratifications of the treaty of peace: *Provided, however,* That the President may, prior to July 1, 1918, relinquish control of all or any part of any railroad or system of transportation, further Federal control of which the President shall deem not needful or desirable; and the President may at any time during the period of Federal control agree with the owners thereof to relinquish all or any part of any railroad or system of transportation. The President may relinquish all railroads and systems of transportation under Federal control at any time he shall deem such action needful or desirable. No right to compensation shall accrue to such owners from and after the date of relinquishment for the property so relinquished.

"Sec. 15. That nothing in this act shall be construed to amend, repeal, impair, or affect the existing laws or powers of the States in relation to taxation or the lawful police regulations of the several States, except wherein such laws, powers, or regulations may affect the transportation of troops, war materials, Government supplies, or the issue of stocks and bonds.

"Sec. 16. That this act is expressly declared to be emergency legislation enacted to meet conditions growing out of war; and nothing herein is to be construed as expressing or prejudicing the future policy of the Federal Government concerning the ownership, control, or regulation of carriers or the method or basis of the capitalization thereof."

And the House agree to the same.

T. W. SIMS,
FRANK E. DOREMUS,
JOHN J. ESCH,

Managers on the part of the House.

E. D. SMITH,
ATLEE POMERENE,
JOE T. ROBINSON,
CHAS. E. TOWNSEND,

Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3752) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the conference report:

The conferees adopted the amendment of the House as the basis of their conference.

The Senate receded from its disagreement to section 1 of the House amendment with an amendment striking out so much of the House amendment as provided an increase of the annual sum payable as compensation to the carriers upon the cost of any additions or betterments, less retirements, or road extensions made during the six months ended December 31, 1917, and with further slight amendments in the wording of the House amendment.

The Senate receded from its disagreement to section 2 of the House amendment with an amendment providing that the compensation should cover the time consumed in arriving at an agreement.

The Senate receded from its disagreement to section 3 of the House amendment in full with an amendment added to the end of the section providing that proceedings in the Court of Claims under the section should be given precedence and expedited in every practicable way.

The Senate receded from its disagreement to section 4 of the House amendment, and agreed to the same.

The Senate receded from its disagreement to section 5 of the House amendment, and agreed to the same.

The Senate receded from its disagreement to section 6 of the House amendment, and agreed to the same with an amendment striking out the third paragraph of said section and substituting therefor practically the same provision differently worded, as appears in the conference report.

The Senate receded from its disagreement to section 7 of the House amendment, and agreed to the same.

The Senate receded from its disagreement to section 8 of the House amendment with an amendment striking out all of the second paragraph.

Section 9 of the House amendment, which made provisions regarding the operation of short-line railroads that were not

taken over, was stricken from the bill because of the adoption by the House of the Senate provision requiring all lines referred to in said section of the House amendment to be taken over.

The Senate receded from its disagreement to section 10 of the House amendment. Said section 10 in the House amendment, by reason of striking out section 9, is numbered in the conference agreement as section 9.

The Senate receded from its disagreement to section 11 of the House amendment down to and including the words "but no process, mesne or final, shall be levied against any property under such Federal control," with an amendment to the first portion of said paragraph wherein it provides that "carriers while under Federal control shall be subject to all laws and liabilities as common carriers, whether arising under State or Federal laws or at common law, except in so far as may be inconsistent with the provisions of this act or any other act applicable to such Federal control," as follows: After the word "control" insert the words "or with any order of the President." Also an amendment striking out all the remainder of said first paragraph after the words "such Federal control," as above set out. Also with a further amendment striking out the remainder of the section of the House amendment and substituting in lieu of same the provisions of the conference report, the effect of which is to give paramount and final power to the Interstate Commerce Commission to determine finally as to the reasonableness and justness of any rates, fares, charges, classifications, regulations, and practices that may be initiated by the President during the period of Federal control, with authority to make such findings and orders as the commission may think right and proper with regard thereto.

The Senate receded from its disagreement to section 12 of the House amendment, and agreed to the same in substance and effect.

The Senate receded from its disagreement to section 13 of the House amendment with an amendment striking out all of the second paragraph, and agreed to the same.

The Senate receded from its disagreement to section 14 of the House amendment, and agreed to the same.

The Senate receded from its disagreement to section 15 of the House amendment with an amendment providing that the period of Federal control shall not continue longer than one year and nine months, next following the date of the proclamation by the President of the exchange of ratifications of the treaty of peace, which was agreed to by the House.

The conferees agreed to strike out section 16 of the House amendment and substituted therefor a new section as set out in section 15 of the conference report. The substitute section provides that this act shall not be construed to amend, repeal, impair, or affect existing laws or powers of the States in relation to the lawful police regulations of the States, except wherein such laws, powers, or regulations may affect the transportation of troops, war materials, Government supplies, or the issue of stocks and bonds.

The Senate receded from its disagreement to section 17 of the House amendment, and agreed to the same.

T. W. SIMS,
FRANK E. DOREMUS,
JOHN J. ESCH,

Managers on the part of the House.

Mr. SIMS. Mr. Speaker, I wish to state to the gentlemen of the House that the only change that was made by the conferees in their last report was to strike out all limitation of the taxing powers of the States, put in in the form of a proviso by the conferees, so that that portion of the bill referring to the taxing laws and powers of the States and subdivisions thereof is exactly as it was when it passed the House.

Mr. ALEXANDER. What section of the bill is it?

Mr. HAMLIN. It is section 16.

Mr. SIMS. It is section 15 of the conference report. We substituted nothing in lieu of it. In other words, on the question of State taxation the conference report is exactly like the bill as it passed the House. There is no other change. A point of order was made in the Senate with reference to that provision and it went out.

Now, the conference report which I ask to have adopted is in all other respects word for word exactly like the former conference report and statement which were filed and put in the Record a number of days ago.

Mr. STAFFORD and Mr. MONTAGUE rose.

The SPEAKER. Does the gentleman from Tennessee yield, and if so, to whom?

Mr. SIMS. I yield to the gentleman from Virginia [Mr. MONTAGUE] first, a member of the committee.

Mr. MONTAGUE. I understand the chairman of the committee, the gentleman from Tennessee, to say that the language is the identical language of the bill passed by the House?

Mr. SIMS. There might be a change of a word here and there.

Mr. MONTAGUE. I think the gentleman is correct in that statement. I now ask the gentleman the further question: Is it not the identical language of the bill as passed by the Senate? Did not the House and Senate concur in the exact language?

Mr. SIMS. In the respective bills, yes.

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

Mr. SIMS. Yes.

Mr. STAFFORD. While the House generally understands that there is not much change in this second conference report from that which was first submitted, nevertheless I think the House is interested in having an explanation given as to wherein the conference report as agreed to differs in substantial particulars from the bill as it passed the House. The statement as read to the House is not illuminating in that particular.

Mr. SIMS. If it is read in connection with the bill. Now, I would like to know of the gentleman what particular section he has in mind?

Mr. STAFFORD. I am particularly interested in a matter that will be discussed by the gentleman from Iowa [Mr. TOWNER]. I will yield to him to make that inquiry.

Mr. TOWNER. In section 10, as it is now numbered, I notice that the conferees have reinserted the language which allows the President merely by order to set aside all of the laws and regulations made with reference to the liabilities of carriers. I would like to ask the gentleman why the House conferees agreed to that?

Mr. SIMS. The gentleman refers to the order of the President?

Mr. TOWNER. Yes.

Mr. SIMS. That provision was in the Senate bill.

Mr. TOWNER. That was in the Senate bill, you say.

Mr. SIMS. Yes. That is my recollection.

Mr. TOWNER. The gentleman will remember that while in the House by a very large majority that language was stricken out. I think there were practically no opposition votes against it.

Mr. SIMS. To be exactly accurate, that language was in the Senate bill.

Mr. TOWNER. Yes.

Mr. SIMS. And the conferees of the House, I will say, stood out for the House provision, and the Senate conferees stood like a stone wall against it. The section the gentleman refers to has reference to the criminal penalties, does it not?

Mr. TOWNER. It refers to all the laws regarding carriers.

Mr. SIMS. But it comes in connection with the criminal provisions of the bill, does it not?

Mr. TOWNER. It allows the President, by a simple order, to set aside all of the laws on the statute books for the protection of the people against the carriers, whether those laws be civil or criminal.

Mr. SIMS. I think the gentleman is mistaken in that.

Mr. TOWNER. Why so?

Mr. SIMS. The law provides what the President can do, and this provision is simply that the same penalties may apply to a violation of the order of the President, made in pursuance of the act, that would apply against a violation of the provisions of the act itself, because a great deal of this act must be executed by orders of the President. It can not be done in any other way.

Mr. TOWNER. Here is the language that will be the law:

That carriers while under Federal control shall be subject to all laws and liabilities as common carriers, whether arising under State or Federal laws or at common law, except in so far as may be inconsistent with the provisions of this act or any other act applicable to such Federal control—

But then comes this further provision—
or with any order of the President.

That is, any law now in existence regarding Federal control of railroads, civil or criminal, may be set aside by order of the President.

Mr. SIMS. Mr. Speaker, if the order of the President violated the provisions of this act or was not authorized by it, it would be void, because he would have no authority to make it; and, of course, any order made by him must be made in accordance with and in pursuance of the authority given him by the act of August, 1916, or by this act, and any order made outside of the authority conferred by those acts would be absolutely void.

Mr. TOWNER. I am very sorry that the gentleman has yielded to such sophistry as must have been presented by the

Senate conferees, and by which the gentleman must have been deluded.

Mr. SIMS. This matter was fully discussed in the Senate.

Mr. TOWNER. I know it was discussed there, and it was discussed here; and if there is any meaning in the English language, it means that the President may by order set aside any provisions at all relating to common carriers. It says that we may repeal the laws regarding common carriers by act of Congress. It says that if we do repeal them by this act they are set aside, and it says that they may be set aside by order of the President. It occurs to me that with such a practically unanimous determination of the House that that provision ought to be eliminated, it is a serious disregard of the wishes of the House for the conferees to have allowed that language to be retained in the bill.

Mr. SIMS. I want to say that the House conferees were absolutely powerless to get an agreement on that particular provision, as the Senate conferees regard it as very vital.

Mr. MONDELL. Will the gentleman yield?

Mr. NORTON. Will the gentleman yield?

Mr. SIMS. I yield to the gentleman from Wyoming.

Mr. MONDELL. I think the language used to which the gentleman from Iowa refers is rather unfortunate. It is regrettable that there were not added to that paragraph words to indicate that the orders of the President referred to were orders under this act and under the jurisdiction granted him. But I can not agree with the gentleman from Iowa [Mr. TOWNER], and I hope no one anywhere will take that view, that this language authorizes the issuance of orders by the President outside of the authority which we have granted him in the law under which he took over the railroads and under this act.

Mr. SIMS. I understand it just as the gentleman does.

Mr. MONDELL. The language here used is frequently used in the same way with reference to the issuance of orders and regulations. It can not in any instance mean to convey authority beyond the authority specifically granted in the legislation itself, and any order issued must be an order under the authority granted and in conformity with the authority granted.

Mr. TOWNER. Will the gentleman yield?

Mr. MONDELL. The gentleman from Tennessee has the floor.

Mr. SIMS. I yield for a question. I do not yield the floor.

Mr. TOWNER. I want to call the gentleman's attention to this fact, which makes his observation not pertinent; the provision is—

That carriers while under Federal control shall be subject to all laws and liabilities as common carriers—

That is, they shall be subject to the general laws as affecting the general laws of the country, as affecting provisions that are either civil or criminal in their nature—

whether arising under State or Federal laws or at common law—

That is all right. Now we come to the exception—

except in so far as may be inconsistent with the provisions of this act or any other act applicable to such Federal control or with any order of the President.

That is, if any of the laws regarding common carriers regulating them in the interest of the people, punishing crime, are inconsistent with any order issued by the President, those laws go down.

Mr. MONDELL. The gentleman from Iowa is a good lawyer, and I have great respect for his opinions, but I hope no one will take the view he has just expressed. It seems to me it would be a most extraordinary interpretation of any statute to assume that Congress, by mere reference to an order, intended to grant additional authority. The reference is to an order issued under the authority and within the authority granted to the President.

Mr. STAFFORD. There is no such language in the bill.

Mr. TOWNER. I think the gentleman misinterprets it.

Mr. MONDELL. It would not be possible that anyone would interpret language of this sort as indicating that Congress, using a few words at the close of a sentence, intended to wipe out all the statutes.

Mr. TOWNER. That is what the House thought. They did not think it was reasonable that it should be so, and therefore they struck out that provision. If we want to repeal a law, let us do it as laws ought to be repealed, by a repealing statute. If we do not want a law to remain in operation, let us say so by repealing it and taking it off the statute books; but we should not say that laws may be repealed by a mere order of the President.

Mr. MONDELL. I can not conceive that anyone would ever interpret the language used as granting any such authority. I do admit the language used is not as clear and definite as it

should be, but it can not be properly held as an additional grant of power.

Mr. McLAUGHLIN of Michigan. When this matter was before the House, the House as a whole, without division of sentiment, was practically unanimous in approving the interpretation now placed upon it by the gentleman from Iowa [Mr. TOWNER]. In my judgment, he is entirely right. If the gentleman will permit me, I can not agree with him in his interpretation. This says "all laws and liabilities of common carriers, whether arising under State or Federal laws or at common law."

Any one of these may be set aside by order of the President and the common carrier is subject to certain liabilities. It owes certain duties in the matter of carrying freight, in the matter of carrying passengers, answering liabilities for injuries and damages sustained to freight and passengers. The President might set aside any or all of these laws simply by an order if this was to stand.

Mr. MONDELL. If Congress had had any such intent as that, it would have simply provided that the roads shall be operated as the President might order. In that view of the matter we have used a lot of language to no purpose.

Mr. McLAUGHLIN of Michigan. Congress did have the idea that it would be interpreted as the gentleman from Iowa says, and therefore the House struck it out, and it ought to remain out.

Mr. MONDELL. I agree with the gentleman that the language as used is not altogether satisfactory.

Mr. McLAUGHLIN of Michigan. Very unfortunate.

Mr. MONDELL. But somewhat similar language has been frequently used in reference to orders and regulations, and I do not know of a case where it has been assumed that language of that sort was intended to grant authority or power beyond that conferred by the statute itself. It contemplates an order within the authorization of the President's statute.

Mr. McLAUGHLIN of Michigan. I am not able to say that Congress has not at some time—

Mr. MONDELL. I regret that anyone anywhere should suggest a different interpretation.

Mr. McLAUGHLIN of Michigan. I am not able to say that Congress has not foolishly placed in the hands of the President or the head of a department, sometimes, authority beyond that which Congress intended or ought to have placed. But when we know it, when our eyes are opened, when attention is drawn to it, we ought not to do it. In my opinion this is very serious.

Mr. MONDELL. Will the gentleman allow me to make this observation? Unfortunately, it is too late to cure that language and we ought not to misinterpret it. Congress did not intend by one short sentence to repeal all laws.

Mr. NORTON. Will the gentleman from Tennessee yield?

Mr. SIMS. I will.

Mr. NORTON. I am much interested in this question, and I would like to know the interpretation the gentleman from Tennessee places on the power granted to the President by section 10. Is it the opinion of the gentleman from Tennessee that an order by the President under this provision would set aside, or could set aside, any State or Federal law affecting railroads?

Mr. SIMS. Mr. Speaker, the law will apply to any order that the President issues in pursuance of this act or the act of 1916, but it would have to be made in pursuance of the authority vested in the President by that act or this bill after it becomes a law. This provision does not mean any more than if you followed it by the words "in pursuance of this act," which is wholly unnecessary. The uneasiness of the gentleman from Iowa, I think, is rather exaggerated. None of us would be in favor of saying to the President, "You may violate the Constitution of the United States and all State and Federal laws by making such orders as you please."

Mr. NORTON. The gentleman has given this question a great deal of study, probably is more familiar with the provisions of this conference report than anyone in the House. Let me ask the gentleman this question: Does he have in mind any Federal law or any particular State law pertaining to railroads the provision of which could not in effect be set aside by order of the President given under authority of section 10 of this act?

Mr. SIMS. The act itself provides—

Mr. NORTON. I wish the gentleman would do me the courtesy of answering my question directly. Does the gentleman have in mind any particular provision of a Federal law or any particular provision of any State law affecting railroads that could not be set aside by an order of the President under section 10 of this act? If the gentleman has any such State or Federal law in mind, will he state what it is?

Mr. SIMS. I have all such laws in mind, and it is plainly provided that the carriers under Federal control shall be subject to all laws, whether Federal or State.

Mr. NORTON. Will the gentleman answer my question as to what Federal law or what State law could not be set aside?

Mr. SIMS. I am trying to answer the gentleman the best I can. I may not do it, but I am trying to do it. This reads:

except in so far as may be inconsistent with the provisions of this act or any other act applicable to such Federal control or with any order of the President.

That means inconsistent with the provisions of this act or any order of the President made in pursuance of such acts or this act. Now, I can not conceive that the President would ever for one moment suppose that he could make an order to overturn a law of a State that was not inconsistent, unless it was a law that would cripple and make it impossible to operate a railroad under Federal control.

Mr. NORTON. To get back to my question, does the gentleman have in mind a single Federal law which could not in effect be set aside by an order of the President?

Mr. SIMS. No; I do not; and if I pointed out one the gentleman from North Dakota would probably disagree with me.

Mr. NORTON. Has the gentleman in mind any State law?

Mr. SIMS. No; I do not; because the language would be general and applies in a general way.

Mr. NORTON. I thought perhaps that the gentleman might have in mind some law that could not be set aside. I am inclined to agree with the gentleman from Iowa in his interpretation of this provision. I wanted, however, to have the expression of the gentleman from Tennessee as to what his interpretation was.

Mr. SIMS. Now, Mr. Speaker, without yielding the floor, I want to yield two minutes to the gentleman from Michigan [Mr. DOREMUS] on this point.

Mr. DOREMUS. Mr. Speaker, I want to call attention to the fact that section 11 and section 10 of this bill ought to be construed together. Section 10 provides that the President, in addition to the powers conferred by this act and the act of August 29, 1916, is hereby given such other and further powers necessary or appropriate to give effect to the powers herein and heretofore conferred.

Mr. NORTON. What section is that?

Mr. DOREMUS. Section 10 of the House bill.

Mr. NORTON. But that is not in the conference report.

Mr. DOREMUS. Yes; it is.

Mr. WINGO. Section 9 of the conference report.

Mr. DOREMUS. The House freely conferred upon the President all of the power that is given in section 10. Section 11, concerning which this controversy has arisen—section 10 of the conference report—provides that carriers while under Federal control shall be subject to all laws and liabilities as common carriers, whether arising under State or Federal laws or at common law, except so far as may be inconsistent with the provisions of this act or with any order of the President. The point I make is this: The House in the preceding section freely conferred upon the President all powers necessary to give effect to this act, and the two sections are in entire harmony with each other.

Mr. NORTON. Let me ask the gentleman the same question that I asked the gentleman from Tennessee. Does the gentleman have in mind any particular provision of Federal law that could not be set aside?

Mr. DOREMUS. None whatever.

Mr. NORTON. Then the gentleman concurs with the interpretation given by the gentleman from Iowa?

Mr. DOREMUS. I also call the attention of the gentleman to the fact that he must construe this section in connection with all of the other provisions of the act.

Mr. NORTON. Certainly.

Mr. DOREMUS. Nobody would contend in any court that we are conferring upon the President powers not authorized in the act itself.

Mr. NORTON. No; no one would maintain differently from that.

Mr. DYER. Mr. Speaker, will the gentleman from Tennessee yield?

Mr. SIMS. Yes.

Mr. DYER. I want to ask the chairman of the committee if he has pointed out so far—I probably may have missed it, as I have not been in the Chamber all of the time—the difference between the Senate and the House bills and this report in so far as it refers to the short-line railroads?

Mr. SIMS. I have pointed it out in the statement, but I have not orally. I can state to the gentleman what it is. The

Senate agreed to our provision exactly, and ours was put in by a motion to concur, made by the gentleman from Wisconsin [Mr. Esch], and therefore the two provisions are exactly alike; but the House retained section 9, which I explained very fully in the general debate and also under the five-minute rule, and section 9 was made for the purpose of protecting, as far as possible, the short-line roads that might not be taken over. It remained in the House bill, but some gentleman thought there was no use in retaining it, from the fact that we had taken over by the action of this House all roads to which the section applied. We took them all over, regardless of the judgment of the President as to whether they were needed or not. The Senate conferees contended that section 9 was utterly useless and simply incumbered the bill, and they would not agree to anything except to strike it out. A number of the Members of the House thought so, and a motion was proposed to strike it out while we were considering the bill. Section 9 was stricken out, but it only provided for the operation of the short lines not taken over.

Mr. DYER. That is not in the conference report?

Mr. SIMS. No; section 9 of the House bill was stricken out bodily because the Senate conferees held that it was not necessary after the House and the Senate had taken over the short lines by a provision in both bills.

Mr. DYER. Therefore the short lines are all taken over?

Mr. SIMS. Every one of them.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. SIMS. Yes.

Mr. MOORE of Pennsylvania. Without going into details as to the transposition of language and paragraphs, I would like to know whether the bill as now reported preserves the right of the President to initiate rates?

Mr. SIMS. Absolutely, and with the further provision that they can not be suspended until finally determined by the Interstate Commerce Commission.

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

Mr. SIMS. Yes.

Mr. OSBORNE. I call the attention of the gentleman from Tennessee to the explanation in the statement of the managers of section 15, page 11. That explanation is as follows:

The substitute section also provides that this act shall not be construed to amend, repeal, impair, or affect existing laws or powers of the States in relation to the lawful police regulations of the States—

And so forth, leaving out the word "taxation," which appears in the section. Was that intended?

Mr. SIMS. The act plainly exempts the States from any kind of control with reference to taxation. The other language that the gentleman refers to simply has reference to the police powers of the States.

Mr. OSBORNE. I wanted to know whether the States were left their powers of taxation.

Mr. SIMS. Yes; exactly as it was in the House. There is no attempt to modify it because the Senate rejected the report on the point of order that it had something in it that was not in either bill.

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

Mr. SIMS. Yes.

Mr. WINGO. In section 11 of the bill as it passed the House there was a provision which permitted the Government to pay out of the compensation that is to accrue to the carriers any final judgments that may have been outstanding at the same time the Federal Government took control, but I find in the conference report that the conferees have rejected that provision, and I should like to know what were the reasons for leaving that provision out.

