

Mr. COPELAND. Mr. President, a few days ago the Senator from Tennessee [Mr. McKellar] made a very interesting address on the Italian debt settlement, in opposition to it, and he received a telegram from one Doctor Fama, of New York City, which was inserted in the RECORD on April 14, in which Doctor Fama said:

Five thousand Italian Americans at a mass meeting in New York City under the auspices of the Anti-Fascist League of North America wish to congratulate you on your attitude against Mussolini and fascism.

I ask now that there be inserted in the RECORD a letter from Count de Revel. He is the head of the Fascisti League of North America.

I also ask to have inserted a letter from Judge Freschi, a long-time member of the Court of Special Sessions of New York. These letters will explain away the idea that any Italians of high standing in New York City are in opposition to this settlement.

The VICE PRESIDENT. Is there objection to the request of the Senator from New York?

There being no objection, the communications were ordered to be printed in the RECORD, as follows:

FASCISTI LEAGUE OF NORTH AMERICA (INC.),
CENTRAL COUNCIL,
New York, April 16, 1926.

Hon. ROYAL S. COPELAND,

United States Senate, Washington, D. C.

MY DEAR SENATOR COPELAND: The Fascist organization laws here require of its members loyalty to America, support of the American Constitution, protection of the family, upholding the idea of religious freedom and civil government, and the perpetuation of organized society.

The meeting to which Doctor Fama refers was held on April 13, 1926, at Manhattan Lyceum, and the speakers were Vacirca (socialist), Tresca (anarchist), Bellanca (communist), Allegra (communist), Sormenti (anarchist), Lupis (communist), and Fama.

Less than 2,000 persons were present; most of them were of the international red (radical) element, and most of whom were not Italians. Few Italians ever attend such meetings. Vacirca is in this country on leave as nonquota immigrant. His permit has been twice renewed, and he recently lost his citizenship in Italy. Lupis is in this country with a temporary, commercial certificate.

Very sincerely yours,

IGNAZIO THAON DE REVEL,
President.

HARDIN & HESS,
New York, April 17, 1926.

Mr. C. W. JURNNEY,

Secretary to Hon. Royal S. Copeland,

United States Senate, Washington, D. C.

MY DEAR MR. JURNNEY: My information from an authoritative source is that the former member of the Italian Parliament, ex-Deputy Bergamo, is assisting the direction of an anti-Fascista (Il Corriere degli Italiani) newspaper, which directs the opposition to the Italian debt-settlement agreement.

Mr. Bergamo has issued a statement in which he says that the anti-Fascist forces have made Mussolini and the Italian Monarchy their political target and that the anti-Fascisti must stand for republicanism against Fascism and royalty, adding that the death of one is the destruction of the other. Bergamo further states that the King of Italy is an adventurer, without moral direction or sense.

It should be evident to all who read and understand that the blow is directed not so much at Mussolini as at the form of monarchical government, and it is not strange therefore that the meeting held in New York at the Manhattan Lyceum should have been addressed (outside of Doctor Fama) by a well-known group of socialists, communists, and anarchists * * *.

Very sincerely yours,

JOHN J. FRESCHI.

Mr. McKellar. Mr. President, in this connection I desire to insert in the RECORD a telegram from the Italian Baptist Mission of Uniontown, Pa., on the same subject.

The VICE PRESIDENT. Is there objection?

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

UNIONTOWN, PA., April 13, 1926.

Hon. McKellar,

United States Senator of Tennessee,
Washington, D. C.:

Two hundred and fifty prominent law-abiding citizens, Italian extraction, of western Pennsylvania, assemble to-day at Uniontown, protest against the recent statement that all the Italians in Pennsylv-

vania State are followers of Fascism. This is an erroneous statement, because we as a part of such residents are earnestly urging that Fascism plague be fought to the limit because it is a dangerous enemy of humanity and suffocator of all principles of liberty and democracy. Assuring you that Italian feeling in general be against Fascism, we congratulate for attitude by you taken.

REV. GAETANO ALBANESI,
Pastor of Italian Baptist Mission.