Mr. SIMS. I will state to the gentleman from Arkansas that the House conferees had no objection to the amendment he refers to.

Mr. WINGO. What objection did the Senate have?

Mr. SIMS. None whatever to what followed in the next page and on down to and including the paragraph referring to operating accounts and businesses of the carriers. But it was insisted on the part of the conferees of the Senate that this language was not necessary to secure the rights of any person who might be interested in a judgment—

Mr. WINGO. Judgment creditor.

Mr. SIMS. Judgment creditor or whether he was a judgment creditor or not. The rest of that part of the bill had reference to what is called overlapping accounts, which last provision of the bill was put in by an amendment of the gentleman from New Jersey on account of the amendment to which the gentleman refers to having been adopted. Now, as to the gentleman's amendment and all after referring to and including liabilities of the railroads that arose before the Government had

taken them over, they contended that if they undertook to force the Director General to take this into consideration as to all these liabilities, overlapping accounts, judgments that might be obtained for anything whatever prior to the taking over, that it would involve a great deal of trouble in keeping accounts of the Government during the railroad control and that it was not necessary to secure the payment of the debts, because if the railroads had money coming to them in the way of just compensation, that creditors can still proceed to enforce collection out of what may be coming to the railroads, and consequently such creditors did not run the risk of losing their debts on this account; that in so far as the railroad with which there was a contract as to compensation, that contract might provide for anything of that sort; that the railroads had over \$800,000,000 cash when taken over, out of which the railroads no doubt could and would pay their debts. This question of overlapping accounts might be of tremendous volume and cause a great deal of expense and trouble in the way of detail in trying to protect the Government against the payment of something that ought not to be paid or which the railroad companies litigate. That was, in substance, what was stated as why it was not necessary to secure these debts, and therefore they would not agree to that part of the House bill.

Mr. SIMS. Mr. Speaker, without losing the floor, I yield five minutes to the gentleman from New York [Mr. DEMPSEY].

Mr. DEMPSEY. Mr. Speaker, there are two questions under discussion here. The first is this, whether or not the President can make an order which does away with common law, does away with statute law—Federal law and the State law. Now, I can readily understand why the gentleman from Iowa is agitated about this question. It is for this reason: The State, of course, is not liable to the citizen except as that liability is created by statute; and so, if we can confine ourselves to the first sentence of that section, it might well create distrust; it might well arouse our suspicions. But we are not confined to the first sentence. The first sentence is followed by a second one, and the question that is under discussion here is whether or not a man who has a claim against a railroad, a just claim, a claim which he as a poor man finds it necessary to enforce, a claim which he ought to enforce, and which to protect his solvency he must enforce, can do so. And I say that under this statute there is no doubt about the fact that he can do it.

We had this same discussion when the bill was in committee, and I took the same position then that I do here; but I was willing to waive it, because I wanted to be sure as to the language itself. What is the language? Why, a man can bring any suit to enforce his demand, whatever that demand may be.

Now, take the two sentences together. If you can bring any suit to enforce any claim, no matter what your claim may be, then surely the President can not make some order which will take away that right. A primary rule of construction is this, that you shall not give life and effect and validity to simply a part of an act. You shall give that to all of the act. You shall construe the act as a whole, giving it all vitality and life and effect; and when you do that you take into consideration both the sentences, and you give the President the right to make an order, but at the same time you give the citizen a right to bring any suit that he has at law or in equity.

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

Mr. DEMPSEY. Yes.

Mr. BURNETT. How can the citizen execute his judgment?

Mr. DEMPSEY. I am coming to that. I pass now from that question to the second question. Is the citizen protected, if he has a judgment, in collecting it? That is the question raised by the gentleman. Now, it is not my understanding that at any time the citizen is ever given a right to levy an execution against a sovereign State, and that is what the gentleman asks.

Why, take the State of New York, for example. We have just spent \$150,000,000 on the construction of a canal. We have spent a very large amount of money in condemning land. Now, when land is condemned and a man obtains his award, does he issue an execution against the State of New York? Of course not. It would be a monstrosity. The State, as a privilege, permits him to come in and establish his right, and then it takes its way of paying your claim. That is always so. It should be so. It is simply orderly procedure.

You say, "We are not permitted to levy an execution." The gentleman from Wisconsin [Mr. Cooper] well asks, "Would you, in time of war, in the stress of war, when railroads are under the control of the Government because it needs them to wage the war, tie up the rolling stock and stop the operations of the carriers in order to collect a judgment?" Of course not. No one dreams of such a process. But you have your judgment. You simply can not levy an execution, but that does not prevent your collecting your judgment. No. The gentleman from Arkansas

[Mr. Wingo] knows that as a legal proposition you could not levy upon the railroad funds in the Government's hands. Why? What is the familiar rule of attachment about money?

Mr. WINGO. Mr. Speaker, will the gentleman yield right there?

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

Mr. DEMPSEY. Mr. Speaker, I ask for two minutes more.

The SPEAKER. The gentleman from Tennessee [Mr. SIMS] has the time.

Mr. SIMS. I regret it exceedingly, but I can not yield further without surrendering the floor. I yield three minutes to the gentleman from New Jersey [Mr. PARKER].

The SPEAKER. The gentleman from New Jersey is recognized for three minutes.

Mr. PARKER of New Jersey. Mr. Speaker, I want to save all the time I can to the gentleman who has been so kind to me, and I will try to conclude in three minutes.

The judgment question was all mixed up in the amendments passed by the House, and the gentleman from Arkansas [Mr. Wingo], I think, does not understand his own amendment in one respect. He orders all judgments paid out of the moneys that go to the railroads. Some of the judgments are mere operating judgments, whether they are recovered before or after the railroads went into Federal control. A judgment, we will say, got by a man who was hurt by an accident, must be paid out of operating expenses, and the United States will pay it out of operating expenses, and when the United States gives up the roads, the railroads themselves will pay any such judgment obtained for an accident while the roads were under Federal control, and it will not be paid by the United States. It must be so paid in the ordinary course of overlapping and deferred accounts for operating expenses.

Now, with reference to the question of an order of the President, the phrase is intended obviously to provide only for such orders as he may make under this act, because by this law he has full control and is not subject to the laws against pooling, and is able to make special orders to send special goods forward. The act gives him power to make various special orders. When we come afterwards in the act to say that he shall be subject to all of the laws of the United States, except when inconsistent with the purposes of this act or with any order of the President, it means such order as he is allowed to give. That is section 10. I want to get the words. They are: "Inconsistent with the provisions of this act or any other act applicable to such Federal control or any order of the President." This would cover an order under this act to prefer railroad munitions.

I shall support the conference report. That is all I care to say.

Mr. SIMS. Mr. Speaker, how much time have I left?

The SPEAKER. The gentleman has 11 minutes.

Mr. SIMS. I yield five minutes to the gentleman from Wisconsin [Mr. Esch], a member of the committee.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. SIMS. I yield five minutes to the gentleman from Wisconsin [Mr. Esch], a member of the committee, without yielding the floor.

The SPEAKER. The gentleman from Michigan [Mr. McLAUGHLIN] makes the point of order that there is no quorum present.

Mr. McLAUGHLIN of Michigan. I will withdraw that, Mr. Speaker.

The SPEAKER. The gentleman from Michigan withdraws it. The gentleman from Wisconsin [Mr. Esch] is recognized for five minutes.

Mr. Esch. Mr. Speaker, just a few words with reference to the conference report and to point out how it differs from the Senate and House bills.

The first radical change made by the conferees was that we struck out the term "standard return" and substituted in lieu thereof the words "just compensation." These words are now used throughout the bill. In the Senate bill there was no provision allowing an increase of compensation to the carriers for investments made on additions, improvements, and road extensions for the last six months of the year 1917. We had such a provision in the House bill. It was stricken out in conference. The reason why it was stricken out was that the proclamation of the President confined the just compensation to the three-year period ending June 30, 1917, and for the further reason that there was a feeling on the part of the conferees that the compensation provided in the bill for the three years ending June 30, 1917, was generous and ample.

Another change was recommended by the conferees in regard to the rate-fixing power. In the House provision we gave the initiation of rates to the President, with right of suspension. We gave to the orders and findings of the commission merely prima facie evidence that they were correct. In other words, the House bill did not give finality to the orders or findings of the commission. The Senate bill gave such finality. The conference report gives finality to the orders and findings of the commission, but charges the commission with the duty of taking into consideration the necessity of the carriers for increased revenues in order to meet the costs of Federal control. The commission is further to take into consideration, in determining the rates, the fact that the railroads of the United States are now under a unified and coordinated Federal control. The contention of this side of the House for the finality of orders and findings of the commission is sustained in the conference report.

With reference to the provision that was referred to here as to "any order of the President," I think that has been explained. We must interpret those words in the light of the section in which the words appear; and if so interpreted they will not give to the President this broad and unlimited power to repeal or suspend any statute of the United States or any statute of a State.

With reference to section 15, relating to the taxing power, we have practically gotten back to the House provision. There was a clause inserted in conference, which went out on a point of order, fixing the ratio of taxation of railroad property to other property in the States. That was held to have been beyond the power of the conferees, and under the Senate rules it went out. The House conferees assented to its going out. It is not contained in the House bill or in the conference report.

I believe that the conference report should be sustained. There is every need of prompt action, for until this measure is finally passed it will be impossible for the Secretary of the Treasury to perfect his plans in reference to the sale of liberty bonds.

Mr. KITCHIN. Mr. Speaker, I should like to ask the gentleman from Tennessee a question. I see the conferees struck out section 9, which is, in my opinion, the real protection to the short-line railroads, or the railroads not taken over under the original bill or taken over under the amended bill and relinquished. Did the House conferees insist on keeping that section?

Mr. SIMS. I insisted on that section remaining in the bill for the reason that I gave a few minutes ago, that if any of the short-line railroads that we will take over if this bill passes should be relinquished, then this section would be of benefit to them; but the conferees insisted that under the bill, by both the Senate and House provisions having taken over all of the railroads, there are none to which this section would apply unless it was entirely reconstructed. So they would not agree to it, and it went out in that way. The Senate conferees contended, and Members of the House not on the conference committee contended, that by the House agreeing to the Senate amendment we took over all the railroads, and that now they are all under Government control, and therefore there is no use in making provision for a railroad that we do not know will ever be relinquished. That is the substance of the contention made.

Mr. KITCHIN. The thought in my mind was this, that under the provisions of the bill, on or before July 1, 1918, the control of any railroad or all of the railroads may be relinquished by the President. If so, the short lines, with section 9 stricken out, will have no protection. Now, if the President or the Director General, or both of them, were really opposed to the taking over of the short-line railroads as being unnecessary for the prosecution of the war, and it has been stated that they were, suppose they are still of that opinion and before July 1, 1918, they should relinquish them—

Mr. SIMS. Mr. Speaker, how much time have I left?

The SPEAKER. The time is up.

Mr. SIMS. I move the previous question on the conference report.

Mr. KITCHIN. Let me have just one minute. I ask unanimous consent for one minute.

SEVERAL MEMBERS. Five.

The SPEAKER. The gentleman from North Carolina asks unanimous consent for one minute. Is there objection?

Mr. SIMS. I do not understand this will affect my motion for the previous question?

The SPEAKER. The gentleman does not have to make any motion. The Chair will make it.

Mr. KITCHIN. As I started to ask, if the President and the Director General and their advisers were opposed to the taking

over of the short lines as being unnecessary for the prosecution of the war, and they are still of that opinion, and will remain of that opinion, and under the provisions of the bill will on or before July 1, 1918, relinquish control of all of them, then what protection in this bill as reported by the conferees have the short-line railroads? None at all, have they?

Mr. SIMS. The gentleman from North Carolina [Mr. KITCHIN], more forcibly than I could do it, has made the argument that I made to the conferees, and I suggest that it is not probable that there will be any relinquishment of these after Congress has put them in the hands of the President, without his request or suggestion.

Mr. KITCHIN. I just do not want the short-line railroads to get a gold brick by this provision in the conference report.

Mr. SIMS. After Congress has, by express legislative action, placed these short-line roads in the power and possession of the President, that he will not relinquish control without by proper regulation provide the same character and kind of protection and relief as was provided in section 9 of the House bill.

The SPEAKER. The question is on agreeing to the conference report.

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. WINGO. I ask for a division.

The House divided; and there were—ayes 107, noes 8.

Mr. KIESS of Pennsylvania. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman makes the point of no quorum present. Evidently there is not. The Sergeant at Arms will notify absentees. The Doorkeeper will open the doors. Those in favor of agreeing to the conference report will answer yea, those opposed will answer nay. The Clerk will call the roll.

The question was taken; and there were—yeas 306, nays 26, answered "present" 3, not voting 93, as follows:

YEAS—306.		
Alexander	Doremus	Hicks
Almon	Doughton	Hillard
Ashbrook	Drane	Holland
Aswell	Dupré	Houston
Ayres	Dyer	Howard
Bacharach	Edmonds	Hull, Iowa
Baer	Elliott	Hull, Tenn.
Barkley	Ellsworth	Humphreys
Beakes	Elston	Hutchinson
Bell	Emerson	Igoe
Reshlin	Esch	Ireland
Black	Evans	Jacoway
Blanton	Fairfield	Johnson, Ky.
Borland	Farr	Jones, Tex.
Brand	Ferris	Jones, Va.
Browne	Fess	Juul
Browning	Fields	Keating
Brumbaugh	Fisher	Kelly, Pa.
Buchanan	Flood	Kennedy, Iowa
Butler	Focht	Kennedy, R. I.
Byrnes, S. C.	Fordney	Kettner
Byrnes, Tenn.	Foster	Key, Ohio
Caldwell	Francis	Kieiss, Pa.
Campbell, Kans.	Frear	Kincheloe
Candler, Miss.	Freeman	King
Cannon	French	Kinkaid
Cantrill	Fuller, Ill.	Kitchin
Curaway	Fuller, Mass.	La Follette
Carlin	Gallagher	Langley
Carter, Okla.	Gandy	Larsen
Cary	Gard	Lazaro
Classon	Garner	Lee, Cal.
Claypool	Garrett, Tex.	Lee, Ga.
Condy	Glass	Leibach
Collier	Glynn	Leshner
Connally, Tex.	Godwin, N. C.	Lever
Connolly, Kans.	Goodall	Little
Cooper, Ohio	Goodwin, Ark.	Littlepage
Cooper, W. Va.	Gould	Lobeck
Cooper, Wis.	Graham, Ill.	Loneragan
Cox	Graham, Pa.	Longworth
Cramton	Gray, Ala.	Lufkin
Crisp	Greene, Mass.	Lundeen
Crosser	Greene, Vt.	Lunn
Dale, N. Y.	Gregg	McAndrews
Dale, Vt.	Griest	McArthur
Dallinger	Hadley	McClintic
Darrow	Hamilton, Mich.	McCormick
Davidson	Hamlin	McCulloch
Decker	Hardy	McFadden
Dempsey	Harrison, Miss.	McKenzie
Denison	Harrison, Va.	McKinley
Dent	Haskell	McLaughlin, Pa.
Denton	Hastings	Madden
Dewalt	Hawley	Magee
Dickinson	Hayden	Maher
Dill	Hayes	Mansfield
Dillon	Heaton	Mapes
Dixon	Heflin	Martin
Dominick	Helvering	Mays
Doelling	Hensley	Meeker
Doolittle	Hersey	Miller, Minn.

Sherwood	Stedman	Van Dyke	Welty
Shouse	Sterling, Ill.	Vare	Whaley
Sims	Stiness	Venable	Wheeler
Sinnott	Strong	Vestal	White, Me.
Sisson	Sullivan	Vinson	Wilson, Ill.
Slayden	Sumners	Volgt	Wilson, Tex.
Slomp	Swift	Volstead	Winslow
Sloan	Tague	Waldow	Wise
Small	Taylor, Ark.	Walsh	Woodyard
Smith, Idaho	Taylor, Colo.	Walton	Wright
Smith, Mich.	Temple	Wason	Young, N. Dak.
Snell	Thompson	Watkins	Young, Tex.
Snook	Tillman	Watson, Pa.	Zihman
Stafford	Timberlake	Weaver	
Steagall	Tinkham	Welling	

NAYS—26.

Bankhead	Helm	Mason	Towner
Burnett	Huddleston	Ramseyer	Williams
Church	Johnson, Wash.	Reavis	Wingo
Dowell	Kearns	Reed	Wood, Ind.
Good	Knutson	Steenerson	Woods, Iowa
Green, Iowa	McLaughlin, Mich.	Sweet	
Haugen	McLemore	Thomas	

ANSWERED "PRESENT"—3.

Booher	Gordon	Rose
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NOT VOTING—93.

Anderson	Dies	Kehoe	Sears
Anthony	Drukker	Kelley, Mich.	Siegel
Austin	Dunn	Kraus	Smith, C. B.
Barnhart	Eagan	Kreider	Smith, T. F.
Blackmon	Eagle	LaGuardia	Snyder
Bland	Estoplinal	Lenroot	Steele
Bowers	Fairchild, B. L.	Linthicum	Stephens, Miss.
Britten	Fairchild, G. W.	London	Stephens, Nebr.
Brodbeck	Flynn	McKeown	Sterling, Pa.
Burroughs	Foss	Mann	Stevenson
Campbell, Pa.	Gallivan	Merritt	Switzer
Capstick	Garland	Mudd	Talbott
Carew	Garrett, Tenn.	Nichols, Mich.	Templeton
Carter, Mass.	Gillett	Oliver, Ala.	Tilson
Chandler, N. Y.	Gray, N. J.	Parker, N. Y.	Treadway
Chandler, Okla.	Hamill	Peters	Walker
Clark, Fla.	Hamilton, N. Y.	Porter	Ward
Clark, Pa.	Helntz	Price	Watson, Va.
Copley	Hollingsworth	Ragsdale	Webb
Costello	Hood	Randall	White, Ohio
Crago	Husted	Rowland	Wilson, La.
Currie, Mich.	James	Schall	
Curry, Cal.	Johnson, S. Dak.	Scott, Pa.	
Davis	Kahn	Scully	

So the conference report was agreed to. The Clerk announced the following additional pairs: Until further notice: Mr. THOMAS F. SMITH with Mr. ANTHONY. Mr. CAREW with Mr. CARTER of Massachusetts. Mr. EAGAN with Mr. CHANDLER of Oklahoma. Mr. KEHOE with Mr. CHANDLER of New York. Mr. EAGLE with Mr. FULLER of Illinois. Mr. WATSON of Virginia with Mr. KAHN. Mr. WEBB with Mr. BURROUGHS. Mr. WHITE of Ohio with Mr. CRAGO. Mr. BARNHART with Mr. MERRITT. Mr. BLACKMON with Mr. DAVIS. Mr. OLIVER of Alabama with Mr. PARKER of New York. Mr. GARRETT of Tennessee with Mr. BOWERS. Mr. LINTHICUM with Mr. LUNDEEN. Mr. STEPHENS of Nebraska with Mr. GRAY of New Jersey. Mr. BRODBECK with Mr. PETERS. Mr. RANDALL with Mr. PORTER. Mr. PRICE with Mr. ROWLAND. Mr. SHACKLEFORD with Mr. TEMPLETON. Mr. STEELE with Mr. TILSON. Mr. STEPHENS of Mississippi with Mr. CURRY of California. Mr. BROWNING. Mr. Speaker, I voted "aye." I have a pair with the gentleman from Maryland, Mr. TALBOTT, who, if he had been here, would have voted the same as I have. I will let my vote stand. The result of the vote was then announced as above recorded. A quorum being present, the doors were reopened.

SWEARING IN OF MEMBERS.

Mr. RIORDAN. Mr. Speaker, I renew my request for the swearing in as Members of the House the four Members elected at the recent special election in New York. The SPEAKER. Is there objection to the request of the gentleman from New York? There was no objection. The following Members elect appeared at the bar of the House and the Speaker administered to them the oath of office prescribed by law: WILLIAM E. CLEARY, eighth district of New York; JOHN J. DELANEY, seventh district of New York; JEROME F. DONOVAN, twenty-first district of New York; and ANTHONY J. GRIFFIN, twenty-second district of New York.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10358, the legislative, executive, and judicial appropriation bill.

The SPEAKER. The gentleman from Tennessee moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10358, the legislative, executive, and judicial appropriation bill.

The motion was agreed to.

Accordingly the committee resolved itself into Committee of the Whole House on the state of the Union, with Mr. SAUNDERS of Virginia in the chair.

The CHAIRMAN. The question before the committee is the amendment offered by the gentleman from Tennessee just prior to the adjournment, upon which it was agreed that there should be one hour's debate, one half of the time to be controlled by the gentleman from Tennessee [Mr. BYRNS] and the other half by the gentleman from Wisconsin [Mr. STAFFORD].

Mr. BYRNS of Tennessee. Mr. Chairman, I yield five minutes to the gentleman from Kentucky [Mr. SHERLEY].

Mr. SHERLEY. Mr. Chairman and gentlemen of the committee, before stating as briefly as I can the purpose of the amendment, it is proper that this should be said to the Committee of the Whole. The provision that is here offered is a provision coming from the Committee on Appropriations, but it is the result of a consideration and a study by Members other than those belonging to that committee.

It was apparent early in the history of the session, from bills introduced and from agitation in the newspapers and otherwise, that there would be legislation this year, as there had been legislation last year, looking to increase in compensation of Federal employees. It was desired to avoid some of the confusion and some of the delay and trouble that grew out of the situation last year by having the House vote various proposals, not always the same, on different appropriation bills, as they came before the Congress. And it was suggested informally that the various appropriation committees get together and consider this subject. As the result of informal conference had between the chairmen and the ranking minority members of the various appropriation committees, as well as the Committee on Appropriations, this proposition is presented to the House at this time.

Now, the proposition itself is in the form of a flat increase for all the different employees, other than postal employees, rather than by naming percentages for the various classifications, as was done last year. The provision last year provided for 5 and 10 per cent increases. The percentage this year is to be ascertained by taking the salary of the person and the amount that is given, \$120 in each instance.