EXECUTIVE SESSION

Mr. CURTIS. 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 the Senate (at 5 o'clock p. m.) took a recess until to-morrow, Tuesday, April 20, 1926, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 19, 1926

APPOINTMENTS BY TRANSFER IN THE ARMY

David Lamme Stone to be colonel, Quartermaster Corps.
Eugene Reybold to be major, Corps of Engineers.
Lowell Meeker Riley to be first lieutenant, Field Artillery.

PROMOTION IN THE ARMY

Carl Halla to be major, Finance Department.

POSTMASTERS

LOUISIANA

James R. Coplen, Sulphur.
Nathan R. Funderburk, Wisner.

MISSOURI

Mayme E. Prather, Advance.
Elan J. Nienstedt, Blodgett.
Charles T. Lease, Forest City.
Robert E. Ward, Liberty.
Lorenzo T. McKinney, Marceline.
John J. Sleight, Montgomery City.
Lena B. Porter, Novelty.
W. Arthur Smith, Purdin.

NEVADA

George H. Reinmund, Ruth.

PENNSYLVANIA

Harry M. Allison, Spring Mills.

HOUSE OF REPRESENTATIVES

Monday, April 19, 1926

The House met at 12 o'clock noon, and was called to order by the Speaker.

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

Our Father, Thy seal is set on all Thy works. Shadowing all, Thy Holy Spirit quickens in us the immortal hope and makes faith the determining power of man. Do Thou forgive our sins and give a deepening loveliness to all that we are. Oh may the very roots of our souls thrust deeply into soils which are eternally good. May we do nothing at the expense of integrity, delicacy, or beauty of spirit. Be with the notable organization that assembles in our city these days. May it be grandly optimistic, emphasizing the ideals and traditions of our homeland, on which it must ever abide for its glory and security. Inspire it with a moral and patriotic energy which shall touch the far borders of our Republic. With all of us, blessed Lord, may our inward reach be commensurate with our outward grasp, and Thine shall be the praise forever. Amen.

The Journal of the proceedings of Saturday, April 17, 1926, and of Sunday, April 18, 1926, was read and approved.

FREDERICK A. FENNING

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

Mr. MADDEN. Will the gentleman withhold for a moment, to enable the gentleman from Illinois [Mr. FUNK] to call up a conference report?

Mr. BLANTON. I will.

DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. FUNK. Mr. Speaker, I ask unanimous consent that the Chair lay before the House the bill H. R. 10198, the District of Columbia appropriation bill, with Senate amendments, in

order that the House may disagree to the Senate amendments and ask for a conference.

The SPEAKER. The gentleman from Illinois calls up the bill H. R. 10198, the District of Columbia appropriation bill, and asks that the House disagree to the Senate amendments and ask for a conference.

Mr. FUNK. Mr. Speaker, I move that the House disagree to the Senate amendments and ask for a conference.

The SPEAKER. Is there objection to the consideration of the bill which the gentleman calls up?

There was no objection.

The SPEAKER. The gentleman from Illinois moves to disagree to the Senate amendments and ask for a conference. The question is on agreeing to that motion.

The motion was agreed to; and the Speaker appointed as conferees on the part of the House Mr. FUNK, Mr. SIMMONS, Mr. TINKHAM, Mr. GRIFFIN, and Mr. COLLINS.

FREDERICK A. FENNING

Mr. BLANTON. Mr. Speaker, I rise to a question of the highest privilege. By virtue of the office I hold as a Member of the House, I impeach Frederick A. Fenning, Commissioner of the District of Columbia, of high crimes and misdemeanors. I ask for time in which to make my charges.

The SPEAKER. The gentleman is recognized to make the charges referred to.

Mr. BLANTON. I will state to the Chair that after I have made these charges I will offer the usual resolution in such cases to the House.

Mr. Speaker, by virtue of my office as a Member of the House of Representatives of the United States, I impeach Frederick A. Fenning, a commissioner of the District of Columbia, of high crimes and misdemeanors.

1. I charge that the said Frederick A. Fenning, after being appointed to such office by the President of the United States, and after he had taken the prescribed oath and assumed the duties of the office of commissioner of the District of Columbia, violated his oath and the law by violating the provisions of section 5498 of the Revised Statutes of the United States, in that he acted as attorney and received fees and commissions in violation of such law, the penalty prescribed for such violation being a fine of not more than \$5,000 and imprisonment for not more than one year.