So that, starting with salaries of \$480, you have a percentage increase of 25 per cent, and that runs on down from that amount to \$2,000, where the percentage increase would be 6 per cent. In other words, for a man drawing \$540 the percentage increase is 22 per cent, for \$600 it is 20 per cent, for \$640 it is 18 per cent, for \$720 it is 17 per cent, for \$840 it is 14 per cent, for \$900 it is 13 per cent, for \$1,000 it is 12 per cent, for \$1,200 it is 10 per cent, for \$1,400 it is 9 per cent, for \$1,600 it is 8 per cent, for \$1,800 it is 7 per cent, and for \$2,000 it is 6 per cent. That makes a percentage that runs on a scale that is constantly decreasing as the salary goes up, and without the saw-tooth arrangement you would get by classifying by percentages people within certain groups, and is not only a more scientific method but it is a method that makes the accounting and the work of the pay officers of the Government very much simpler. There was another reason for it which seemed to the Members dealing with the matter somewhat basic, and that was the idea that the added cost of living, which has been one of the basic reasons for this increase, applied to all people without regard to their salaries; that there are certain expenses in life that are constant to the poor man and the rich man. They must all have a certain amount of food, a certain amount of clothing, a certain amount of protection in the way of housing. The need of the poor man is as great, and in many instances greater than the rich man, because he has less leeway than in the case of employees of larger salaries.

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

Mr. SHERLEY. Mr. Chairman, I will ask the gentleman to grant me three minutes more.

Mr. BYRNS of Tennessee. I yield three minutes more to the gentleman.

Mr. SHERLEY. One hundred and twenty dollars was taken as representing a fair increase, all things considered. There are two cases that are different from those presented by the employees generally. They are cases of men or women who have received large increases of salary recently and those who have come into the Government recently, and I may say in passing that notwithstanding the repeated assertion in the press to the effect that salaries are on the same basis as they were back in 1857 or some other remote period, the facts show that there have been increases of salary ranging from 25 per cent to 100 per cent of the personnel in the various departments within the last year or so, and the very great expansion of the Government has resulted in giving to the employees of the Government very much more rapid advance and promotion than has ever been known before. We have provided that in cases where people have had a promotion within either the present fiscal year or shall have in the next fiscal year of over \$200 they shall be allowed this \$120 additional only when there is a certification made by the head of the establishment or the department in which they work of the reasons that justify such an increase, the idea being that we could not arbitrarily exclude such people because there might be some instances in which they ought to receive additional sums, and yet there ought to be something shown affirmatively to avoid the presumption that people who had received over \$200 increase did not need this addition.

As to the new employees the same proposition applies, because, presumably, they came with a knowledge of conditions as they exist, with the cost of living, and so forth, and it is a well-known fact that in regard to many of the places that have been created in lump-sum appropriations the initial employment has been at rates very much higher than formerly existed and which did take into contemplation the increased cost of living. We have, in addition to that, exempted from the operation of this law the same classes that were exempted under the operation of the law passed heretofore. We excluded the Panama Canal and the Alaskan Railway employees, because the salaries and compensation of such employees have been arranged with regard to the peculiar conditions surrounding those people—the cost of living in those respective places—and they did not present, therefore, the situation that is presented by employees here and in the country at large. We excluded those who give only a part of their time to the Government for a perfectly obvious reason, with the exception of the charwomen, whom we permitted to have the full benefit of the increase. We also excluded those who get compensation from other sources than the Government.

The CHAIRMAN. The time of the gentleman from Kentucky has again expired.

Mr. BYRNS of Tennessee. I yield two minutes more to the gentleman.

Mr. HELM. What does the total increase amount to?

Mr. SHERLEY. Assuming that everybody that is eligible for the increase under the terms of the law would get it, the increase would amount to approximately \$26,600,000, and would affect about 240,300 people. Different proposals have been made. The proposal contained in the Kenting bill would have made an expenditure to this Government of considerably more than twice that sum. Proposals that have been made for greater increases than the \$120 would have carried additional sums. If gentlemen will keep in mind, in rough figures, 240,000 people as affected, they can easily determine by a very simple mathematical calculation what any increase or decrease in this sum would amount to. It is perfectly easy for anybody on the floor here to cite any number of cases where this will not work a complete equity. No one lacking infinite wisdom could work out a proposal that would give absolute equity, but this is submitted in the belief that it is generous treatment of the employees. The fact was developed in the hearing, and it will come out in the course of the debate, that as to all low-paid employees of the Government, except the very low-paid ones, speaking by and large, they receive a greater sum than people engaged in similar employment do from private sources. That is particularly true of salaries of stenographers and clerks and people around \$1,000, and \$1,100, and \$1,200, and \$1,300; but when you get up to the higher-paid employees, then the Government pays very much less than outside people do.

In other words, there are men in the Government service working for \$3,000, \$4,000, and \$5,000 who in private employment would receive much greater sums; but, with the exception of a few cases, speaking of most of the employees embraced in this classification, they are now receiving sums in excess of what are being paid by private institutions for similar work. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. STAFFORD. Mr. Chairman, I yield five minutes to the gentleman from California [Mr. NOLAN] in opposition to the proposal.

Mr. NOLAN. Mr. Chairman, the gentleman from Kentucky [Mr. SHERLEY] said that the basic reason for this increase in salary to the Federal employees was founded upon increases in price of commodities and increases in the cost of living. I am reading from a table published by the Committee on Appropriations, on page 176 of the hearings, and I want to call attention to the way in which this committee figured the increase in living costs in making the allowance of \$120 a year and then contend they are basing it on the increased cost of commodities. We find on page 176 relative retail prices of the principal articles of food in the United States. Average prices for 1913, 100. These prices are from the United States Bureau of Labor Statistics. I am going to take the basis of 100, and I am going to show you how inconsistent the statement of the gentleman from Kentucky is that they are basing these increases upon the increased prices, and especially from 1913. In 1913 sirloin steak, at the basis of 100, has increased in December, 1917, to 126, an increase of 26 per cent. Round steak has increased in price from 100 to 134, an increase of 34 per cent; rib roast has increased in price from 100 to 128, an increase of 28 per cent; bacon has increased in price from 100 to 181, an increase of 81 per cent; ham has increased in price from 100 to 161, an increase of 61 per cent; lard has increased in price from 100 to 211, an increase of 111 per cent; hens have increased in price from 100 to 143, an increase of 43 per cent; eggs have increased in price from 100 to 184, an increase of 84 per cent; butter has increased in price from 100 to 142, an increase of 42 per cent; flour has increased in price from 100 to 205, an increase of 105 per cent; corn meal has increased in price from 100 to 235, an increase of 135 per cent; potatoes have increased in price from 100 to 178, an increase of 78 per cent; sugar, from 100 to 172, an increase of 72 per cent; all articles combined, according to this report, an average of 157, or 57 per cent, and the greatest increase is upon the commodities that the lower-paid employees must necessarily have to exist, not alone live.

I want to show you that they are allowing some of these lower-paid employees, not the people who are receiving the higher salaries, but I want to show you what they are allowing the employees who receive less than \$1,200 per year to meet the increase in the price of commodities during the last year. They are increasing the salary of the \$480 a year employee from 10 to 25 per cent, or from \$4 per month to \$10 per month; they are increasing the salary of the \$540 employee from 10 to 22 per cent, or from \$4.50 to \$10 per month; they are increasing the salary of the \$600 employee from 10 to 20 per cent, or from \$5 to \$10 per month; they are increasing the salary of the \$660 a year employee from 10 to 18 per cent, or from \$5.50 to \$10 per month; they are increasing the salary of the \$720 employee from 10 to 17 per cent, or from \$6 to \$10 per month; they are increasing the salary of the \$840 a year employee from 10 to 14 per cent, or from \$7 to \$10 per month; they are increasing the salary of the men and women who get \$75 a month 3 per cent in the last year; a raise of \$2.50 per month. They are increasing the salary of those who get \$1,000 a year 2 per cent in the last year, or \$1.06 per month. The employee who receives an annual salary of \$1,100 per year will get an increase of \$10 per year or 83½ cents per month. I leave it to you, to your own good judgment, to your own experience here in the District of Columbia and elsewhere if that is a square deal to the men and women in the Government employ receiving \$1,000 or less.

Mr. DYER. What would the gentleman suggest?

Mr. NOLAN. I understand the gentleman from Colorado [Mr. KEATING] is going to offer an amendment to make it \$180 a year, but I do not think that is fair for the men and women in the Government service getting \$1,000 a year or less. I think they should have a fixed basis of not less than \$3 a day. [Applause.] I do not think that is a living wage under present conditions. I think we ought to be fair, and I think it is not fair to put men receiving \$1,000 and less on the same basis as a \$2,000 a year man. They have got to pay the same prices in the District of Columbia and elsewhere that the \$2,000 man has got to pay. It is not square; there is not an industrial institution in this country or corporation or any business institution that could get away with that and have their help satisfied. I do not think you are going to benefit by it. It is not fair and square to those men getting \$1,000 a year and less to say the cost of living has increased from 10 to 12 per cent since a year ago. If that is the way the Government of the United States is going to treat its employees you can not expect to have co-

operation, you can not expect to have a patriotic feeling among them, you can not have them to respect their employer, and if you can not have respect from them what in God Almighty's world can you expect to have from them? Gentlemen of the committee, you have not undertaken this problem right; you have held executive meetings when examining witnesses who favored the bill presented by the gentleman from Colorado [Mr. KEATING].

The CHAIRMAN. The time of the gentleman has expired.

Mr. NOLAN. Just one minute.

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

Mr. NOLAN. You have not given the same sort of hearings before your Committee on Appropriations that every other committee of the House gives questions of this kind. You brought the employees and their representatives in and brought them in before your subcommittee one at a time. You did not have the hearings printed or did not have them ready for distribution until last night—at least, some of us could not get them—and you did not bring up this proposition until late yesterday afternoon, when the understanding was it was going through last night. Why, why did you do this? Why did not you give this proposition, a proposition in reference to the payment of salaries and wages for the employees—why did not you give them the same free and open opportunity for the presentation of their case which you give to everybody else?

Mr. BYRNS of Tennessee. I will say to the gentleman, if he will yield—

Mr. NOLAN. I yield.

Mr. BYRNS of Tennessee. I will say that we gave them all the time they wanted. We asked them if they wanted additional time, and they said no.

Mr. NOLAN. Did you not take them into the committee room one by one? And why was not this testimony published?

Mr. BYRNS of Tennessee. We asked the heads of these different federations if they wanted more time, and they said no, and they thanked us.

Mr. NOLAN. You did not give the newspapers an opportunity to find out what they said. You did not give these people the benefit of public hearings, so that their case might be presented to the public.

Mr. BYRNS of Tennessee. I think the newspapers published very full statements.

Mr. NOLAN. I do not think so. And we were not able to get hold of this testimony until this morning.

I hope the amendment that will be offered by the gentleman from Colorado [Mr. KEATING], raising the amount from \$120 per year to \$180 per year, will prevail. [Applause.] I insert a little poem by a Government clerk that I think fairly expresses the feeling of the average low-salaried Government employee:

THE GOVERNMENT CLERK.

How dear to my heart are the scenes of the office,
When mountains of labor I mournfully view;
The papers and files and reports that are endless,
And all the punk stuff that I have to wade through,
The folks back home think I'm rolling in velvet;
How little they know of conditions that are;
In the job of the clerk there is nothing to covet,
However rose-colored when viewed from afar.
The old stuffy office, the small crowded office,
The place where you bid your ambitions good-by.

I long for the fields and the woods and the streamlets,
And pensively heave a deep, cavernous sigh
As I think of the farmer boys counting their greenlets,
While I mournfully watch the promotions go by.
I long for the lawn with big trees growing on it,
A garden with flowers and catanibes green;
Instead I've a hole in the wall near the sidewalk,
With a sad little yard that's ashamed to be seen.
The old gloomy office, the life-tenure office,
It can not compare with a job back at home.

Oh! these flat-chested houses, each just like the other,
All along the same street just as far as you see;
You have to stay sober to find your own cover,
And identify yours by the fit of the key.
I joyfully welcome the coming of pay day,
When the ghost walks around with the seeds and the bones;
But the butcher, the baker, the loan shark, and faker
Got the very last sou—not a cent is my own.
The old civil service, the ossified service,
With pay roll secure, but so hopelessly small.

I would like an auto, at least a tin flivver,
To ride around town with companions so dear;
But alas for the lot of the Government worker,
Only those having "pull" can afford such things here.
So I bend to my work with such grace as is in me,
And hope that a better day will quickly dawn,
When the long-promised pension roll really gets working,
And my name in big letters is written thereon.
The old stuffy office, the prison-cell office,
And graveyard of hope for the Government clerk.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield five minutes to the gentleman from Kentucky [Mr. HELM].

Mr. HELM. Mr. Chairman, there is another viewpoint to this proposition. The soldier in France is offering his life; he has subscribed for liberty bonds; he is buying war stamps. The little children on the streets and in the homes are buying and peddling war stamps, the passage of this amendment means that the proceeds of their efforts are to be devoted not to the prosecution of the war but to the increase of salaries of these Government clerks around Washington, who are enjoying the best advantages of any employees in the United States. [Applause.] They have the best of conveniences, the most sanitary and comfortable offices to work in, with electric lights, hot and cold water, electric fans in the summer and well heated in the winter. I maintain that the civil employee of this Government should occupy the status of a volunteer, not to get the utmost dollar out of the Government, but to do his might for it while his Nation is in peril, and it ill becomes the Government clerks, whether in Washington or elsewhere, who work only seven hours a day for 300 days of the year, and are receiving as much as \$2,000 a year, to come in and ask that the proceeds of these little war-stamp sales and these liberty bonds be contributed to their further comfort, pleasure, and pastime.

I am against this wholesale lump-sum, indiscriminate increase in clerical salaries. Over yonder, over there, is the boy standing on the firing line fighting for the very life of this Republic, for home and fireside. You are proposing to send him back to raise the crops. You take from him a portion of his earnings to support a dependent mother; you take from him a portion of his salary to buy Liberty bonds; you send him back into the furrow to raise the crops to furnish the food for these employees who are now coming here and asking for \$28,000,000 increase out of the war funds that ought to be sacred and dedicated to the prosecution of this war. [Applause.]

This is but an entering wedge. It is to be followed by like bills increasing other employees' salaries. In the name of God, will the American Congress always be cowards and not stand for the people who are paying these taxes? Think of them. There is an army of income-tax collectors going about over this country. The farmers and merchants are all denying themselves the necessities and comforts of life to prosecute this war, and here comes a raid on the Treasury to make money out of it to give to these people who ought to be willing to deny and stint themselves in order to aid in a more successful prosecution of this war; and I say to you that it ill becomes the Congress of the United States, in the first place, to invite, protect, and guarantee organized labor against punishment, as it did, by giving it the right to strike when the ships are moving with the boys on board, but requiring emergency repairs, and some set of men say, "No; we will not drive a rivet," and then have the Congress go ahead and say, "We will protect and guarantee you against punishment." Call back the boys from France.

You are sending 1,500,000 boys over there. Stand here and protect them. They are the ones to be protected and safeguarded at all hazards. Speak it to the world and let it be known that the American Congress is looking solely and exclusively to the welfare and success of the boys on the firing line and not to the joy-riding comforts of these clerks, who ought to be contributing to instead of attempting to gouge the Government. [Applause.]

Mr. STAFFORD. Mr. Chairman, I yield three minutes to the gentleman from Michigan [Mr. McLAUGHLIN].

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I favor some increases to the employees of the Government, and I think the recommendation of the committee of an increase of \$120 a year to all those below \$2,000 is little enough. I am surprised, however, at the recommendation of the committee in this respect, that the increase of \$120 is to be applied to salaries as they were last year, before the percentage increases were made, by virtue of a resolution, I think, increasing salaries below \$1,200 by 10 per cent and those below \$1,800 by 5 per cent. If this amendment goes through as offered by the committee the addition of \$120 will be made to the old salary and not to the salaries of clerks as they are now paid.

And I wish to offer an amendment, Mr. Chairman, and have it pending, to be considered at the proper time, striking out the proviso beginning on line 15. If my amendment should be adopted it would provide for the addition of \$120 to the salaries that the clerks are now receiving.

The CHAIRMAN. Does the gentleman wish to have the amendment read in his time?

Mr. McLAUGHLIN of Michigan. Or at some future time. I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back one minute.

Mr. McLAUGHLIN of Michigan. Then, if I may be permitted, I will have the amendment read now.

The CHAIRMAN. The Clerk will read the amendment.

The Clerk read as follows:

Amendment offered by Mr. McLAUGHLIN of Michigan: Page 1, line 15, strike out the proviso beginning on line 15 and ending on line 19.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. RAINEY].

Mr. RAINEY. Mr. Chairman, it will be unnecessary for the Chairman to admonish the galleries not to applaud during my speech.

The men who pay these taxes and who meet the burdens you propose to impose upon them are, none of them, in the galleries to-day. [Applause.] They are back on the farms, 6,500,000 of them, working not 7 hours a day, but working 12 hours a day [applause], and working more than that. They were receiving in 1909 an average compensation for themselves and their families of \$600 per year. It is more than that now, but not to exceed \$700 per year. And you propose to increase the compensation of Government clerks, who work seven hours a day and who receive \$2,000 compensation. Their average compensation is \$1,200 per annum. Very few of these clerks receive as little as the farmers of the country, assisted by their families, are able to earn.

We are taking from the farms of this land and from the factories of this land a million young men between the ages of 21 and 30—the age when they ought to be earning most and laying it up for the evening of life. We are taking them away from employment that was paying them more than \$30 a month; thousands of them from employment that was paying them \$100 a month, and you are compelling them to work all day long and all night long in muddy trenches in France for \$30 a month, and to take all the risks incident to war. When they come back from France and commence to carry the burdens that you have laid upon them in their absence you will begin to hear from some of them. [Applause.]

There has been in France a readjustment of salaries paid to employees on the civil list, a recent readjustment, on account of the increase in the cost of living. Those civil-list employees in France who formerly received less than \$694 a year are receiving \$104 more. Those who were receiving less than \$960 a year are receiving in France \$69 more. But none of them can receive more than \$965 per year. Those who receive less than \$965 and who have two children under 16 years of age dependent on them are allowed \$19 a year in addition to that amount for each child, and for each additional child they are allowed \$38 a month. It is a scientific revision of salaries to meet the increase in the cost of living in France.

But our Government employees in this country to-day, without the increase proposed here, are receiving twice as much as they are receiving in France, and the cost of living ought to be as high in France as it is here, because we are supplying the people of France from our farms and our factories with the necessities of life. You propose to increase here the salaries of the highest-paid clerical employees in all the world. We are confronted with the certainty of a fixed annual budget after the war is over of \$5,000,000,000. The pay roll of our Army and Navy is now \$1,000,000,000 a year and is constantly increasing. The war is costing us in direct and indirect cost \$40,000,000 a day; more than it is costing any other nation. This proposed increase is as unscientific as it is unpatriotic. No other nation has done quite so bad as we propose now to do in the matter of increases in salaries, except Russia under bolshevik rule. In insurance companies in this country they start stenographers at \$50 a month. At the present time you are starting them off here in Washington at \$100 a month, and the same is true with reference to clerical employees of other grades, and you propose to increase their compensation still more. Under authority granted by Congress the President of the United States has just appointed a wage commission to examine into the question of wages paid by railroads.

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

Mr. BYRNS of Tennessee. I yield to the gentleman two more minutes.

The CHAIRMAN. The gentleman is recognized for two minutes more.

Mr. RAINEY. And they have made some computations to start with. They applied to the railroads to furnish figures as to the amounts paid to clerical employees in five railroad centers. These employees perform about the same character of work as is performed by Government employees. The figures have been furnished for 1,042 employees, and a total of 915 out of that 1,042 receive less than \$100 a month, and out of that number some 300 or 400 receive from \$50 to \$60 a month.

Only 4 employees of the entire 1,042 receive over \$150 per month; 930 receive \$100 and less per month—most of them work seven days in the week. The eight-hour day applies to less than half of them. One hundred and forty-six of them work 12 hours a day, seven days in the week, and receive between \$50 and \$60 per month. They are allowed no holidays. Government clerks are allowed 30 days' sick leave, 30 days' vacation, every holiday off, none of them work on Sundays, they only work 7½ hours a day; on Saturday they are allowed a half holiday and their pay goes on all the time whether they work or not. I submit that Government clerks are not badly treated.

These figures are significant as to railroad employees, for the reason that they are now Government employees whose salaries you can increase, and they will be here demanding increased compensation in the future; and when you set the mark by increasing the compensation of Government employees, as you propose to do, it will cost to bring the railroad employees of this country up to the standard of the wage set now for Government employees, according to these figures, \$1,000,000,000 every year. You must treat all Government employees alike; this is the argument these railroad employees will advance. How are you going to meet it?

Now, where are you going to stop with this sort of proceeding? I realize that a man who speaks against any proposition that takes money out of the Treasury of the United States and divides it among any considerable number of people who vote is speaking against a proposition that is peculiarly popular here. Heretofore the people of this country did not realize that they were paying the expenses of the National Government. They did not think so, at least, until recently. There are direct taxes now and they will soon know what they pay.

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

Mr. RAINEY. May I have two minutes more?

Mr. BYRNS of Tennessee. I am sorry I have not got it.

Mr. STAFFORD. I will yield to the gentleman one minute.

Mr. BYRNS of Tennessee. Give the gentleman two minutes.

Mr. STAFFORD. I give the gentleman two minutes.

Mr. RAINEY. I thank the gentleman.

The CHAIRMAN. The gentleman from Illinois is recognized for two minutes more.

Mr. RAINEY. Not long ago a fight was made on this floor by a Member of Congress representing a certain organization of Government employees. The movement on the Treasury led by him won, and I am calling attention to it to show how grateful these Government employees will be to you who vote for this proposition—they, and their uncles, and their fathers, and the rest of them back in your district. When these taxes pile up mountain high others may begin to understand what you are doing. This Member of Congress went back to his district and the efforts of the Government employees he had aided at the expense of the taxpayers of this country were unavailing and did not reflect him. But they were grateful—these Government employees. They had a banquet over in New York, and they took up a collection all over the United States, and they brought it there on a silver platter, and tendered it to this ex-Member of Congress. In a spectacular way they piled upon this silver platter 35,000 silver dollars, and tendered him for his services in leading the movement against the Treasury the silver platter and the 35,000 silver dollars. In this way they demonstrated how they proposed to reward their friends. The newspapers reported that he declined to accept it. I do not know what became of the fund. I know it was not paid back to those people who contributed it. But this shows the feeling of gratitude these men have for the Members of this body who lead these raids on the Treasury.

And this is not the only raid to be made during this session. This will involve an outlay on the part of the Government of \$28,000,000. It satisfies nobody; it is not enough, they say. They are all protesting against it to their Representatives. Government employees are now organizing in unions and are connecting up with the American Federation of Labor; they announce that they have back of them the American Federation of Labor, and together they march grandly on the Treasury of the United States, millions strong.

Now, there is not any reason for Government employees to be federated in unions, except to raid the Treasury. I believe in collective bargaining, but not when it is directed against the Treasury of the United States. May I remind you, gentlemen, that this is not your money you are so generously giving away. The Government is collecting some of it in taxes; it is borrowing most of it. You are not following any scientific or patriotic plan. You are following the precedents set by the Bolsheviks of unfortunate Russia. You are yielding to the socialism so rapidly developing in the country to-day. This raid on the

Treasury involves \$28,000,000. It is to be immediately followed by the Post Office reorganization bill, which means an additional salary increase of \$50,000,000 per year. And that is to be followed by the minimum-wage bill, which means a still further salary increase of \$60,000,000, and there will be other salary increases to come next year. We are sowing seed from which we may, as a Nation, reap a whirlwind of disaster, and the harvest may come in the not distant future.

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

Mr. NOLAN. Mr. Chairman, I ask leave to extend my remarks in the Record.

The CHAIRMAN. The gentleman from California asks leave to extend his remarks. Is there objection?

There was no objection.

Mr. HELM. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. STAFFORD. Mr. Chairman, I yield two minutes to the gentleman from Missouri [Mr. DYER].

Mr. DYER. Mr. Chairman, if this legislation affected any other people than those of the city of Washington, I doubt if there would be any criticism of so just and meritorious a proposition. We all know from experience in Washington the difficulty there is to support yourself and family upon \$100 or \$150 per month. Members of Congress know that themselves. Yet employees of the Government here in this great city, hundreds and thousands of them to be affected by this legislation, are drawing less than \$100 a month, and we all know that it is impossible for them to live or exist decently upon that amount of money. So, Mr. Chairman, we ought to be willing to help and aid the right thing as recommended by this committee. The Government employees in Washington are men and women who are working faithfully and assiduously for the interests of this Government. Those who are within the draft age are going to France when they are called, just the same as those from every other community. Those who remain here have the privilege, because of their age, to do so. Yet they are working for the Government, pouring over the figures concerning this war, working to bring supplies to the troops, and things that are necessary to make this war a success, and they are working long enough and faithfully enough to receive consideration from the American Congress. Mr. Chairman, we ought to be able to do for them that which is a mere pittance of justice and right, and give to them this increase in their pay. [Applause.]

Mr. STAFFORD. I yield one minute to the gentleman from Massachusetts [Mr. LUFKIN].

Mr. LUFKIN. Mr. Chairman, I shall vote for this amendment because I believe that it is the best compromise which we can get at the present time. While \$120 a year will not allow the Government clerks to buy many liberty bonds to help win the war, the amendment is at all events a step in the right direction, and I hope that eventually it may lead to a permanent reclassification of the present inadequate salaries of Government employees, not only here in Washington but throughout the country.

I was hopeful that the committee might be able to bring in an amendment providing for more generous increases for the very lowest paid Government employees—the watchmen, janitors, and firemen in public buildings, for example—to say nothing of the lighthouse keepers and the employees of the Bureau of Fisheries located on stations in various parts of the country. How these men are able to live on their salaries, ranging from \$500 to \$720 a year, and bring up families, with the present high prices, is a mystery. I am not so familiar with the men connected with the Government buildings, beyond knowing that their pay is very low, but I am familiar with the struggles of the lighthouse keepers and the employees of fish hatcheries, as some of those men live in my neighborhood.

Take the latter case, for example: The laborers, firemen, and general helpers at these fish-hatchery stations receive the princely salary of \$600 a year, or \$50 a month. Think of it, gentlemen, \$50 a month, with no allowances with which to provide food and clothing and house rent for a wife and children, to say nothing of the few luxuries which every family, no matter how humble, must have under present-day conditions. It is true that at some of the stations sleeping quarters are provided for these men. But that is all. The stations are usually isolated and the men must pay for their mess while on duty as well as providing for their families back in town, and all on \$50 a month.

The fish culturist, who is in charge of the men, is more fortunate. He must be more or less of a scientific man. He must start in at the \$600 grade, learn the ins and outs of producing

millions of lobsters and cod fish from the minute spaw, spend months or even years on the car service of the bureau, and in the meantime improve his leisure by learning the science of fish culture from dry, technical books. But at last his goal is reached. If he successfully passes a rather difficult scientific examination he is rewarded by an appointment at some isolated station—at what salary, my friends? Does the Government pay this semiscientific man \$2,000 a year, or \$1,800, or even \$1,500? Not much. After perhaps one or two or three years in the service he is appointed at the minimum as well as the maximum salary for this sort of work, which is \$75 a month, or \$900 a year, \$200 less than the 17-year old girl just out of high school, who perhaps can not command more than \$6 a week in an industrial institution at home, is offered to come to Washington and enter the departments. Is there any doubt of the injustice of that sort of thing, my friends, or is there any doubt that the ancient standard of salaries in our departments needs reclassification?

Then take the case of the lighthouse keepers of this great country of ours, the men who are intrusted with the tremendous responsibility of sending out the beacon light to guide the mariner on his stormy way. The average pay of the lighthouse keepers in the United States to-day is exactly \$555 per year. The maximum pay which he can receive under the law is \$600, but Uncle Sam has been economizing a little on that. Yes; but I hear someone say that the lighthouse keeper gets some allowances. Let us see what these amount to. In addition to his pay envelope of \$10.67 each Saturday night—shipbuilders and other mechanics are earning almost as much in one day—he has his house. He must have this, as in many cases he is practically on duty all of the 24 hours in the day.

He has his house, it is true, and the land around it. Think of all the benefits and pleasure which the light keeper at the mouth of Boston Harbor must receive from gazing on his land, with his home pitched high in the air almost at the mouth of the Atlantic Ocean, its only support one slender spindle of steel coming up out of the ledges far below the surface of the water. Of course this is an extreme case, and many of the keepers have sufficient land to plant a garden, if they have enough left to buy seed from their weekly stipend of \$10.67. Or perchance, in the olden days, they could keep a few hens, but not on \$10.67 a week with the present price of grain, soaring as it does from month to month.

But that is not all. The Government gives these men a ration allowance, an allowance, my friends, of exactly 30 cents a day. Think of how that man's family must revel on all that money. At present prices that allowance will buy the family two loaves of bread perhaps, but not a dish of strawberries at the restaurant downstairs.

To sum it all up, then, these lighthouse keepers, with all the responsibility their position entails, are receiving for their 12 months of hard and nerve-racking labor \$555 in salary, \$109.50 for food, a house of some kind, and perhaps enough land to attempt a little farming on a small scale. Do you wonder that these men have worried? Do you wonder that they have waited expectantly for this amendment? Do you wonder that one of them has compared his position to that of an aged clergyman in a poor and struggling parish in my district, who was asked what his compensation was for administering the gospel to his people. "Oh, I am very well taken care of," he replied, "I receive \$3 a Sunday for my sermons, and then I am given the free rent of the parsonage and half of the blueberries which I pick in the summer."

In striking contrast is the pay of the members of the Coast Guard, in many instances adjoining neighbors to the lighthouse keepers and doing similar work. As against \$555 for the keeper, the captain of a coast-guard station receives \$1,000 a year, the No. 1 surfman \$840, and an ordinary surfman just entering the service \$780. In addition, with the coast-guard men, there is a provision for longevity pay sometimes amounting to as much as 40 per cent. Take the case of allowances again: The coast-guard man is given 40 cents a day for rations, as against 30 cents for his less fortunate neighbor, and a clothing allowance of \$50 the first year and \$20 each succeeding year, as against nothing for the lighthouse man. And to cap the climax, gentlemen, when the coast-guard man becomes too old for further service the Government generously retires him on a pension, while there is no avenue left for the aged lighthouse keeper except the public almshouse.

Mr. Chairman, I have no criticism to make of the Coast Guard. There is no more courageous class in the country, no body of men doing a more noble work, and I glory in the fact that Congress a few years ago realized this and placed them on a footing where they belonged. But I want to see this justice extended. I want to see the lighthouse keepers put on the same

footing. I want to see them paid a living wage during their activity, and I want to see provision made for their retirement to some other life than that of a public charge when they become too old to longer serve their country.

Mr. BYRNS of Tennessee. I yield five minutes to the gentleman from Missouri [Mr. HAMLIN].

Mr. HAMLIN. Mr. Chairman and gentlemen, I shall vote for the proposition brought in by the committee, but I should like to see it amended in some particulars in order to improve it. I am somewhat surprised that my good friend from Illinois, Mr. RAINEY, and also my friend from Kentucky, Mr. HELM, should seek to prejudice the minds of this House against this proposition by trying to compare the salaries received by the civil employees of the Government with the sacrifices being made by our brave and gallant boys at the front. That is impossible. We can not compare any position in civil life with that of the boys who are offering to make the supreme sacrifice for the flag and freedom of their country. [Applause.]

So the only purpose these gentlemen could have had in referring to that matter, and seeking to make that comparison, was to prejudice the minds of this committee against the proposition now before us. Let me remind these two gentlemen that I have a recollection, and I do not have to go back but a very few days, when we were considering a provision in this bill which sought to increase by \$500 the salary of a man now receiving \$4,000 a year, and of two more who are receiving \$4,000 a year each, increasing their salaries \$1,000 a year, neither the gentleman from Illinois [Mr. RAINEY] nor the gentleman from Kentucky [Mr. HELM] were here to raise their voices against that increase. [Applause.]

Mr. RAINEY. Will the gentleman advise me when that was?

Mr. HAMLIN. It was only three or four days ago.

Mr. RAINEY. I will say that raids on the Treasury are so numerous that a man can not leave the Hall without missing one.

Mr. HAMLIN. The gentleman seeking to pose as the watchdog of the Treasury ought to stay here, and not be absent when the big increases are proposed, and only show up when there is a proposition being considered to give a small pittance to some clerk in a department who is not receiving enough to keep soul and body together. [Applause.]

Mr. RAINEY again rose.

The CHAIRMAN. Does the gentleman yield?

Mr. HAMLIN. I can not yield further. I have only five minutes. I should like to yield if I could.

The CHAIRMAN. The gentleman declines to yield.

Mr. HAMLIN. The gentleman from Kentucky [Mr. SHERLEY] laid down this proposition, to which I heartily subscribe, that the basic reason for this increase is the fact that there is a stated expense incumbent upon everybody, regardless of his situation in life, regardless of the compensation received by him, that must be met by everyone alike. That is exactly the position I took the other day. It is the position I take now, and I will say that a clerk receiving \$480, or \$600, or \$720, or \$840 a year does not receive enough to meet these stated vital living expenses in these abnormal times.

My criticism of this amendment is the fact that I do not believe in these war times, when the resources of the Government are being strained to the very limit, we ought to increase the salaries of men receiving \$2,000 or more a year one single penny. Perhaps a man receiving \$2,000 a year earns more than that, but he is receiving enough money to meet the vital necessities of life, and we do not need to increase his salary at this time. But I do say that a \$120 flat increase to a man receiving only \$480 is not enough. An increase of \$120 to the \$720 clerk is not enough. An increase of \$120 to the \$840 clerk is not enough. If nobody else does, I shall offer an amendment increasing the salary of all clerks now receiving \$1,000 and less \$200 a year, instead of \$120, and those receiving from \$1,000 to \$1,500 \$150 a year, and those receiving over \$1,500 and not more than \$1,800 a year \$75, but I would not go above the \$1,800 limit. I believe that ought to be done, because there are two things that this Government can not afford to do at this time. The Government can not afford to ask anybody to work for it for a wage less than will enable him to meet the actual stated vital expenses of living. And then we ought not now to increase the salaries of those who are receiving enough to meet their expenses and enjoy the comforts of life.

That my position on this question may not be misunderstood I will say that under existing conditions I would not favor increasing any salary except those which are so low that it will not enable the recipient to meet reasonable living expenses. When I say reasonable, of course I mean a comfortable living. On the other hand, I think this is not the time to increase salaries simply because we feel that the present salary is not com-

mensurate with the qualifications of the person performing the service or not in keeping with the dignity of the position held.

The only criticism of this bill in regard to salaries that I have had is that the committee recommended large increases to certain individuals now drawing \$4,000 and \$4,500 a year, respectively. To my mind that proposition in these times of stress is not justified, and the most remarkable thing about it all is that of all the gentlemen who are protesting so vigorously against the comparatively insignificant increase of \$120 a year to clerks drawing \$2,000 a year and less, not one of them raised his voice to oppose a proposition to increase the salary of the Chief of the Efficiency Bureau from \$4,500 to \$5,000 per annum and the salary of the President of the Civil Service Commission from \$4,500 to \$5,000, and the other two Civil Service Commissioners from \$4,000 to \$5,000 each per annum. Here was a proposition where the increase for one employee proposed in the bill was as much as the entire salary now received by each of over 100,000 clerks working for the Government. I felt that that was not fair, and that is why I opposed those proposed increases.

My position not only on the question of salaries, but in every other line of activity during this war, is that great sacrifices must be made, but that things should be adjusted in such a way that these sacrifices will be distributed as equally as may be among all people and classes. No favoritism should be shown.

While I am going to vote for this amendment as reported by the committee, in case it can not be amended, yet I feel that the clerk receiving \$2,000 a year does not need the increase as badly as the one receiving \$720 or \$840, or, in fact, any of these low salaries. For that reason I hope to see the bill amended so as to give the principal increase to those who need it most.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield three minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, in order to show the spirit, temper, and teeth of the organizations who are demanding this increase I want to read to you colleagues two excerpts from a petition which has been sent from one city in my district:

Whereas a member of the Cabinet of the President of these United States has stated in his annual report that the organization of employees in his particular branch of the Federal Government is a menace to the public service; that such employees, though justly compensated (as he claims), are making many selfish demands, are endeavoring to unjustly influence Congress, and will inevitably go out on a strike, and that they will make impossible a provision for the economic conduct of the service—

And so forth—

Therefore be it

Resolved by the El Paso Central Labor Union of El Paso, Tex., and vicinity. That we, the representatives of over 3,000 workmen of El Paso and vicinity, denounce and brand the statements of the said member of the Cabinet of our President as untrue, misleading, and far-fetched in the main, and that we sincerely regret that he is a citizen of these United States and of the fair State of Texas and is a member of the Cabinet of the President of these United States, and do hope and trust that his resignation will be requested, if he shall not have the honor and manhood to present the same.

Simply because the able Postmaster General of the United States, Hon. Albert S. Bursleson, under a sense of duty felt compelled to make certain recommendations to insure the best and most efficient service to the Government, organized labor is trying to cudgel him out of office. I was reared to young manhood on a farm and worked my own way through the university of my native State, and knowing by actual experience the many hardships which beset the man who toils for his daily bread, my heart has always beat in close sympathy with the labor problems of the land; but when organized labor becomes bigger than the Government and in a war crisis is selfishly making demand after demand at the expense of millions and millions of the unorganized toilers of our country, I must raise my voice against it, even though it may cause strong political antagonism against me in the future.

This is the spirit and temper of the organizations that are demanding this increase at this time. That is why, for one good reason, I am going to vote against this amendment. I want to say to my colleagues that I do not believe that there is a class of workmen anywhere in existence who are better cared for than the clerks in the employ of the United States Government, save and except postal employees and certain postmasters. Why, they get 30 days' vacation in summer on full pay; they get every single holiday that is enjoyed by the banks or individuals; they get each and every one of the 52 Sundays—something that the Members of Congress do not get. [Laughter.] They are entitled to as many as 30 days' sick leave on doctor's certificate on full pay. They enjoy the privilege of 12 half holidays in the summer and others on all special occasions in Washington.

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

Mr. BLANTON. I ask for two minutes more.

Mr. BYRNS of Tennessee. I will yield the balance of my time to the gentleman. How much time have I left, Mr. Chairman?

The CHAIRMAN. The gentleman has five minutes.

Mr. BYRNS of Tennessee. I will yield two minutes to the gentleman from Texas.

Mr. BLANTON. I will state to you gentlemen that these clerks are housed in the most comfortable quarters imaginable; they are surrounded by every kind of luxury found in department buildings; you will find many of them wearing the best tailor-made clothes in Washington, and many of them drive their own automobiles every day on the streets of this city. [Laughter.] You will find many of them in the most popular theaters in the city.

Mr. JOHNSON of Washington. And they do all this on \$480 a year?

Mr. BLANTON. That \$480 a year is a myth. The new employees that have been coming here day after day from my district have been entered on the department pay roll at \$75 a month, with increases, when some of them do not know how to run a typewriter and are absolutely inexperienced, and could not draw \$40 a month in their home towns. [Applause.]

I know of assistant bank cashiers in my district, filling important and honorable positions of trust in national banks requiring high business qualifications, who do not now get over \$100 per month. I know of a young lady who was drawing a salary of \$60 in a bank in New Orleans, who accepted a position as interpreter of French in the Ordnance Department, beginning at a salary of \$1,100, and one day this week she remarked to a friend that all she did that day was to translate three short letters, and that often she had nothing to do at all. I was told by the principal of Wood's Commercial College that girls are constantly being taken out of his school who hardly know the keyboard of a typewriter and started in at \$1,000 and \$1,100 salaries by the Government. I know of an employee in The Adjutant General's Office drawing \$1,400 a year who is the secretary of a labor organization, and who spends part of his time during office hours in soliciting clerks to join the union, arguing to them convincingly how much influence over Congress such unions can exert in their behalf.

There is hardly a department in Washington where if the employees all worked faithfully and diligently eight hours a day it would not be possible to dispense with at least one-third of the employees. I have been told by conscientious clerks from my district working here that if Members of Congress could only see how much time is wasted each day, how much time is used by cigarette smokers in rolling, lighting, and smoking from 10 to 20 cigarettes each day, how much time is wasted by social conversations each day between many young men and young women, see just exactly how many soldering, time-wasting, clock watchers there are in the various departments of Government service in Washington among the 240,000 employees whose salaries this amendment seeks to raise, and which \$28,000,000 increase the now already overburdened taxpayers will have to pay, that instead of granting this increase to each and every one of them alike, we would take steps to weed out these incompetents, decrease the salaries of the slackers, and raise the salaries only of the diligent employees who are giving good service and deserve it.

I have a 15-year-old son who is an employee of this House, receiving \$2.50 per day, and no man in Washington better earns his pay, for from the day this session met in December he has not missed an hour, but sits at that desk there from the time Congress meets every day until it adjourns, including the Sunday sessions we have had, yet I do not think that he is entitled to the increase which this amendment would give him, and I am going to vote against it.

I am in favor of granting a substantial increase in salary to certain second, third, and fourth class postmasters, post-office clerks, railway mail clerks, and rural carriers, who are now making less than any family can live upon, and I think that we should not further delay the passage of the bill providing for their relief, but this amendment offers them no relief whatever.

But during this war crisis, when we are taking young men between the ages of 21 and 31 from their families, their wives and children, and their private businesses, and forcing them to fight in the trenches, knee-deep in mud, for \$30 per month, it does occur to me that these 240,000 employees we let stay safely at home, who are to be benefited by this bill, and most of whom get salaries ranging from \$1,100 to \$2,000, ought to be willing to make some sacrifice, dispense with some of their accustomed luxuries and extravagances, and neither demand these

increases nor protest against working eight hours a day, especially while safely living in the Capital, and many filling positions vacated by soldier boys now in the trenches of France. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield the balance of my time to the gentleman from Missouri [Mr. RUCKER].

The CHAIRMAN. The gentleman from Tennessee has exhausted his time. [Laughter.]

Mr. RUCKER. Mr. Chairman, a parliamentary inquiry. Was this a trick purposely played on me by the gentleman from Tennessee? [Laughter.]

The CHAIRMAN. The time is kept by the timekeeper at the desk.

Mr. STAFFORD. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman from Wisconsin has 17 minutes.

Mr. STAFFORD. I yield seven minutes to the gentleman from Iowa [Mr. Good].

Mr. GOOD. Mr. Chairman and gentlemen of the House, we are passing through abnormal times. We must make unusual provision for the support of Government employees. Any gentleman who closes his eyes to the fact that all commodities of life have risen and who tries to solve this question without the increased cost of living will fail to find a correct solution. We must in some way do what the industrial, commercial, and financial interests of the country have done in the way of increasing the pay of Federal employees. We ought to do it in a large way and with fine spirit. All admit that the Government should be a model employer. On the other hand, the person who would set no limit to the increase he would grant to the Federal employees would do a great injustice to the Treasury of the United States. He would do a great injustice to the millions of patriotic men and women who are called upon to buy liberty bonds in order to place money in the Treasury with which to pay this increased compensation.

It has been said on the one hand that we have gone too far, and on the other hand that we have not gone far enough. Some would grant no increase in pay of Federal clerks, while others would make the sky the limit. These positions were presented to the subcommittee. We conducted the hearings and the committee tried to strike a golden mean somewhere between the two extremes. I believe if you will read the hearings conducted by the subcommittee you will find that we have, on the whole, dealt very liberally with the Federal employees. There are inequities in the provision. Some will get too much and some too little under its provisions. The Federal employees have, I think, labored under some misapprehension of the facts due to the statements made by a part of the Washington press. I do not see how some of the publishers of the Washington newspapers, who pay practically the lowest wages in Washington, much less than the Government pays for similar work, can look the reporter in the face when they hand him his little stipend of about \$25 a week for doing high-class newspaper service. [Applause.] Let the newspaper publisher read the hearings and increase the pay of his stenographers, reporters, and bookkeepers somewhere near the standard price of the Government, and then they will have a right to criticize Congress for not appropriating more money for Government clerks. [Applause.]

The committee made some real investigation of this subject. This amendment is offered only after full study and investigation. We caused to be sent to 132 cities in the United States inquiries requesting data from manufacturers and employers of labor, and I have here a graphic showing the result of that investigation. Manufacturers and employers of labor all over the country were asked what wage they paid for a certain class of work. Take the first class, female bookkeepers, No. 1, preparing schedules, and so forth. We found that the wage scale of the private employer has gone up in that class from \$460 in 1914 to \$660 in 1918. The pay of the Federal Government for the same class of work in 1914 was \$1,020 as compared with \$460 in private employment, and that Federal wage has increased from \$1,020 in 1914 to \$1,170 in 1918, and so on all the way through. On the whole, for clerical work the investigation shows that the Government pays a wage from \$200 to \$300 a year more than is paid by the private employer for the same grade of work. Take promotions. Last year there was one department of the Government that promoted 130 per cent of its employees, and these promotions averaged \$200 each.