2. I charge that the said Frederick A. Fenning has violated the provisions of section 500 of Title V of the World War veterans' act of 1924 as amended by the act of March 4, 1925, which provides that respecting compensation and insurance claims filed in said United States Veterans' Bureau for adjudication and not prosecuted in courts no attorney shall receive a fee of more than \$10 in any one case, the penalty prescribed for its violation being a fine of not more than \$500 and imprisonment at hard labor for not more than two years.

3. I charge that the said Frederick A. Fenning has violated the law and the rules and practice of the Supreme Court of the District of Columbia, which prohibit any committee or guardian for a lunatic receiving as compensation more than 10 per cent of his ward's estate or annual income, in that the said Frederick A. Fenning in several cases wherein he is committee or guardian has received exorbitant remuneration ranging from 12 per cent to as high as 94 per cent, which facts are certified to by the auditor of the Supreme Court of the District of Columbia.

4. I charge that the said Frederick A. Fenning is guilty of what in every State of the Union is commonly known and denominated as the criminal offense of barratry, and what the common law applicable to the District of Columbia constitutes as barratry, in that he has excited, stirred up, and fomented claims against the Government, and many ex parte lunacy suits in the Supreme Court of the District of Columbia, and in that he has specially solicited individuals to employ him as their attorney to prosecute for them certain claims against various departments of the Government of the United States, and before the Congress of the United States, and before the courts of the United States; and in that he has solicited individuals to employ attorneys with whom he was associated or affiliated to prosecute claims and suits for them wherein he received a division of the fee, and that the said Frederick A. Fenning is and has been a common barrator.

5. I charge that the said Frederick A. Fenning has committed the offense of champerty, and through direct solicitation has induced others to employ him as their attorney in many champertous agreements, wherein they were to be out no expense and not to pay any fee unless he recovered, in which event he was to be paid a part of the amount he recovered, and that the said Frederick A. Fenning is and has been a common champertor.

6. I charge that continuously during the past 23 years the said Frederick A. Fenning has wrongfully conspired and confederated with Dr. William A. White, superintendent of St. Elizabeths Hospital, an institution of the United States Government, in an improper agreement and practice whereby the said Frederick A. Fenning was given an improper, selfish, monopolistic inside concession not allowed to other attorneys, wherein he was permitted to personally examine all records, correspondence, and papers relating to inmates of such institution, and thereby ascertain which of said wards of this Government had money, property, or compensation or pension claims against the Government of the United States, a privilege denied to other attorneys; and whereby the said Frederick A. Fenning would act as attorney for the said Doctor White or would have his law partner act as such attorney for said Doctor White in filing in the Supreme Court of the District of Columbia said Doctor White's petition praying that a certain inmate, found to possess money or property or to have a claim against the Government, be adjudged of unsound mind, and praying that a committee be appointed by the court to take charge of such estate and prosecute such claim against the Government, and in which petition said Fenning would have the said Doctor White recommend the said Frederick A. Fenning as the committee to be appointed, and I charge that in pursuance of said wrongful conspiracy and improper practice the said Frederick A. Fenning induced the said Doctor White to execute over 200 such petitions which said Fenning filed in the said Supreme Court of the District of Columbia, wherein said Fenning was recommended for committee, and in which cases the court appointed said Fenning as committee or guardian, and as such said Fenning came into possession of the money and property and income of his said ward and prosecuted said ward's claims against the Government of the United States, and out of which estate and annual income the said Frederick A. Fenning has received annually a large per cent.

7. I charge that the said Frederick A. Fenning, about 23 years ago, wrongfully and improperly solicited the Justice of the Supreme Court of the District of Columbia then having charge of lunacy cases, to appoint him guardian or committee in all lunacy cases, and that said Fenning was then told by said justice that he would not appoint as committee or guardian any person except the one recommended in the petition, and that then and continuously since then, the said Frederick A. Fenning has wrongfully and improperly solicited all persons who might file such petitions to name him therein as committee or guardian, and he has written many persons whom he had never seen or known, urging that they grant him permission to file such petitions for them, with himself named therein as the one recommended for appointment as guardian or committee.