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

Mr. GOOD. No.

Mr. RUCKER. I just wanted to find out if that was in the Pension Office.

Mr. CARTER of Oklahoma. The gentleman has his per cent wrong, has he not?

Mr. GOOD. No; that is correct. That is to say, every employee in that department was promoted once, and 30 per cent were promoted twice. Take the War Department, for instance. Over 90 per cent of the employees in the War Department last year were promoted and most of these promotions amounted to \$200 and some of them amounted to \$600. One gentleman, a private employer, came here, brought by the organization furthering the Keating bill, and spoke of the magnanimous treatment his concern was affording its employees. He had instituted a very humane plan to increase the pay of his employees. His plan was commendable. Yet he admitted that stenographers coming into his employment who had two years experience were taken in at from \$8 to \$10 a week, and that his own private secretary, who was a relative and who had been in the employ for 10 years—and there was none better, that she could conduct the business—received, before he instituted this new and humane plan, \$20 a week, and after the increase she got only \$105 a month. Yet I undertake to say for that class of employment the Government of the United States is paying from \$1,600 to \$1,800 a year, and in many cases more.

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

Mr. GOOD. I will ask the gentleman to yield me two minutes more.

Mr. STAFFORD. Mr. Chairman, I yield the gentleman two minutes more.

Mr. GOOD. It seems to me that we ought to be fair to the employees, but at the same time we must be just to the hundred million people who are called upon to buy liberty bonds, to pay the salaries that you are voting to-day. I do not subscribe to the statement that we must increase the wages correspondingly to the increase in the cost of living. There is not a person in all this land who should be permitted to escape from the sacrifice to maintain the flag of the United States in our present war [applause], and I would not write into the statutes of my country a provision that all of the hundred millions of people should make the sacrifice in this regard except the clerk who is working for the Government of the United States, and I do not believe a single clerk is asking that. All of us are compelled to retrench because of the high cost of living. The Government clerk must make some sacrifice also.

Mr. STAFFORD. Mr. Chairman, I yield two minutes to the gentleman from Indiana [Mr. Wood].

Mr. WOOD of Indiana. Mr. Chairman, in the two minutes allotted me I desire to call the attention of the House to the inconsistency of the gentleman from Texas [Mr. BLANTON], who is decrying the very small raise provided by this amendment to the employees of this Government. Mr. BLANTON is being fairly well paid for his services at \$7,500 a year. In addition to that he is receiving, as I am informed, more than \$700 mileage per session; also \$2,000 a year for a son, who is a clerk in his office.

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

Mr. WOOD of Indiana. I can not yield now.

Mr. BLANTON. The gentleman would not want to make a misstatement.

Mr. WOOD of Indiana. What is your clerk's name?

Mr. BLANTON. My son is a clerk, but my son gets very little of that money. Mrs. R. L. Arceneaux is one of my clerks in my office at \$1,200 a year, and from time to time I have had various other employees.

Mr. WOOD of Indiana. He also has a son on the page's bench at \$83 a month—nearly the sum that he says the cashiers of the banks receive down in his State. So I think the gentlemen who live in glass houses should not throw stones. The amount that is provided for by this amendment as an increase helps some. It does not help as much as the committee would desire to have it, but in these times when sacrifices are being made by all, the clerks are willing to make some sacrifice themselves, but we must be just to these people who are quite as necessary here doing their bit in these offices as those on the firing line—and I am not here to detract one iota of honor from the great duty they are performing; but without the help of these clerks, without the help of these servants of the Nation, our men in arms could not go very far nor last very long. This \$120 will not be a great amount for any person under present prices, but it will help some in enabling them to live in accord with the American standard of living, and not in accord with the debased standard of Europe.

Mr. STAFFORD. Mr. Chairman, last year in the legislative bill we provided an increase of 10 per cent for all appropriated

for by the bill and who entered the service before June 30, 1917, who received less than \$1,200 and 5 per cent for those who received \$1,200 up to \$1,800. For two months and more, while the subcommittee has been considering the legislative appropriation bill, we have had before us continuously the question of what plan the committee should follow in recommending increases to the Government clerks during the next fiscal year. After long deliberation we found that the percentage plan was inequitable in its operation, and so the committee decided on a level amount to be paid to all Government employees receiving salaries of \$2,000 and under. That is not equitable to some, I am sure, and if we could have apportioned it so as to provide a larger amount for some—for instance, those having families dependent upon them, or dependents—we might have done so, but we found that was not workable.

Then some of the committee believe those who were appointed from lump-sum appropriations and who have been recently brought into the Government service, and there are thousands of those, whose salaries are based upon existing pay in commercial employment, that they should be excluded; but after deliberation, we decided that they also should be included.

Much emphasis on the part of those who would increase this amount has been laid as to those who receive \$480 and \$500 or \$600. I want to say to the members of this committee that if you study this bill you will find that those who receive \$480, \$500, or under \$600 are mostly boys who perform the work of messengers, and that the lowest paid salary of men employed in the departments, unskilled-labor positions, is \$660. Your subcommittee, in framing the bill, in every instance raised the salary of unskilled laborers where it was shown they were receiving to \$600, the statutory rate. Watchmen receive \$720, messengers, \$840, and artisans with higher pay. I have in my hand a schedule showing that in industrial and commercial employment the salary of watchmen is \$200 less than what we are paying in the Government service. And mark you, my fellow Members, that while it is easy to get up here on the floor and declaim in favor of these low-salaried people in the Government employ, we all know that somehow or other we live on different scales; and while we do wish to do equity to all, nevertheless this is not the place to rearrange the salaries of Government employees or to equalize any existing disparities.

The one question before the committee is whether we should adopt a level increase to apply to all classes up to a certain amount that will do equity in a large way. There are many—in my opinion the vast majority—employed in stenographic positions, who are being paid from \$900 to \$1,200, who have no one dependent upon them, aggregating 15,000, who have come here from all over the country, in some instances receiving threefold what they were receiving in private employment at home, and in many instances twofold, and in all instances 25 per cent more than what they were receiving at home. Study this schedule further and you will find almost without exception that the Government is paying more for similar services than private employers are paying, paying more with less hours of employment, not only less hours of employment but with less work performed, for we all know that in Government employment, like under Government operation of anything, the Government does not get as large a return out of the employment as would a private employer. This committee does not wish to do aught that is wrong to this great army of employees. We have in presenting this resolution to you, speaking in a large way, doubled the allowance that was voted last year. Surely no one will contend that the cost of living in the next fiscal year, to which this applies, will be 100 per cent more than the cost of living during the present fiscal year. Thirteen million dollars is the amount that has been estimated as being paid in increased allowances under the existing system. It is estimated that under this proposal it will be from \$25,000,000 to \$28,000,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I offer an amendment to perfect the paragraph.

The CHAIRMAN. There will have to be a paragraph read. Mr. BYRNS of Tennessee. I beg the Chair's pardon. I thought a paragraph had been read. I offered an amendment, which was adopted, to the first paragraph.

The CHAIRMAN. The Chair finds that yesterday the first paragraph was read and then agreement was made as to general debate. The Clerk will report the amendment offered by the gentleman from Tennessee.

The Clerk read as follows:

Page 2, line 7, after the words "certification of," insert the words "the person in the legislative branch or."

Mr. BYRNS of Tennessee. Mr. Chairman, this amendment is simply offered to perfect the paragraph. Under this paragraph those who came into the service after June 30, 1917, and those who were in the service prior to that time and who, either during the fiscal year of 1918 or 1919 have received promotion in excess of \$200 are not entitled to this sum of \$120, unless certified by the head of the department or establishment in which they are serving. Now, this paragraph also applies to the legislative branch, the Congressional Library, the Government Printing Office, which is a part of the legislative branch, and this is simply to perfect it so as to make provision for a proper certifying head in this branch of Government service.

Mr. COOPER of Wisconsin. Will the gentleman yield to answer a question?

Mr. BYRNS of Tennessee. I do.

Mr. COOPER of Wisconsin. The gentleman has just spoken of some Government employees having received recently an increase in wages or salary of \$200 a year.

Mr. BYRNS of Tennessee. I did not make that statement, but there are quite a number of employees, a great many of them, as pointed out by the gentleman from Iowa [Mr. GOON].

Mr. COOPER of Wisconsin. I understand the proposition of the gentleman from Tennessee is that none of those who have received that \$200 of increase shall receive the increase contemplated in the pending amendment without a certification from their superior officer. Is that it?

Mr. BYRNS of Tennessee. That is the language of the paragraph.

Mr. COOPER of Wisconsin. Now, I want to ask a question—

Mr. STAFFORD. If the gentleman will yield in that particular for one minute, if the gentleman will permit, the gentleman's inquiry is whether those who have received a promotion of \$200 would not be excluded by reason of this provision. We purposely in the committee provided that they should have received more than \$200 in order to exclude them so that those receiving \$200 will still be the recipients of the \$120 without certification.

Mr. BYRNS of Tennessee. Oh, yes. According to the plain wording of the paragraph it is only those who receive in excess of \$200 by way of promotion for whom certification is required.

Mr. COOPER of Wisconsin. If that is true, will the gentleman from Tennessee please tell who of the employees it is that will require certification?

Mr. BYRNS of Tennessee. There are two classes. In the first place, those employees of the Government who were in the service prior to June 30, 1917, and who have, either during the fiscal year 1918 or the fiscal year 1919, received an increase in salary in excess of \$200. Now, that is one class. The other class is the employee who has come into the service since June 30, 1917.

Mr. COOPER of Wisconsin. Now, I wish to ask this question: Does the gentleman from Tennessee know, of those employees who receive an increase of \$200, what their respective salaries amount to, including that increase of \$200—the lowest pay?

Mr. BYRNS of Tennessee. The total amount is a matter purely of calculation. Such increases apply largely to the clerical grades.

Mr. COOPER of Wisconsin. But that is very important indeed if we are going to the justness of this amendment. A man might be getting \$200 increase on a \$480 salary, and in these times, with the high cost of living, he would only receive \$680, not a living wage in the city of Washington.

Mr. BYRNS of Tennessee. But the gentleman will notice in such case the question of whether he participates in this fund is left entirely with the administrative head of the department.

Mr. COOPER of Wisconsin. It ought not to be. A man who receives no more than \$680 in the city of Washington ought to receive the increase of \$120 above that \$680, including a prior increase of \$200. So it is exceedingly important before that amendment is passed that we should know what the wages are of those people who did receive the increase of \$200. With the \$200 increase they might not then be receiving a living wage.

Mr. STAFFORD. I wish to say in reply to the query of my colleague that the purpose of the certification is not to extend to the lower-priced employees of the Government. In rare instances would they have received the \$200 increase or more. But it is to apply to that large army of clerks who are being paid out of lump-sum appropriations, who have been brought into the service only recently, where the department heads have been privileged to pay them any salary whatever.

The CHAIRMAN. The time of the gentleman from Tennessee [Mr. BYRNS] has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I move to strike out the last word.

Mr. BYRNS of Tennessee. I understand, Mr. Chairman, that according to the agreement the debate was to be confined to germane and material amendments. The gentleman can speak in opposition to the amendment.

Mr. COOPER of Wisconsin. I rise in opposition to—whatever it is. [Laughter.]

I want to say in reply to my colleague from Wisconsin [Mr. STAFFORD] that in voting for or against this amendment it is not a question of what was intended by the amendment, but of what the amendment will permit; what it authorizes to be done. If there is a good, kind man at the head of a bureau, he will not fail to do justice, at least to the best of his ability, to those who are under his charge, but if there be a man—and there are some of them—who is not kind, and is in charge of a bureau, those under him are at his mercy. He will play favorites every time. [Applause.] I absolutely know that to be true in the administration of some of the bureaus right in this city, and so does every other Member of the House who has had much experience in those departments. So that the law which we enact ought by its terms to provide explicitly and with justice what salaries shall be paid to the employees of this Government; and it ought not to be left to the discretion of a bureau chief to say whether he will or will not certify to A, who ought to get the additional \$120, and deny it to B, when B may be the better, more efficient clerk.

Mr. GOOD. The gentleman asked for information, and I think I can give it to him from this statement:

The law fixes the salaries of the charwomen at \$240 a year; of laborers at \$660 a year; assistant telephone switchboard operators, \$600; telephone switchboard operators, \$720; firemen, \$720; watchmen, \$720; assistant messengers, \$720; messengers, \$840; copyists, \$900; clerks of class 1, \$1,200; class 2, \$1,400; clerks of class 3, \$1,600; and clerks of class 4, \$1,800.

Mr. COOPER of Wisconsin. What the gentleman has just read is very interesting and highly instructive, but that is not germane to the question raised now here before the committee. There is in this amendment a provision that bureau chiefs or somebody else in authority in these departments shall have the discretion arbitrarily to certify that, in his judgment, certain employees are entitled to receive \$120, and that certain other employees are not. We ought to fix the terms under which these increases are to be paid, and not leave it to the discretion of bureau chiefs, who sometimes are very far from being fair. Many of these chiefs are excellent men and do justice to those under them, but I say what is a fact, as every gentleman on the floor knows, that there have been bureau chiefs who deliberately outraged the rights of their subordinates. We should in the law itself say who shall receive these certificates, if certificates are to be required, and under what terms they are to be issued. I am in favor of fixing absolutely by law what employees shall receive increases in salary from the United States Treasury and what the increases shall be.

Mr. GOOD. Will the gentleman explain how he is going to do that when we have appropriated already \$10,000,000 to one bureau to spend in a lump sum in its discretion?

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

Mr. COX. Mr. Chairman, I offer an amendment.

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

Mr. COX. I ask unanimous consent, first, Mr. Chairman, to revise and extend my remarks.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. McLAUGHLIN of Michigan. I sent an amendment to the desk—an amendment to the first section. Has not my amendment priority?

The CHAIRMAN. An amendment has to be offered and read from the desk. The gentleman stated when he submitted his amendment that it was read for the purpose of information. The gentleman will have to get recognition to offer his amendment.

Mr. McLAUGHLIN of Michigan. That is what I understood I had done. I will ask for recognition after the gentleman from Indiana.

The CHAIRMAN. The gentleman will get recognition, but the Chair will not promise him recognition at any particular time.

Mr. COX. Mr. Chairman, I ask that my amendment be reported.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Indiana.

The Clerk read as follows:

Amendment offered by Mr. Cox: Amend by inserting the following after the word "Columbia," in line 2, page 1: "who are married, having families dependent upon them for support or unmarried employees having a dependent parent, or parents, or dependent brothers and sisters to support," and insert the following, after the words "per annum," in line 7, page 1: "All other employees shall receive an additional compensation of \$5 per month."

Mr. COX. Mr. Chairman and gentlemen of the committee, the plain purport of my amendment is simply this: It allows the \$10 per month to every man who is married or the head of a family, or every clerk or employee of the Government who has a dependent father, or mother, or brother, or sister dependent upon him for support. My amendment grants him \$10 per month. To the single employee it allows only \$5 per month.

I have not had time to read all the hearings of all the clerks who appeared before our committee, but the vast majority of them I heard myself. I do not recall a single employee before our committee that ever said that he was underpaid for the work he was doing. Every one of them laid claim to an increased salary because of the increased cost of living. If anybody is entitled to an increase of compensation, it certainly is the man at the head of a family or the woman, perchance, it may be, at the head of a family, or the man who has an old, decrepit father or mother or sister depending upon him or her for support.

This amendment, Mr. Chairman, will take care of the down-right needy cases in the Government. There is no question about that. It will save millions of dollars to the Government. I know that men will rise here and argue that this is socialism. This is the French system exactly. We are operating on that same system in our income tax. A married man is entitled to an exemption of \$2,000 on his income and \$200 for each child. A single person is entitled to an exemption of \$1,000, so that the principle has been well established in this country.

Now, it has been said here time and time again that the Government ought to be a model employer. I do not know just what the advocates of that academic phrase mean when they use it. If they mean that the Government ought to pay as high a wage as private employers pay I want to call attention to some very significant figures, and I ask at this point to insert them in my remarks. I hold in my hand a true copy of a sworn report of a trunk-line railroad entering the city of Washington, prepared for the use of the wage board of the Interstate Commerce Commission, in which they asked for five typical cases of all the trunk-line railroads that enter the District of Columbia.

Out of 387 clerks, gentleman, 106 of them receive salaries of from \$75 to \$80 per month; 112 receive salaries of from \$80 to \$90; 71 receive salaries of from \$90 to \$100; 37 receive salaries of from \$100 to \$110; 29 receive salaries of from \$110 to \$120; 10 receive salaries of from \$120 to \$130; 8 receive salaries of from \$130 to \$140; 2 receive salaries of from \$140 to \$150; 1 receives a salary from \$160 to \$170; and 1 from \$170 to \$180.

Of those who receive a salary below \$900 per annum, out of a total 616 clerks, 3 receive a salary of less than \$30 a month, 9 receive a salary of from \$30 to \$40 a month, 46 receive a salary of from \$40 to \$50 a month, 137 receive a salary of \$50 to \$60 per month, 318 receive a salary of from \$60 to \$70 per month, and 103 receive a salary of from \$70 to \$75 per month.

Of those who receive a salary of less than \$720 a year, 9 receive a monthly salary of less than \$30, 7 receive a salary of from \$30 to \$40, 8 a salary of from \$40 to \$50, and 5 receive a salary of from \$50 to \$60 per month.

This whole proposition is summarized in this little paragraph in this same statement of the railroads:

Two hundred and ninety-nine clerks receive \$75 to \$100 per month. Six hundred and sixteen clerks receive \$30 to \$75 per month. A total of 915 clerks received \$100 and less per month out of a grand total of 1,042 employees covered by the report.

I have written to some of the leading insurance companies in the United States. I am not prepared to put their letters in the Record, because, although they have given me the information frankly, they have asked me not to make their letters public. These companies start their employees at an average of \$40 a month, and it takes them from 7 to 10 years before they reach \$75 a month.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COX. I append to my remarks the following statistical table and memorandum:

Pay of railway employees.

CLERKS, \$700 AND UPWARD (EXCLUDING TELEGRAPHER CLERKS).

Rate per month.	Days per week.	Total number employees.	Eight-hour day.			Nine to twelve hour day.		
			Number employees.	Number actually working overtime.	Number to receive pro rata pay for overtime.	Number employees.	Number actually working overtime.	Number due to receive pro rata pay for overtime.
\$75 to \$80.....	6	53	17	5	.....	36	3	6
	7	53	15	5	.....	38	1	.....
\$80 to \$90.....	6	53	6	.....	.....	47	3	4
	7	69	24	5	.....	45	2	.....
\$90 to \$100.....	6	43	7	2	.....	36	.....	.....
	7	28	11	1	.....	17	4	.....
\$100 to \$110.....	6	16	3	2	.....	13	1	.....
	7	21	4	.....	.....	17	1	.....
\$110 to \$120.....	6	15	2	.....	.....	13	.....	.....
	7	14	2	.....	.....	12	4	.....
\$120 to \$130.....	6	1	.....	.....	.....	1	.....	.....
	7	9	5	1	.....	4	4	.....
\$130 to \$140.....	6	3	.....	.....	.....	3	.....	.....
	7	5	3	1	.....	2	.....	.....
\$140 to \$150.....	6	.....	.....	.....	.....	.....	.....	.....
	7	2	.....	.....	.....	2	.....	.....
\$150 to \$160.....	6	.....	.....	.....	.....	.....	.....	.....
	7	.....	.....	.....	.....	.....	.....	.....
\$160 to \$170.....	6	.....	.....	.....	.....	.....	.....	.....
	7	1	.....	.....	.....	1	.....	.....
\$170 to \$180.....	6	.....	.....	.....	.....	.....	.....	.....
	7	1	.....	.....	.....	1	.....	.....
Total.....		387	99	22	.....	238	19	10

CLERKS, BELOW \$900 (EXCLUDING TELEGRAPHER CLERKS).

Less than \$30.....	6	.....	.....	.....	.....	.....	.....	.....
	7	3	.....	.....	.....	3	.....	.....
\$30 to \$40.....	6	3	.....	.....	.....	3	.....	.....
	7	6	.....	.....	.....	6	.....	.....
\$40 to \$50.....	6	28	.....	.....	.....	28	3	.....
	7	18	1	.....	.....	17	1	.....
\$50 to \$60.....	6	54	4	.....	.....	50	8	.....
	7	83	10	.....	.....	73	2	.....
\$60 to \$70.....	6	169	17	4	.....	152	25	.....
	7	149	13	1	.....	136	2	.....
\$70 to \$75.....	6	64	11	2	.....	53	8	8
	7	39	8	.....	.....	31	.....	.....
Total.....		616	64	7	.....	552	43	8

MESSENGERS AND ATTENDANTS, \$720 AND BELOW.

Less than \$30.....	6	1	.....	.....	.....	1	.....	.....
	7	18	1	.....	.....	17	.....	.....
\$30 to \$40.....	6	1	.....	.....	.....	5	.....	.....
	7	6	1	1	.....	.....	.....	.....
\$40 to \$50.....	6	2	.....	.....	.....	2	.....	.....
	7	6	.....	.....	.....	6	.....	.....
\$50 to \$60.....	6	.....	.....	.....	.....	.....	.....	.....
	7	5	.....	.....	.....	5	.....	.....
Total.....		39	3	1	.....	36	.....	.....

MEMORANDUM.

The attached table represents an analysis of data submitted to the railroad wage commission of the Interstate Commerce Commission by one of the important railroad systems operating through Washington, D. C., showing salaries paid to its clerical employees during the month of December, 1917. The analysis herewith is based on a summary submitted by the company covering five representative divisions of the company's system. The divisions reported on were selected by the railroad company under the following instructions from the commission:

"These divisions must be so selected as to avoid valid criticism as to their not being truly representative."

It may be assumed that the divisions selected are fairly representative of the salaries paid, for the reason that the data transmitted to the wage commission are to be considered in connection with demands for increases in wages during the war, and it would be to the interest of the railroad company to select divisions representing the better conditions of employment as to hours and salaries.

The following comparisons are significant:

Two hundred and ninety-nine clerks receive \$75 to \$100 per month.

Six hundred and sixteen clerks receive \$30 to \$75 per month.

A total of 915 clerks received \$100 and less per month out of a grand total of 1,042 employees covered by the report.

I also append to my remarks the following, supplied to me by the Library of Congress:

LIBRARY OF CONGRESS,
Washington, March 1, 1918.

Hon. W. E. Cox,
294 House Office Building, Washington, D. C.

DEAR SIR: In response to the request contained in your letter of the 27th ult., I am inclosing herewith a memorandum on allowances to married Government employees in France, which has been prepared in

the Legislative Reference Division under my direction. We are unable to find any similar provisions for Great Britain and Germany.

Very truly, yours,

J. DAVID THOMPSON,
Law Librarian.

ALLOWANCES TO MARRIED GOVERNMENT EMPLOYEES IN FRANCE.

By the act of August 4, 1917, Government employees have been granted temporary salary increases on account of the high cost of living, effective from July 1, 1917. The decree of August 18, 1917, determines the nature of these allowances and their mode of payment, as follows:

Under the terms of this decree all Government employees—clerks, laborers, and workmen—who hold permanent positions remunerated according to a regular scale of wages and salaries are entitled to an annual increase of 540 francs when the salary is 3,000 francs or less and of 360 francs when the salary is between 3,000 and 5,000 francs. Employees under 16 years of age or those temporarily employed for the duration of the war are not entitled to this salary increase.

Employees receiving this temporary increase are also entitled to a special allowance on account of dependent children under 16 years of age or unable to work on account of disabilities. This allowance amounts annually to 100 francs for each of the first two children and to 200 francs for each additional child. Employees whose annual salary exceeds 5,000 francs may be granted a reduced allowance so as to receive as much as an employee at a salary of 5,000 francs with the same family charges.

The following are considered as being dependents for the purposes of this law:

1. The children for whom an employer must provide according to the civil code.
2. Brothers, sisters, nephews, and nieces for whom he provides because they are orphans.
3. The children of the husband or wife of the employee by a former marriage.

These allowances on account of dependents are payable monthly. Source: Journal Officiel de la République Française, 1917, pages 6153 and 6574.

Mr. BYRNS of Tennessee. Mr. Chairman, the amendment which has been offered is not claimed to be an ideal solution of the proposition confronting Congress. It would require infinite wisdom to be able to frame an amendment which would do absolute justice in all cases. Necessarily there must be some inequities. I do believe that the committee has presented to the House the very best proposition that can be presented, guarding the Treasury of the United States and at the same time doing some measure of justice to the employees of the Government. It is true, as stated, that the sum allowed may not be sufficient to meet the full amount of the increased cost of living; but, as has been stated, every person is being called upon to make some sacrifices, and in a situation like this it is incumbent upon every person to practice economy. The committee have presented this amendment, feeling that, in responding to the insistent demand in Congress for legislation of this kind, it has treated all employees as fairly and equitably as was possible. The proposition submitted by the gentleman from Indiana [Mr. Cox] appeals to the sense of justice of everyone, because we all know that a man who has some one dependent upon him is subjected to greater hardship on account of the increased cost of living than one who has no dependents, and personally I would be very glad to see it worked out if it were possible; but I believe it to be wholly impracticable and impossible to work out a proposition of that kind. Why, it would cost in administration nearly as much money as we are appropriating for the increase of clerks. We might have a situation where there was a clerk in one department with a sister or brother in another department, both making claims on account of the same dependents. Again, the question would be put up to the head of the department as to the facts in a particular case. If a person claimed that back in his home State he had a dependent mother, an invalid father, or a dependent sister or brother, it would require investigation of, perhaps, field agents in order to determine the exact facts. The committee felt that, under all the circumstances, it was impracticable and impossible to put into effect the proposition submitted by the gentleman from Indiana [Mr. Cox].

Mr. COX. Will the gentleman yield?

Mr. BYRNS of Tennessee. In a moment. I have said that inequities will necessarily result in the administration of this as they do in the administration of other matters; but I do believe that the committee have safeguarded this amendment as best they can.

Mr. COX. If the French Government is able to work it out—and it is—does not the gentleman feel that our Government ought to be able to do the same thing?

Mr. BYRNS of Tennessee. I do not know just what method the French Government follows, but I do not believe that it would be feasible or possible to put the amendment of the gentleman from Indiana into effect, because, as I have stated, it would require investigation and considerable administrative work. It might, as a matter of fact, require the establishment

of an independent bureau of this Government in order to verify the facts.

Mr. HARDY. Would not the amendment of the gentleman from Indiana, if attempted to be put into operation, possibly have the effect of inducing the Government to dismiss those clerks who had dependents and to retain those at lesser pay for the same service who had no dependents?

Mr. BYRNS of Tennessee. The suggestion made by the gentleman from Texas is a good one. That would be the result in private employment, and it might be the result in public employment.

Mr. COX. Where is the law that authorizes the Government to discharge any employee except for inefficiency? There is a civil-service regulation which prevents that.

Mr. BYRNS of Tennessee. It can be done under some circumstances.

Mr. COX. It can not be done unless an employee is inefficient.

Mr. BYRNS of Tennessee. I call for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. Cox].

The question was taken; and on a division (demanded by Mr. Cox) there were—ayes 4, noes 65.

Accordingly the amendment was rejected.

Mr. COX. Mr. Chairman, I offer the following amendment: In line 3 strike out the figures "\$2,000" and insert "\$1,600."

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

The Clerk read as follows:

Amendment offered by Mr. Cox; Page 1, line 3, strike out "\$2,000" and insert in lieu thereof "\$1,600."

Mr. COX. Mr. Chairman and gentlemen of the committee, in my opinion—which may not be worth much, as it was not a moment ago—no one can justify himself in voting to increase salaries in excess of \$1,600 a year. The argument has been made here this evening and will be made many times that these employees are not paid enough. I want to call the attention of this committee to the solemn fact that last October we passed what was called the war-risk bill. We took from hundreds of thousands of married women in this country their meal tickets, their husbands, and put those men in the Army. There are thousands of them in the cantonments and other thousands of them in France. Congress gave to these women \$25 a month and \$5 for each child, and that is all they can get. If a Government employee in this city or elsewhere can not live on \$1,000 a year, in the name of God how are those wives and those children at home going to live? [Applause.] Gen. Sherwood said to me this morning that the average pension of the 285,000 old soldiers in this country was only \$20 a month. But supposing it is \$25 a month. Thousands upon thousands of these old soldiers have their wives yet. Thousands upon thousands of them are living upon their pensions. If these old men and old women, whose earning capacity is entirely gone, are required to live upon a little pension of \$20 or \$25 a month, do you not believe that the clerks here in the city of Washington can get along on \$1,000 per year?

I am not one of those men who believe that all the brain power is concentrated in any one committee. Far from it. I am not one of those men who believe that all the brain power of this House is concentrated in the skull of any one man. Here is what we ought to do: We ought to take this top-heavy timber off of this bill and increase no man's salary above \$1,600, but add it to the low-paid fellows before we get done with it. But I know what is coming. The gentleman from Missouri hit me very forcibly the other day. I have heard the argument, and I know what it will be.

Mr. RUCKER. Will the gentleman yield?

Mr. COX. No; I can not yield. I know the argument that is coming. "Stand by the committee." I never have been one of those men that stood by the committee unless I thought it was right. [Applause.] In this instance, in my opinion, the committee is wrong. You can not defend this proposition when you go back home. You can not look men in the face and tell them that you voted to increase the salaries of the clerks in the city of Washington going up as high as \$2,000. Tell your laboring men that, tell the farmers that, and see how popular that is going to be. And then when the old soldier asks you how he is going to get along on \$25 a month, answer that. When the wives of the boys now in the cantonments ask how you expect them to get along on \$25 a month, explain that to them, will you not?

I am not a prophet, but, judging the future by the past, what is known as the Borland amendment will not get anywhere in the Committee of the Whole. When you go back to the district

tell them that you voted to increase the compensation of the clerks and by your vote you imposed a tax of \$29,000,000 on the taxpayers of the Nation, but look them square in the face and tell them that you refused to make them work eight hours a day. Tell them that, will you not? Ah, do not be driven to the wall like you were the other evening on the amendment of the gentleman from New York [Mr. LUNN]. Do not get stage-struck here because you have got a few city letter carriers and perchance a few members of organized labor in your district. Do not run to cover on this proposition like you did the other evening when you adopted the amendment of Mr. CANNON and then immediately agreed to the amendment of the gentleman from New York [Mr. LUNN], an amendment that took the very vitals out of the Cannon amendment, took its life away, and strangled it when you deliberately turned round and voted that amendment in. [Applause.]

Mr. RUCKER rose.

The CHAIRMAN. The gentleman from Missouri is recognized in opposition to the amendment.

Mr. RUCKER. Mr. Chairman, I have been much interested in the speech of the gentleman from Indiana [Mr. Cox]. I am glad to hear him announce that he has broken the shackles that bound him and no longer follows the lead of the great Committee on Appropriations, but within 36 hours from this time I appealed to the gentleman from Indiana [Mr. Cox] in behalf of the old soldier to whom he made reference a few minutes ago, and my recollection is that he refused to listen to my appeal and followed the commands of the committee.

Mr. COX. If the gentleman will get a pension bill in here to increase—

Mr. RUCKER. I can not yield to the gentleman for that. When I asked him to vote to supply sufficient employees to conduct the work of the Pension Office—

Mr. COX. I want the old soldiers to get it and not the clerks.

Mr. RUCKER. Mr. Chairman, can not I be protected? [Laughter.] I repeat when I asked the gentleman to help me secure legislation that would supply sufficient employees for the Pension Office, my recollection is that the gentleman followed the committee on that occasion. The committee was not fortified then as it is now. My Lord, they come in here to-day with blue prints to prove they are right. They did not have any blue prints to justify their unjust assault upon the Pension Office. [Laughter.]

Mr. Chairman, I am going to vote for this bill on its final passage provided it is amended so as to require every clerk in the departments of Government in the District of Columbia to work eight hours each day, but I will not vote for it unless it is so amended. [Applause.]

Mr. COX. I will vote for the amendment if the Borland amendment is put on, and I will not vote for it unless it is.

Mr. RUCKER. I am glad that the gentleman agrees with me, blue print or no blue print. [Laughter.] Mr. Chairman, I have accomplished my purpose and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana.

The question was taken; and on a division (demanded by Mr. Cox) there were—ayes 31, noes 84.

So the amendment was rejected.

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

The Clerk read as follows:

Page 1, line 7, after the word "of," strike out "\$120" and insert "\$180."

Mr. KEATING. Mr. Chairman, the amendment I have just offered would make a flat increase of \$15 a month instead of \$10 a month—the committee report being for \$10 and my substitute being for \$15. The effect would be, in percentages, that under the committee's amendment those who draw \$600 would get 20 per cent; under my amendment they would get 30 per cent. If the committee amendment goes through, those who get \$1,200 would get a 10 per cent increase, and if my amendment wins they would get 15 per cent increase.

The amendment I have offered is practically the standard adopted by the Committee on Post Offices and Post Roads in dealing with the postal employees. I take it for granted that the Members of the House are desirous of treating all civil-service employees alike; that they want to grant those who are outside of the Postal Service the same percentages of increase that they will grant those in the Postal Service. If you adopt the committee amendment it will be necessary for you, when the Madden bill comes before the House, to either reduce the percentages allowed to the postal employees or vote to grant postal employees more than you do other civil-service em-

ployees. I am very earnestly in favor of the Madden bill, and I hope we will not go below the standards set in that measure.

Mr. BLACK. Will the gentleman yield?

Mr. KEATING. No; I can not yield. I have not the time. Now, I believe that my amendment is a reasonable one. It is offered for the purpose of taking care of a portion of the increased cost of living. No one has been bold enough to suggest that the Government should meet the entire increase in the cost of living.

The committee presided over by the gentleman from Tennessee [Mr. BYRNS] conducted elaborate hearings. One of the most interesting witnesses was a Mr. Whitfield, proprietor of the Old Dutch Market here in Washington, a merchant of very wide experience, and he submitted figures which have not been questioned and can not be questioned.

He took 61 staple articles and gave us figures to show that the prices of those 61 staple articles had increased from December, 1915, to December, 1917, 98 per cent. Then he divided his figures so as to show what he said was the increase in pork products, which he said were the most important single item entering into the ordinary family budget. The price of pork products had increased from December 1, 1915, to December, 1917, 115 per cent, and this man sells these articles over his counters in this town. He then took the vegetable list and showed that the cost of vegetables had increased 200 per cent in two years. Then he took the beef division and showed that the increase in beef had been 62.6 per cent.

So I might go on, if the time allowed, citing figures of that kind, and I might support them by reading reports from your Government bureaus which absolutely sustain the figures submitted by Mr. Whitfield.

Gentlemen say these Government employees are so much better paid than others. My friends, I have here another Government publication, issued by the Bureau of Labor Statistics, showing the percentages of increase of compensation in all lines of endeavor. There is a report here from the Labor Bureau of New York State showing that, taking all classes of wages of all industries, the increase from 1914-15 to 1917 was 39 per cent. This is in private employment.

It gives a great, long list here of various crafts, various business enterprises, showing increases in salaries running all the way from 6 per cent to 105 per cent. I hope the amendment will be agreed to.

Mr. SHERLEY. Mr. Chairman, the amendment offered by the gentleman from Colorado, if adopted, would add fifteen millions at least to the increases to be paid to the clerks. The gentleman assumes that the way to determine this matter is to determine how much certain products have increased in price and then to make that percentage of increase in the salaries. I submit to the House that that is not a logical position. It starts on an assumption that is not true, namely, that salaries in the Government service represent only enough to barely buy food and keep people alive. I submit to the House that the testimony shows that the salaries being paid, speaking by and large, are higher than those paid in private life for the same character of work.

There is a double obligation upon all of us here, an obligation not only to do justice to the employees of the Government, but an obligation to do justice to the people who support the Government. The Government has no wealth of its own. What it gets and what it pays is paid by virtue of taxes levied on all the people. The committee, however, has brought in here a provision that does not necessarily represent the last word on the subject, but it represents a consensus of judgment after weeks of study by not only the Committee on Appropriations but by the other committees that have appropriating power. We submit to the House that the amendment offered by the gentleman from Colorado is extreme. It is just as extreme, in my judgment, as is the position taken by some gentlemen that no increase ought to be allowed. This is not an easy problem to solve, but somewhere between the extremes of those men who would not grant any increase and those that would grant anything that may be asked by any group of men who come with a request lies the equity of the situation. The proposal we have brought in means an addition of \$26,000,000 to \$28,000,000 to be paid out of the Treasury of the United States. The proposal that the gentleman offers means an increase of that amount by from \$13,000,000 to \$14,000,000 or more. I submit to this House that there has been nothing adduced in the hearings, nothing in the statement of gentlemen here made, to warrant the voting of this amount of money at this time.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. JOHNSON of Washington. I would like to ask if it is clear that this proposed \$120 or, as the amendment of the gentleman from Colorado has it, \$180, dates back to the time prior to the granting of any percentage advance in salaries?

Mr. SHERLEY. The provision is that the \$120 shall be the increase upon the basic salary of employees, excluding the 5 and 10 per cent increase of this year.

Mr. JOHNSON of Washington. Where does a man get off who gets exactly \$1,200 a year now?

Mr. SHERLEY. Last year he did not get 10 per cent and this year he does get 10 per cent. Last year he got 5 per cent.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Colorado.

The question was taken; and on a division (demanded by Mr. KEATING) there were—ayes 49, noes 77.

Mr. KEATING. Mr. Chairman, I demand tellers.

Tellers were ordered, and Mr. BYRNS of Tennessee and Mr. KEATING were appointed to act as tellers.

The committee again divided; and the tellers (Mr. BYRNS of Tennessee and Mr. KEATING) reported that there were—ayes 56, noes 94.

So the amendment was rejected.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 3, strike out the word "receive" and insert the following: "during the present fiscal year are receiving," and strike out the proviso beginning in line 15, page 1, and ending in line 19, page 1.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, the amendment as presented by the committee provides an increase of \$120 per annum to those who are receiving \$2,000 or less, but under the proviso between lines 15 and 19 the \$120 will be added to last year's salary. About a year ago a resolution was passed, as I remember it, providing a 5 and 10 per cent increase—10 per cent increase of all salaries up to \$1,200 and 5 per cent increase between \$1,200 and \$1,800. Those increases are now being received by the clerks who are entitled to them. The pending proposition offered by the committee will not add the \$120 to the amount the clerks are now receiving, but will add \$120 to the salaries of last year. For instance, if a man received \$1,100 last year and 10 per cent were added by the resolution adopted a year ago, he would receive an increase of \$110; that is, he would now be receiving salary at the rate of \$1,210 per year. When we start with last year's salaries as a basis, as the committee proposes, we would start with \$1,100, and the clerk would receive an increase of \$120, or an increase of only \$10 over what he is now receiving. I think the Committee of the Whole ought to understand that fully, and they ought to approve my amendment to have the increase apply to and be added to the salaries now being paid. And I insist that the increase is reasonable only on the basis which I suggest.

Mr. COX. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I will.

Mr. COX. If the gentleman's amendment obtains, as I understand it, it will eliminate the last year's 5 and 10 per cent increase.

Mr. McLAUGHLIN of Michigan. If my amendment is adopted it will strike out the proviso. That proviso is to the effect that this \$120 increase shall be made to the salaries of last year, before the 5 and 10 per cent increases were made.

Mr. COX. Then, if the gentleman's amendment carries the basis fixed for the salary of next year would be the salary they are receiving plus the increase of 5 and 10 per cent. Does the gentleman know how much that would cost?

Mr. McLAUGHLIN of Michigan. If my amendment is adopted \$120 will be added to what the clerks are receiving now.

Mr. COX. And the salaries are based on the 5 and 10 per cent increase—

Mr. GOOD. If the gentleman will yield now, the gentleman is entirely mistaken about that. That \$120 will only be added to the basic salary, but we provide here that, in no case shall a person receive an amount of more than 30 per cent of his salary, but in determining what his salary is as a basic salary then we say this 5 and 10 per cent shall be eliminated. That only affects messenger boys and charwomen and a few persons of that kind. It does not affect the great majority of the clerks.

Mr. McLAUGHLIN of Michigan. I decline to yield further.

The CHAIRMAN. The gentleman declines to yield.

Mr. McLAUGHLIN of Michigan. I think anyone reading this committee amendment as it is presented to the House, those who wish to see a reasonable, proper increase given to clerks, will put the construction on it that I put on it. The proviso provides that the salary to which the \$120 shall be added shall be the

old salary—that is, the salary of last year, before the increase by the addition of the 5 and 10 per cent was given. If the committee amendment is adopted, including the proviso which I would strike out, there will be no increase whatever to many salaries, or the increase will be a very insignificant amount. If we are going to give an increase let us give a reasonable one and strike out the proviso and let the increase be applied to the entire compensation that the clerk is now receiving, including the 5 and 10 per cent increases of last year.

I understand that, according to the committee draft, this \$120 is to be added to last year's salary, before the 5 or 10 per cent was made. If I am wrong—and I am often wrong—I would ask to have the House follow the line I suggest, so that this bill shall read that the \$120 shall be added to what the clerks are receiving now.

Mr. MONDELL. Mr. Chairman, I desire to oppose the amendment.

Mr. Chairman, the gentleman from Michigan [Mr. McLAUGHLIN] entirely misunderstands the effect of his amendment. The amendment would not have the effect he suggests at all. The proviso to which he refers simply has reference to the salary that shall be considered in determining whether or not the increase amounts to more than 30 per cent. The provision immediately preceding is to the effect that no increase shall be more than 30 per cent of the total compensation; then this proviso to the effect that the basic salary shall be considered and not the basic salary with the addition of the 5 or 10 per cent increases.

The present 5 and 10 per cent increases are for the current year only. They can not be projected over into another year by simply striking out language in this bill. The effect of the gentleman's amendment would simply be to leave no basis of computation explanatory of the 30 per cent limitation immediately preceding it.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield?

Mr. MONDELL. But, so far as leaving or placing in force and effect the present current increases of 5 and 10 per cent, it would have no effect whatever.

I yield to the gentleman.

Mr. McLAUGHLIN of Michigan. The gentleman will notice that the first part of my amendment says, "If the total compensation received during the present fiscal year shall be increased by \$120."

Mr. MONDELL. I did not so understand the gentleman's amendment. I understood his amendment was only to strike out.

Mr. McLAUGHLIN of Michigan. That "the amount that the employees is receiving during the present fiscal year."

Mr. MONDELL. In which event the gentleman's amendment—which, I understood, was an amendment to strike out—as to proposed increases would not be equitable, for it would not reach the higher salaries in any event, or would not be in harmony with the provisions of the bill in any way. I did not think the amendment would in any event increase the compensation.

Mr. McLAUGHLIN of Michigan. There are two parts to my amendment. On line 3, I add words to this effect, that to the total amount of salary or compensation received during the year 1918, \$120 shall be added. The proviso would have the \$120 added to the salary of last year, paying no attention to the 5 and 10 per cent increase.

Mr. MONDELL. I can not yield further.

The proviso which the gentleman strikes out has no reference whatever to additional compensation, and therefore striking it out would have no effect in increasing the compensation to the clerks. And any language that he may have added in connection with his motion to strike out would not increase the compensation, but, if I now understand it correctly, only confuses the question as to what clerks are to receive the full additional compensation we are proposing.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. McLAUGHLIN].

The question was taken, and the amendment was rejected.

Mr. THOMAS. Mr. Chairman, I offer an amendment.

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

The Clerk read as follows:

Amendment offered by Mr. THOMAS: At the end of line 15, page 2, insert the following:

"All department stores and all persons selling merchandise in the District of Columbia shall pay each of their employees a wage of not less than \$3 per day, and all newspapers published in said District shall pay each of their compositors, pressmen, and reporters a wage of not less than \$4 per day, and shall pay all other employees a wage of not less than \$3 per day."

Mr. BYRNS of Tennessee. Mr. Chairman, I reserve a point of order on that.

Mr. CALDWELL. Mr. Chairman, I make the point of order.

Mr. THOMAS. I did not suppose that a gentleman—

Mr. CALDWELL. I make the point of order.

Mr. THOMAS (continuing). Who is willing to give the railroads \$500,000,000 would want to deprive these few girls of a raise in wages.

The CHAIRMAN. The gentleman from New York [Mr. CALDWELL] makes the point of order against the amendment.

Mr. THOMAS. I know it is out of order, but I thought—

The CHAIRMAN. The point of order is sustained.

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

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

Mr. THOMAS. Mr. Chairman, I ask leave to extend my remarks.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to extend and revise his remarks. Is there objection? [After a pause.] The Chair hears none. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. HAMLIN offers the following amendment: In line 3, page 1, strike out the figures "\$2,000" and insert "\$1,500." In line 7, same page, after the word "the," insert the word "following." In the same line strike out the word "of," the dollar sign, and the figures "120," and in the same line after the word "annum" insert the following: "Those receiving \$840 or less, \$200; those receiving more than \$840 and not exceeding \$1,000, \$150; those receiving more than \$1,000 and not exceeding \$1,500, \$100." Then strike out all of the first proviso.

Mr. HAMLIN. Mr. Chairman, this amendment will not meet the objection that the so-called Keating amendment met at the hands of the gentleman from Kentucky, to wit, that it will add several million dollars to the cost of the pay of clerks in the employ of the Government. If this amendment is adopted, it will not increase the amount carried by the committee's proposed amendment, but will actually reduce the total amount somewhat. Less than one-half of all clerks affected by the proposition of the committee are now getting \$1,000 and less.

My amendment is based on the following theory: I take off from the high-salaried clerks part of the award of the committee and add it to those lower down the scale of salaries. To be more specific, under my amendment the people in the employ of the Government receiving \$480 would get an increase of \$200, which would bring their salaries up to \$680; those receiving \$720 would get \$920; those receiving \$840 would get \$1,040; then those receiving \$1,000 would receive an increase of \$150, and would get \$1,150; those receiving \$1,200 would receive \$100 increase, and would get \$1,300; those receiving \$1,400 would get \$1,500; and those receiving \$1,500 would get \$1,600.

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

Mr. HAMLIN. I will.

Mr. EVANS. What would a man receive under your amendment who now gets \$900?

Mr. HAMLIN. A man now receiving \$900 would get an increase of \$200, and would therefore get \$1,100.

Mr. EVANS. What would a man receive who gets \$1,000?

Mr. HAMLIN. He would receive an increase of \$150, and would get \$1,150.

I do not pretend, Mr. Chairman, that this is scientifically worked out. I think that is a physical impossibility. But the purpose is—and I think this approaches it—to take care of those who need taking care of the most.

I have in mind, for instance, an old man, an old Irishman, employed in this Capitol, the most faithful old man I ever knew in my life, a man who has been serving this Government for 35 years, whose hands are drawn with rheumatism, yet he goes about his work each day and smiles cheerfully. I asked him the other day how many years he had been employed here, and he said, "Thirty-five years." He said, "I have raised and educated the boys and girls. I do not complain, and I am not complaining now; but, by George, with the present high cost of living it sets me guessing to meet my bills at the end of a month. That old fellow is receiving \$87 per month when you count the 10 per cent increase, which is eliminated, of course, if the first proviso in the committee's proposition, and which I seek to strike out, is left in the bill.

I had a talk the other day with a lady who is very highly educated, so much so that there are few men in this House. I suspect, her equal in that regard, and who is employed in one of the departments in what is known as the foreign service—not in the State Department, however—and she speaks, reads, and writes three different languages fluently. I will not attempt to describe her apparel. She said that on \$1,100 she was endeavoring to support two children and an invalid husband. We know that we have other employees of this Government who are

receiving salaries so small that they can not provide themselves with the comforts of life.

I am unalterably opposed to increasing at this time the salaries of people who get \$1,800 and above that amount; but I am just as much in favor, in the interest of justice and fairness, of doing something for the people who are working for a wage that they can not live on decently, to say nothing about comfort [applause], and it is for those people that I am pleading this evening.

I know that the action of the Committee on Appropriations seems liberal when we consider that their proposition carries an additional appropriation of \$28,000,000 for these proposed increases. I am not attempting to increase that amount, but I am seeking to leave it off the \$1,600, \$1,800, and \$2,000 clerks, who can live without the increase, and put it on the salaries of those down the line, who at present can scarcely keep soul and body together. My proposition will not carry as much money as the proposition of the committee.

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

Mr. HAMLIN. Yes.

Mr. SLOAN. Does that reduce the salary of any clerk under what it is this year?

Mr. HAMLIN. No; not when you strike out the first proviso.

Mr. SLOAN. And it means an increase of 5 per cent this year?

Mr. HAMLIN. It strikes out the proviso that the gentleman from Michigan [Mr. McLAUGHLIN] was talking about awhile ago.

Mr. STAFFORD. Will the gentleman permit me?

Mr. HAMLIN. Yes.

Mr. STAFFORD. That proviso in the existing law merely increases the compensation for the present fiscal year.

Mr. HAMLIN. I know it.

Mr. STAFFORD. When the present fiscal year is ended, there is no authorization whatever for continuing that percentage increase. Strike that out, and these men above \$1,500, up to \$1,800, whom the gentleman's amendment would exclude, who are to-day getting the 5 per cent increase, would not receive as much salary as they are receiving at the present time.

Mr. HAMLIN. As I construe that first proviso, it virtually cancels the pretended increase to those who have been receiving the 5 and 10 per cent after you get up to a certain limit. Now, I say this does not add to the sum total of the increase, but it does fix it so as to give the increase to those who need it most, and that is all I am asking for, and I hope my amendment will be adopted.

Mr. GOOD. Mr. Chairman—

The CHAIRMAN. Does the gentleman desire to oppose the amendment?

Mr. GOOD. Yes.

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. GOOD. In the annual report of the Postmaster General is found this language:

It has been the earnest effort of the department to fix the standard rates of pay for the different classes of work at from 15 per cent to 30 per cent above the average rates paid for similar service by the leading commercial institutions of the country. The same rule has been followed throughout the Postal Service in fixing salaries that are not fixed by law. Whenever an employee or a group of employees is found to be receiving salaries below the standard the department will make an effort to secure appropriate increases.

Our investigation developed one fact, that the standard of pay in the Post Office Department was practically the standard of pay throughout the Government service. That is, the Government is paying from 15 per cent to 30 per cent more than private institutions are paying for the same grade of work.

Mr. COOPER of Ohio. Will the gentleman yield there?

Mr. GOOD. No; I can not yield. Now, the gentleman would cut off from the operation of this increase every person who receives \$1,500 a year or more. In one department of the Government where there are several hundred clerks an investigation was had, and it was found that 15 per cent of the clerks who received \$1,200 a year and less were single, while in that same department, of the clerks receiving \$1,500 a year or more, 85 per cent were married. The gentleman would take from the head of the family, the man whom we want to help support his family—he would take from that great bulk of Government employees, the men who are married, the increase which they so much need to take care of their families. He would take away any increase to help them support those families, by depriving them of this increased compensation.

Mr. HAMLIN. Will the gentleman yield there?

Mr. GOOD. Yes.

Mr. HAMLIN. The gentleman does not claim that there is nobody married and working for the Government unless he is drawing \$1,500 a year or more?

Mr. GOOD. The gentleman was talking instead of listening when I made my statement or he would not ask that foolish

question. Now, what are the facts? We ought to know what we are doing when we legislate here. In the bill before the House where are the positions paying less than \$660? They are the messengers, the charwomen, and no one else. The gentleman would give to the charwomen and the junior messengers, the only persons appropriated for in this act receiving salaries of less than \$600, an increase. Every time some one says he wants to help the low-paid Government clerks he is unable to put his finger on the low-paid clerks. They are not found in this bill, except the junior messengers and messenger boys and charwomen.

Mr. HAMLIN. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. HAMLIN. The Commissioner of Patents told me only recently—I am betraying no confidence—that he was permitted to pay young lady stenographers only \$720 a year, and that he could not get them at that price; that the Civil Service Commission had just a few days before certified to him 23 names, and he had wired every one of them, and only 1 of them would come to Washington.

Mr. GOOD. We authorized a lump sum for the Commissioner of Patents, and gave him every dollar he wanted to make copies of certain patents, which copies are sold.

Mr. HAMLIN. But you did not give him what he wanted to pay these clerks, not a penny.

Mr. GOOD. The testimony before the committee was that private institutions in Washington pay stenographers \$60 a month, and that the same stenographers when in Government service get from \$1,000 to \$1,100 a year. Now, those are the facts.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was rejected.

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

The Clerk read as follows:

Page 1, line 1, after the word "that," insert the word "hereafter"; and after the word "received," on the 5th line, page 1, strike out all down to and including the word "annum," on line 7, and insert the following: "\$120 per annum in addition to the basic salary for the fiscal year 1919."

Mr. BYRNS of Tennessee. Mr. Chairman, I make a point of order on the amendment.

Mr. MADDEN. I maintain, Mr. Chairman, that it is not subject to a point of order. If the gentleman from Tennessee wants to state the ground of his point of order, I will yield to him.

Mr. BYRNS of Tennessee. My point of order is based on the ground that the amendment provides for employees of the Government during the fiscal year 1919. The amendment offered by the gentleman from Illinois undertakes to make it permanent law. In addition, I do not think the proposed amendment is germane.

Mr. MADDEN. Mr. Chairman, I would like to be heard on that.

The CHAIRMAN. The gentleman will proceed.

Mr. MADDEN. Mr. Chairman, the amendment that is pending to the legislative bill proposes to change the law and authorize an increased compensation, and it legislates broadly on many other subjects. It is not a question of appropriation at all; it is a question of legislation in which we are seeking to change the basic law, broadening the power of the Appropriations Committee. The committee had no power to present this amendment until the House passed a special rule broadening the powers of the committee. The rule itself provides, and the understanding was and is that any germane amendment would be in order on the committee amendment to the pending bill. I submit, Mr. Chairman, that inasmuch as this amendment is to fix the salary of these employees of the Government, that whether it seeks to fix the salary for the current year or for a series of years makes no difference; that if one is in order the other is in order. I do not seek a change in the policy except to make it permanent; I do not seek to change the language of the amendment further than to say that instead of making this increased compensation for a single year, it shall be made for all time. That is the difference, and I submit that that is in order under the rules. I submit that my amendment is germane to the pending amendment and that it ought not under any circumstances to be ruled out on the point of order made by the gentleman from Tennessee.

Mr. FOSTER. Mr. Chairman, it seems to me that the rule, while it provides for the consideration of this amendment, only provides that it shall be considered under the general rules of the House. But this amendment that the gentleman from Illinois seeks to put on this bill proposes to widen the scope of the amendment and instead of appropriating this increase for one year the gentleman proposes to make it permanent law, which to my mind is not in accordance with the rules of the House.

Mr. MADDEN. Will the gentleman yield?

Mr. FOSTER. Yes.

Mr. MADDEN. This provision of the amendment presented by the committee does not appropriate at all; it is a basic law authorizing the appropriation to be made at the rate of \$120 per annum in addition to the compensation now being paid.

Mr. FOSTER. My colleague will remember that this is only for the next fiscal year; that whatever appropriations are made are to pay the clerks for this next fiscal year and only makes it one year. It does not attempt to make permanent law. Now, if this amendment should be offered next year it would be ruled out of order.

Mr. MADDEN. If my amendment is adopted it would not be necessary to offer an amendment next year, for it would be the law of the land.

Mr. FOSTER. That is what I say, which is contrary to the rules of the House.

Mr. MADDEN. In the absence of the rule the Appropriations Committee would not be authorized to come before the House, with any such amendment as is now pending. They have no power to offer legislation in the absence of the rule. I maintain that it is within the power of the House to offer any germane amendment and to make it permanent law, or make it for five years or two years, or any number of years.

Mr. FOSTER. The gentleman must remember that he is changing this amendment entirely, because this amendment provides for a certain period, and now the gentleman attempts by his amendment to make this apply until it shall be repealed, so that he is endeavoring to put that kind of an amendment on it that in my mind is against the rules of the House, and should be ruled out of order. He not only makes it for this year, but he makes it permanent.

Mr. MADDEN. That is what I want to do.

Mr. FOSTER. But an amendment to do that is not in order.

Mr. MADDEN. Why not?

Mr. FOSTER. It is against the rules of the House to enlarge the scope of this amendment in that way.

Mr. MADDEN. But we are not working under the rules of the House. We are working under a special rule.

Mr. FOSTER. Oh, we are working under the general rules of the House. The gentleman has not read the rule.

Mr. MADDEN. Neither has the gentleman, and he is a member of the Committee on Rules.

Mr. CALDWELL. Mr. Chairman, I desire to call the attention of the Chair to the fact that on page 3736 of the RECORD there is to be found a copy of the rule. The rule says that it shall be in order, the general rules of the House to the contrary notwithstanding, to consider the following amendment, and then recites the amendment. The Chair, on page 3741 of the RECORD, when the amendment was offered as a new section by the gentleman from Tennessee [Mr. BYRNS], ruled that the amendment would be subject to an amendment just the same as if it were a bill. The whole question for the Chair to decide, in my opinion, humble though it be, is a question as to whether this would be germane to the subject. The subject is whether or not we shall give these employees an increase of pay, and I think, under the circumstances, that it is germane. It is thoroughly within the scheme that has been proposed, and I see no reason in the world why the Chair should not sustain his former ruling and comply with the rule that the House has adopted and overrule the point of order.

The CHAIRMAN. The Chair will endeavor to sustain his former rulings, and at the same time conform to the rules of the House. This matter stands as follows: The committee might have reported the amendment now under consideration, as a part of the legislative bill. In that event this matter would have been subject to a point of order, and once made, the point of order would have been sustained, and the offending matter stricken from the bill. But suppose this point of order had not been made. Then the paragraph would have remained in the bill, subject to amendment under the rules. One of these rules is that when offending matter is allowed to remain in a bill, it is then in order to perfect that matter, by appropriate, germane amendments. But that rule does not mean, and should never be held to mean that the presence of illegal matter in a paragraph of an appropriation bill, thereby makes in order any amendment to the paragraph, however much that amendment may increase the original illegality or however far it falls short of being a perfecting amendment. On the contrary, the rule is well established, and the Chair referred to the precedents a few days ago, that while it is in order to amend a paragraph and perfect the otherwise illegal matter by germane amendments, these amendments must not add new and additional illegalities.

Mr. MADDEN. Will the gentleman indulge me for a moment?

The CHAIRMAN. Certainly.

Mr. MADDEN. Would the Chair then hold that it would be improper to move to strike out the item that I am seeking to amend?

The CHAIRMAN. Not at all. Such a motion would be perfectly in order. The Chair was on the point of illustrating the situation, by reference to the amendment offered by the gentleman from Illinois. What does this amendment propose to do? Not to perfect the matter contained in the committee amendment, but to add a new element of illegality. It would be in order for the gentleman to move to strike out the paragraph. It would also be in order for him to move to increase the amounts proposed to be paid to the clerks. The precise respect in which this amendment would be out of order, if the rule had not made it in order, is that for the duration of this appropriation bill it proposes to increase the compensation of certain indicated clerks, beyond the limits fixed by law. It would be entirely in order to deal with that particular illegality, by an amendment to increase, or diminish the amounts proposed to be paid, or by a motion to strike out the paragraph or by some other germane amendment, but that is not what the amendment of the gentleman from Illinois undertakes to do. It proposes to make this increase permanent law, thereby adding a new and large element of illegality to the paragraph. This addition of a new element of illegality in the way of legislation, can not be fairly construed as a germane, perfecting amendment of the paragraph. The precedents appropriate to this ruling have been heretofore cited in another decision.

For the reasons given the Chair is clearly of the opinion that the amendment is out of order. The point of order is sustained.

Mr. GARD. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 2, line 9, strike out the word "reasons" and insert in lieu thereof the words "ability and qualifications."

Mr. GARD. Mr. Chairman, I am led to offer this amendment to perfect this section, because I am told by members of the committee that there are approximately 41,000 new employees since June 30, 1917, and a very considerable number of them, I suspect, are in the District of Columbia. I want to read an item which I desire the Members here to pay attention to, as appearing in the public press of Washington, which expresses very frankly what seems to be the local attitude. I read from an article from the Washington Post of Thursday, January 3, 1918, as follows:

Many measures of vital importance to the civic and economic welfare of the District are pending before Congress which to-day resumes its deliberations after the holiday recess. Of prime interest, because they promise in the near future to put more money into the pockets of thousands of Washingtonians, are the measures for the increase of the salaries of Government clerks.

I read that in connection with the amendment which I offered because I think this standard should be held, lest these appropriations be awarded without merit. It is very frank of this publication to say that this measure is of prime importance, because it puts more money into the pockets of thousands of Washingtonians; but it is of much more importance that the money remain, if possible, in the possession of those to whom it lawfully should be given. Therefore the amendment I offer relates to the striking out of the word "reasons" and to the substitution therefor of the words "ability and qualifications." The legislation as it now reads provides that any head of a department, by certifying the reasons, may give this increase to a man or woman who came into the service after June 30, 1917. The word "reasons" is there. It is one that may be adapted to almost any sort of meaning. I submit there should be a standard of ability and qualification. It is eminently proper, in many instances, that these men and women who come here should obtain an increase, but if the increase be given it should be given only because of ability and qualification. That should be the test of the employment; it is the test of private employment and it should be the test of public employment, and I submit in all good reason to the membership of this committee that the word "reasons" should be stricken out and that the words I have suggested, "ability and qualifications," as controlling the certification of allowance of the additional amount, should be substituted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

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

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

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Page 1, line 3, after the word "of," in line 3, strike out the figures "\$2,000" and insert the figures "\$1,800"; and in line 7, after the word "annum," strike out the rest of the line and all of lines 8, 9, 10, 11, and all of line 12, down to and including the word "annum" in said line 12.

Mr. BLACK. Mr. Chairman, the effect of the amendment which I have offered and which has just been read from the Clerk's desk, if adopted, will be to make the bill provide a salary increase only to those employees who receive \$1,800 or less per year. The bill as it now stands, if I interpret it correctly, provides for salary increases of \$120 per annum to all employees who receive \$2,000 or less and for the employees who receive between \$2,000 and \$2,100 it is provided that they shall also receive enough salary to bring their compensation to \$2,120 per annum. Now, what my amendment does is to simply substitute the figures \$1,800 for the figures \$2,000 on line 3, and then strike out the proviso of the bill that says, "that such employees as receive a total annual compensation at a rate more than \$2,000 and less than \$2,120 shall receive an additional compensation at such rate per annum as may be necessary to make their salaries, plus their additional compensation, at the rate of \$2,120 per annum."

Mr. SHERLEY. If the gentleman will permit, I just want to explain to the gentleman the reason for that. Unless you have some such provision even in your case you would have a man at \$1,800 getting \$120, making \$1,920, or more money than the man who is ahead of him at \$1,900.

Mr. BLACK. I understand perfectly well the reason for the proviso to which I have referred, and if my amendment is adopted, substituting \$1,800 for \$2,000, then, no doubt, additional language should be inserted so as to cover the case just mentioned by the gentleman from Kentucky [Mr. SHERLEY], and in the event my amendment is adopted I will offer a proviso reading as follows:

Provided, That such employees as receive a total annual compensation at a rate more than \$1,800 and less than \$1,920 shall receive additional compensation at such a rate per annum as may be necessary to make their salaries, plus their additional compensation, at the rate of \$1,920 per annum.

Now, I want to give this additional reason for my amendment. After the consideration of the war finance bill, which we will take up after this bill is finished, I understand a rule will be brought into the House from the Committee on Rules providing for the consideration of the salary increase bill for the postal employees which the Committee on the Post Office and Post Roads have recently favorably reported, and which is now on the calendar.

Now, in that bill we will find the salary increases which it provides are limited to those who are receiving \$1,800 or less per annum, and therefore I think that the same provision ought to be written into this bill.

A while ago the gentleman from Colorado [Mr. KEATING], in his argument in support of his amendment to raise the proposed increase from \$120 to \$180 per annum, referred to the fact that the Post Office bill, which we are soon to take up, contains reclassification provisions by which all of the postal clerks in first and second class offices, all of the letter carriers in first and second class post offices, and all of the railway mail clerks will be reclassified and the pay of each grade advanced \$200 over what it now is under existing law. It is true that the bill does contain that provision, but speaking for myself, as one member of the committee, I expect to fight it on the floor of the House. I hope that the House will have the good judgment and sense of justice to the public revenues to strike it from the bill. Now is no time to be undertaking to reclassify Government employees and to be enacting permanent law on the subject. In my opinion, to do so at this particular time, when we are appealing to the people everywhere to be economical, is indefensible, and I will not believe that Congress will pass this so-called reclassification measure.

Let me call the attention of the gentleman from Colorado [Mr. KEATING] to the additional charge on the Treasury which will be added if the postal salary-increase bill is enacted into law with the reclassification provision retained. The first year the additional cost of the measure would be \$25,686,195, the second year the additional cost would be \$36,912,795, the third year it would be \$48,338,795, and would reach the peak of additional cost the fourth year, when it would settle upon the revenue of the Postal Department an additional cost of about \$54,000,000. And I take it for granted that the House is not going to vote for a proposition of that kind; and if it does vote for it, it will vote for it in the face of a showing of the facts that will be made on the floor of this House at that time.

I take it that the House will want to give the postal employees increases in salaries which will correspond substantially to the increases which we are giving in this bill. That would, it seems to me, be in harmony with the principles of justice and fair play, both to the Government and to the postal employees, and the foundations of justice are that the common weal be served. I hope that my amendment inserting \$1,800 instead of \$2,000 will be adopted and that the limitation will be adhered to when we come to vote upon the postal salary-increase bill.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from Texas [Mr. BLACK].

The question was taken, and the amendment was rejected.

Mr. RAINEY. Mr. Chairman, I move to strike out the paragraph.

Mr. Chairman, this paragraph proceeds upon the theory that we are increasing the compensation of Government employees in order to enable them to meet the increased cost of living here in the District of Columbia and throughout the country. If this assumption is true, then there ought to be with each passing year fewer and fewer applicants for these Government positions. I think the Government ought to be a model employer. I think it ought to pay as much, and a little more, than is paid for similar services in private life. Back in 1884, when we commenced to make a record of these examinations and when these salaries prevailed which they say were sufficient then, because the cost of living was not as high then as it is now, according to the reports of the Civil Service Commission 3,542 people took these examinations. Now, as the years have passed, it is said the expense of living has increased and these salaries have not increased in proportion thereto; and, if that is true, fewer people ought to take these examinations.

Now, bearing in mind that in 1884 3,542 people took these examinations, I want to call attention to the fact that for the fiscal year ending June 30, 1916, 154,722 people took the examinations. Always, for each succeeding year, there were as many as four applicants for every Government job. And yet you are going to make these positions still more attractive at the expense of private business in this country. The figures are not available for 1917 and 1918, but it is safe to say that more than 250,000 people per year are now applicants for these Government positions and actually take the examinations.

Now, I want to call attention to a recent article in a Washington morning paper. Here in Washington we have no great national paper discussing, from a national and a dignified standpoint, questions of this character. Here we have only local papers, every one of them always favoring any kind of a charge on the Treasury of the United States, provided the money they get out of the Treasury or a considerable part of it, is to be expended here in Washington. But here is an article appearing in a morning newspaper, discussing the very subjects we are discussing now, and which seems to have escaped the censor.

After reviewing the inconveniences placed upon the banks by the enlistment of their young clerks in the Army, and by their forced service under the draft law, they call attention to the fact that the banks have been educating girls to take their places, and the article, which is a column in length, proceeds to say:

True, they knew nothing about banking, but bank officials were hopeful that they could be trained and would gradually become useful.

This proved true, and the girls rapidly became skilled in check sorting, adding-machine work, typewriting, telephone operating, filing, and even in the lighter work in the tellers' cages.

But just so soon as their training progressed to the point where they were of real value to the banks Uncle Sam came along and offered them double the salaries they were getting and much shorter working hours.

The result has been that scores of young women, many from out of town, have accepted bank positions merely to use them as a stepping stone into the more lucrative and distinctly "softer" Government jobs.

The bankers endeavored to check this by raising salaries, but this proved of little avail, since the Government pays more than double for the same amount of work than the banks can possibly pay.

This presents the matter from the correct standpoint in this country. We are paying these clerks now twice as much as banks can pay, twice as much as railroads can pay, twice as much as public-service companies can pay, but we propose to still further increase the burdens of the taxpayers of the country by paying them still larger salaries. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired. The question is on agreeing to the motion of the gentleman from Illinois, to strike out the paragraph.

The question was taken, and the motion was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The provisions of this section shall not apply to the following: Employees paid from the postal revenues and sums which may be advanced from the Treasury to meet deficiencies in the postal revenues; employees of the Panama Canal on the Canal Zone; employees of the Alaskan Engineering Commission in Alaska; employees whose duties require only a portion of their time, except charwomen, who shall be included; employees whose services are utilized for brief periods at intervals; employees who receive a part of their pay from any outside sources under cooperative arrangements with the Governments of the United States or the District of Columbia; employees who serve voluntarily or receive only a nominal compensation; and employees who may be provided with special allowances because of their service in foreign countries. The provisions of this section shall not apply to employees of the railroads taken over by the United States, and nothing contained herein shall be deemed a recognition of the employees of such railroads as employees of the United States.

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

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

The Clerk read as follows:

Amendment offered by Mr. SANFORD: Page 2, line 19, after the word "revenues" insert the words "employees of the Senate and House of Representatives."

Mr. ROSE. Mr. Chairman, will the Chair kindly have the amendment read again? We could not hear it.

The CHAIRMAN. Without objection, the amendment will again be read.

The amendment was again read.

Mr. BYRNS of Tennessee. Mr. Chairman, I do not care to take up the time of the committee, except to say this: If the gentleman's amendment is adopted, it will cut out from any participation in this increase a great many persons who draw very small salaries. It is a well-known fact that the salaries are not large, particularly as applied to the House employees. Some of them are very small. The special policemen who are employed, the laborers, and many of the janitors receive very small salaries.

Mr. SANFORD. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. SANFORD. Will the gentleman tell the House on whose recommendation the 100 policemen are appointed?

Mr. BYRNS of Tennessee. I do not know.

Mr. SANFORD. If the gentleman will look into it, he will find we have got about 30 policemen out of the 100.

Mr. BYRNS of Tennessee. I will say to the gentleman that none of them were appointed on my recommendation.

Mr. SANFORD. The chief tells us that he can use about 30 out of the hundred.

Mr. BYRNS of Tennessee. As the gentleman knows, these special policemen here draw very small salaries. There is no regular policeman whose salary is more than \$100 a month. The largest salary paid to a messenger is \$100 a month. Now, all of these employees have been receiving the 5 and 10 per cent increase during the current year. The proposition is up to you gentlemen as to whether or not you are going to take away from them that increase and at the same time deny them that provided in this amendment and put them back upon the salary they drew years ago and before the present increase in cost of living.

The gentleman refers to the fact that the secretaries to Members of Congress are not participating in this increase. Gentlemen know my own position, how anxious I was and how earnestly I endeavored to have the Members' clerks placed on the roll. That was not done by the House. But, notwithstanding that fact, it is true that only a year ago the Members' clerks were given a \$500 increase, or at least that sum was added to the amount allowed each Member for clerical help. I assume that the Members' clerks have been taken care of in that increase made by act of Congress. I do not think it is fair, since we are undertaking to increase the pay of the regular Government employees, to deny the employees of the House and Senate, drawing small salaries, the right to participate in it. It seems to me an unfair and unjust discrimination.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. SANFORD) there were—ayes 53, noes 61.

Mr. SANFORD. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. BYRNS of Tennessee and Mr. SANFORD.

The committee again divided; and the tellers reported that there were—ayes 64, noes 71.

So the amendment was rejected.

Mr. JOHNSON of Washington. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, line 24, after the word "intervals," insert "except temporary employees of the Government Printing Office."

Mr. JOHNSON of Washington. Mr. Chairman, I would like to ask the chairman of the committee if this amendment, or something similar, is not necessary to take care of the employees of the Government Printing Office, a large part of whom must be temporary employees? I understand that the temporary employees receive 5 per cent, but by this amendment of the committee those are excepted and it would leave the regular employees receiving certain wages and the temporary employees at less wages. The gentleman understands that there is a large work going on in the Government Printing Office, and it is necessary to have available at all times men known as substitutes or temporary employees.

Mr. BYRNS of Tennessee. There is no purpose of the committee to exclude employees who are employed for any considerable length of time. The gentleman will note that this reads "for brief periods of time."

Mr. JOHNSON of Washington. These men are employed for brief periods. A man may work three days in the Government Printing Office and then go to work for three weeks or more in some office down town.

Mr. BYRNS of Tennessee. In the case the gentleman cites, I do not see why they should give him an increase of pay.

Mr. JOHNSON of Washington. He is a printer and the wages are regulated in all these things. The Government may not need one to-night, but when they do need an extra number of substitutes they would have to go in and work at a less price than the regular employees. In other words, this is a skilled class, and if the wages, say, of linotype operators is 60 cents, and under this will be 62 or 65, 65 cents would be the scale, and the substitutes coming in would only get 60 cents. I put it up to the chairman.

Mr. BYRNS of Tennessee. The gentleman will understand that the purpose is to provide not merely for the increased cost of living, not for temporary employees—

Mr. JOHNSON of Washington. The gentleman will understand that these substitute printers earn their entire living in the business. What I want to get at is, Suppose they get two nights a week from the Government Printing Office and the rest down town in the employ of another printing office.

Mr. BYRNS of Tennessee. In the case referred to by the gentleman they earn their living in other employment, and this temporary employment for a night here and a night there is simply what might be called a "pickup." It does not enter into their regular employment.

Mr. JOHNSON of Washington. I can not agree with the gentleman. Here is a printer that gets perhaps 20 nights' work as an emergency employee, but the Government Printing Office wants to keep him in town, and perhaps after a month he gets 30 days more. I am satisfied that this amendment is needed in there as a matter of necessity to prevent confusion.

Mr. BYRNS of Tennessee. Does the gentleman think that this increase which is \$10 a month should apply, for instance, to a printer or any other person who works one day or one night for the Government?

Mr. JOHNSON of Washington. No. I doubt if it is paid at the rate of \$10 a month. I think it will be by the hour. These printers are paid by the hour, probably. The superintendent of the Government Printing Office, with the consent of the auditor, would arrange a rate per hour for the men, whether employed 20 days or 30 days or 2 days. It will be fixed under this law at so much per hour to these regular employees. I am sure that this condition I speak of will arise.

Mr. BYRNS of Tennessee. This amendment, of course, does not seek to take care of the class of employees to which the gentleman refers.

Mr. JOHNSON of Washington. Absolutely not.

Mr. BYRNS of Tennessee. I mean those who work for a brief period of time. This is intended only for those who work for the Government and who make their living by working for the Government. When it comes to a person, for instance, who watches for forest fires or who may be called in for a week—

Mr. JOHNSON of Washington. But I contend that a substitute printer who lies around here and works 20 days per month, filling in at the Government Printing Office, he is to all intents and purposes a regular printer, although he is not employed by the year.

Mr. BYRNS of Tennessee. If he works for any extended time for the Government, my own idea is that the comptroller would hold he is entitled to the increase, and I think he ought to.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Washington.

The question was taken; and on a division (demanded by Mr. JOHNSON of Washington) there were—ayes 18, noes 41.

So the amendment was rejected.

The Clerk read as follows:

Such employees as are engaged on piecework, by the hour, or at per diem rates, if otherwise entitled to receive the additional compensation shall receive the same at the rate provided in this section when their fixed rate of pay for the regular working hours and on the basis of 313 days in the said fiscal year would amount to \$2,000 or less: *Provided*, That this method of computation shall not apply to any per diem employees regularly paid a per diem for every day in the year.

Mr. BYRNS of Tennessee. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 3, line 19, strike out the word "provided" and insert "to which they are entitled."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. COX. What effect will that have?

Mr. BYRNS of Tennessee. This is simply to perfect the paragraph in the matter of form. In other words, it might be held they are entitled to the \$120, even though under the preceding paragraph they are not.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LONDON. Mr. Chairman, I would like to ask the gentleman whether the words "who otherwise is entitled to receive the same," in lines 14 and 15, should not be transposed so that they should follow the word "anyone," in line 13.

Mr. BYRNS of Tennessee. I think it is just a question of judgment as to form.

The Clerk concluded the reading of the committee amendment.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word to ask the chairman of the committee what trust funds are referred to here.

Mr. BYRNS of Tennessee. That relates to Indian trust funds and certain miscellaneous trust funds.

Mr. BORLAND. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 4, insert at the end of the amendment as a new paragraph the following:

"No increase herein shall apply to salaries or personal services in any department, bureau, office, or independent establishment of the United States which does not, subject to the provisions and exceptions of section 7 of the legislative, executive, and judicial appropriation act approved March 15, 1898, require eight hours of labor each day."

Mr. BYRNS of Tennessee. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BYRNS of Tennessee. I understand that by agreement there is an hour of general debate upon this amendment?

The CHAIRMAN. That was the unanimous-consent agreement.

Mr. BYRNS of Tennessee. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SAUNDERS of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 10358, the legislative, executive, and judicial appropriation bill, had come to no resolution thereon.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

A bill (S. 3752) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes; to the Committee on Interstate Commerce.

ADJOURNMENT.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 1 minute p. m.) the House adjourned until to-morrow, Friday, March 15, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of War, transmitting tentative draft of an item of legislation for consideration in connection with the sundry civil appropriation bill (H. Doc. No. 973); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Navy, transmitting tentative draft of a bill providing for the better administration of justice in the Navy (H. Doc. No. 974); to the Committee on Naval Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HILLIARD, from the Committee on the District of Columbia, to which was referred the bill (H. R. 10337) authorizing the acquirement and extension of the telephone system in the District of Columbia, reported the same without amendment, accompanied by a report (No. 379), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DENT, from the Committee on Military Affairs, to which was referred the bill (S. 3994) to amend an act entitled "An act to authorize condemnation proceedings of lands for military purposes," approved July 2, 1917, and for other purposes, reported the same without amendment, accompanied by a report (No. 380), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 10644) granting an increase of pension to Jacob H. Lynch, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. COADY: A bill (H. R. 10711) to regulate the payment of interest on judgments for claimants of the Court of Claims, which have been affirmed by the Supreme Court of the United States; to the Committee on the Judiciary.

By Mr. O'SHAUNESSY: A bill (H. R. 10712) to permit citizens of the United States, absent from the States wherein they reside, on actual military service of the United States to vote for President, Vice President, and other officers; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. McCORMICK: A bill (H. R. 10713) to transfer the Bureau of War-Risk Insurance from the Department of the Treasury to the Department of War; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 10714) to transfer the Coast Guard from the Department of the Treasury to the Department of the Navy; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 10715) to transfer the Office of the Supervising Architect from the Department of the Treasury to the Department of the Interior; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 10716) to transfer the Public Health Service from the Department of the Treasury to the Department of the Interior; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Washington: A bill (H. R. 10717) to amend Public No. 90, Sixty-fifth Congress, to amend section 301 of the act establishing a Bureau of War-Risk Insurance; to the Committee on Interstate and Foreign Commerce.

By Mr. CARY: A bill (H. R. 10718) to fix the status and rank of officers honorably discharged from the Army who have been or shall be detailed on active duty by direction of the President of the United States; to the Committee on Military Affairs.

By Mr. McCORMICK: A bill (H. R. 10719) to create the office of banks and banking and to give it such jurisdiction over the Comptroller of the Currency, the Director of the Mint, the Federal Reserve Board, the Federal Farm Loan Board, and the Bureau of Engraving and Printing as is now exercised by the Secretary of the Treasury; to the Committee on Banking and Currency.

Also, a bill (H. R. 10720) to transfer the Secret Service from the Department of the Treasury to the Department of Justice; to the Committee on Ways and Means.

By Mr. DILLON: A bill (H. R. 10721) to limit exemptions from military service; to the Committee on Military Affairs.

By Mr. McCORMICK: A bill (H. R. 10722) to provide for an independent audit of the departmental accounts, and for other purposes; to the Committee on Ways and Means.

Also, a bill (H. R. 10723) to provide for the coordination, revision, and unification of the annual departmental estimates, and for other purposes; to the Committee on Ways and Means.

By Mr. DYER: A bill (H. R. 10724) to reorganize the Dental Corps of the Navy, and for other purposes; to the Committee on Naval Affairs.

By Mr. LITTLE: A bill (H. R. 10725) to provide a preliminary survey of the Marais des Cygnes River in Kansas with a view to the control of its floods; to the Committee on Flood Control.

By Mr. McCORMICK: Resolution (H. Res. 276) to create a committee on departmental accounts; to the Committee on Rules.

Also, a resolution (H. Res. 277) to create a budget committee; to the Committee on Rules.

By Mr. DENT: Resolution (H. Res. 278) providing for the immediate consideration of S. 3994; to the Committee on Rules.

By Mr. BROWNING: Resolution (H. Res. 279) directing the Committee on Agriculture to ascertain and report with what authority and for what purpose Bulletin No. 3, dated February 28, 1918, described in the preamble hereof, was issued by the United States Food Administration; 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. BACHARACH: A bill (H. R. 10726) granting a pension to Salathiel Woodruff; to the Committee on Pensions.

By Mr. BOOHER: A bill (H. R. 10727) granting an increase of pension to Daniel Culver; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 10728) authorizing the President to reinstate Francis Patrick Regan as a second lieutenant in the United States Army; to the Committee on Military Affairs.

By Mr. COADY: A bill (H. R. 10729) granting an increase of pension to George W. Monmonier; to the Committee on Invalid Pensions.

By Mr. DECKER: A bill (H. R. 10730) granting a pension to John E. Tingley; to the Committee on Pensions.

Also, a bill (H. R. 10731) granting an increase of pension to Daniel E. Alexander; to the Committee on Pensions.

By Mr. DILL: A bill (H. R. 10732) granting an increase of pension to William T. Doney; to the Committee on Pensions.

By Mr. FARR: A bill (H. R. 10733) granting a pension to Georgia A. Colony; to the Committee on Pensions.

By Mr. FERRIS: A bill (H. R. 10734) granting a pension to Pleasy J. Graham; to the Committee on Pensions.

By Mr. FREAR: A bill (H. R. 10735) granting a pension to Joseph Jiles; to the Committee on Pensions.

By Mr. GODWIN of North Carolina: A bill (H. R. 10736) granting an increase of pension to Joseph Letzkus; to the Committee on Invalid Pensions.

By Mr. HULL of Iowa: A bill (H. R. 10737) granting an increase of pension to John H. Davidson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10738) granting an increase of pension to Samuel J. Henderson; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 10739) granting an increase of pension to Milton Giles; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 10740) granting pension to Sylvania Farmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10741) granting a pension to George W. Brown; to the Committee on Pensions.

By Mr. LAZARO: A bill (H. R. 10742) granting an increase of pension to Paul Sullivan; to the Committee on Invalid Pensions.

By Mr. POLK: A bill (H. R. 10743) granting an increase of pension to John B. Lynch; to the Committee on Invalid Pensions.

PETITIONS, ETC.

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

By Mr. BRODBECK: Papers relating to House bill 10700, granting an increase of pension to Mary E. Edie; also evidence in support of House bill 10699, granting a pension to Richard K. Heilig; to the Committee on Invalid Pensions.

By Mr. CAREW: Resolution of the Yavapai County (Ariz.) Chamber of Commerce, protesting against the passage of the Foster bill; to the Committee on Mines and Mining.

By Mr. DALE of New York: Petition of O'Callaghan & Fedden and also Deering, Milliken & Co., both of New York City, favoring the passage of the daylight-saving bill; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the American Institute of Weights and Measures, against the passage of House bill 2878; to the Committee on Coinage, Weights, and Measures.

Also, resolution of the Kings County Pharmaceutical Society, urging the passage of House bill 5531, creating a pharmaceutical corps in our Army; to the Committee on Military Affairs.

By Mr. DOOLING: Resolution of the Women's Medical Society of New York State, indorsing the Owen bill (S. 3743) and the Dyer bill (H. R. 9563); to the Committee on Military Affairs.

By Mr. FOCHE: Evidence in support of House bill 5502, for the relief of David I. Black; to the Committee on Invalid Pensions.

By Mr. FULLER of Illinois: Petition of the Santa Fe (N. Mex.) Woman's Club, asking repeal of the second-class postage provisions of the war-revenue act; to the Committee on Ways and Means.

By Mr. HAYES: Petitions of citizens of the eighth congressional district of California, favoring passage of the Keating bill; to the Committee on Appropriations.

By Mr. HILLIARD: Petition of Albert S. Ely, H. S. French, Lillian Kartz, Mrs. F. A. Van Vranken, Raymond E. Starcher, S. H. Molberg, Grace Carter, Miss L. Edwards, Mrs. J. Cowline, Mrs. J. R. Jones, and 54 others, all citizens of the State of Colorado, praying for immediate war prohibition; to the Committee on the Judiciary.

Also, petition of Nellie Mitchell Reek, Dr. J. B. Macarey, W. S. Fry, C. A. Atchison, Mrs. D. B. Eppley, L. F. Cowan, Callista R. Williams, J. M. Handley, Mattie McConnell, and 64 others, all citizens of the State of Colorado, praying for immediate war prohibition; to the Committee on the Judiciary.

Also, petition of Grace M. Mustard, Mrs. George Wilder, James H. Curry, U. L. Barr, and 32 others, all citizens of the State of Colorado, praying for immediate war prohibition; to the Committee on the Judiciary.

Also, petition of S. D. Cates, Ethel McEntaffer, J. D. Allen, Homer Root, C. W. Whitaker, William Fletcher, and 70 others, all of Denver, Colo., praying for prohibition during the period of the war; to the Committee on the Judiciary.

Also, petition of J. W. Cobbe, L. J. Hole, Richard Trevthick, and 36 others, all of Denver, Colo., praying for immediate war prohibition; to the Committee on the Judiciary.

Also, petition of Mrs. Susan M. Angwin, Narcissa L. Fitzsimmons, Luella S. Stocks, Jessie M. Tredway, and 37 others, all citizens of the State of Colorado, praying for immediate war prohibition; to the Committee on the Judiciary.

Also, petition of the De Laval Separator Co. and Square Deal Tractor Co., praying for the repeal of that portion of the war-revenue act providing for increased postage rates on periodicals; to the Committee on Ways and Means.

By Mr. KENNEDY of Rhode Island: Petition of Girls' Friendly Society of Rhode Island, urging enactment of legislation to provide for the proper housing of girls in the Government service; to the Committee on the District of Columbia.

By Mr. LINTHICUM: Petition of Provisional Division of Maryland United Spanish War Veterans, favoring passage of the Key bill (H. R. 1736) for pensions for widows and minor children of Spanish War veterans; to the Committee on Pensions.

Also, petition of McCormick & Co., of Baltimore, Md., favoring amending the war-revenue bill relative to payment of excess-profits taxes; to the Committee on Ways and Means.

Also, petitions of R. C. Hoffman and others, of Baltimore, Md., against passage of House bill 8565, relative to tax on automobile owners; to the Committee on Ways and Means.

Also, petition of Malcolm V. Tyson, of Baltimore, Md., favoring bill creating a pharmaceutical corps in the Army; to the Committee on Military Affairs.

Also, petition of Cape May section, fourth naval district, commandant's office, favoring bill to promote the efficiency of the Navy, etc.; to the Committee on Naval Affairs.

Also, petitions of Isaac Strouse, jr., and other employees of Strouse & Bros., of Baltimore, Md., against bill to increase second-class postage; to the Committee on Ways and Means.

By Mr. MOORE of Pennsylvania: Resolution of various Philadelphia business associations, favoring the daylight-saving bill; to the Committee on Interstate and Foreign Commerce.

By Mr. RAINEY: Petition of Mrs. T. O. Hardesty and others, of Jacksonville Ill., favoring prohibition during the war; to the Committee on the Judiciary.

By Mr. ROGERS: Resolutions of the North Middlesex (Mass.) Agricultural Society, urging minimum price on food products and making other recommendations; to the Committee on Agriculture.

By Mr. SABATH: Resolution of the Swedish Typographical Union No. 247, indorsing the Sherwood old-age-pension bill; to the Committee on Pensions.

By Mr. STEELE: Resolution of the Lithuanian National Council, regarding the freedom of Lithuania; to the Committee on Foreign Affairs.

By Mr. TAYLOR of Colorado: Petition of citizens of Canon City, Colo., urging enactment of war prohibition legislation for the conservation of food, etc.; to the Committee on the Judiciary.