8. I charge that the said Frederick A. Fenning has admitted under oath that about 23 years ago he caused to be originated the unlawful and improper practice of paying out of the estate of the person adjudged to be of unsound mind a fee of \$10 to each doctor employed in St. Elizabeths Hospital who signed one of the two required affidavits certifying that he deemed such person of unsound mind, notwithstanding the fact that the law requires all of said doctors employed in St. Elizabeths Hospital to give all of their time to St. Elizabeths Hospital, and said Fenning testified under oath that when about 23 years ago he asked the presiding justice to allow such fees to said doctors, that the said justice of the court asked him to look up whether there was any law allowing it, and that after two weeks' search he could find none, whereupon, although there was no authority for same, the court entered an order allowing it, and that such a fee has been unlawfully and wrongfully paid to said doctors ever since, and I charge that said Frederick A. Fenning thus caused a wrongful and unlawful system to be inaugurated and followed continuously for 23 years, which squanders in unwarranted costs the estates of his wards, and I charge that said Frederick A. Fenning thus used his ward's money to buy favors from and to ingratiate himself into the good graces of all the doctors in St. Elizabeths Hospital, whom he expected to use in his business, and I charge that continuously for the past 23 years the said Frederick A. Fenning has thus paid a fee of \$10 wrongfully to a doctor in St. Elizabeths Hospital, and has also paid a second fee of \$10, wrongfully, either to his brother-in-law, Dr. J. Ramsay Nevitt, who during all such time has been coroner of said District, or to some other friendly doctor in the District of Columbia, and this too, when the said Fenning knew that under the law and practice in the Supreme Court of the District of Columbia he was entitled to have doctors give their testimony in insanity cases for \$1.25 per day.

9. I charge that the said Frederick A. Fenning, by inaugurating the wrongful and unlawful practice of paying \$10 in each

case to some doctor in St. Elizabeths Hospital for testifying in a lunacy case, has incited the said Doctor White to wrongfully and unlawfully sell his testimony to criminals, as he did when he testified for Clarence Darrow in the Leopold and Loeb cases in Chicago, and received therefor \$250 per day for 14 days.

10. I charge that the said Frederick A. Fenning, since the United States entered the World War April 6, 1917, has been allowed by the auditor of the Supreme Court of the District of Columbia and has received as fees and commissions from the estates of his said wards, the enormous sum of \$98,544.46, and that, too, when his services to such wards was of practically no value whatever, and when some of said wards had never seen him, and that the said auditor of the Supreme Court of the District of Columbia has certified officially that said Frederick A. Fenning has been allowed and has received the said sum of \$98,544.46 as his fees and commissions since April 6, 1917.

11. I charge that the auditor of the Supreme Court of the District of Columbia has certified officially to the following: That in the case of Daniel G. Campbell, lunacy No. 4073, the rate of commission received by Frederick A. Fenning amounted to 15 per cent in 1920, 24 per cent in 1921, 23 per cent in 1922, 23 per cent in 1923, 31 per cent in 1924, and 36 per cent in 1925; that in the case of Daniel Paul Fenn, lunacy No. 4405, the rate of commission received by Frederick A. Fenning was 15 per cent in 1920, 18 per cent in 1921, 24 per cent in 1922, 25 per cent in 1923, 25 per cent in 1924, and 21 per cent in 1925; that in the case of Patrick Griffin, lunacy No. 4252, the rate of commission received by Frederick A. Fenning was 16 per cent in 1920, 18 per cent in 1921, 15 per cent in 1922, 25 per cent in 1923, 50 per cent in 1924, 31 per cent in 1925, and 32 per cent in 1926; that in the case of James A. Higginson, lunacy No. 3887, the rate of commission received by Frederick A. Fenning was 32 per cent in 1920, 16 per cent in 1921, 35 per cent in 1922, 19 per cent in 1923, 46 per cent in 1924, and 22 per cent in 1925; that in the case of William John Kennedy, lunacy No. 3694, the rate of commission received by Frederick A. Fenning was 30 per cent in 1920, 28 per cent in 1921, 25 per cent in 1922, 26 per cent in 1923, 25 per cent in 1924, and 37 per cent in 1925; that in the case of Patrick J. Byrne, lunacy No. 3682, the rate of commission received by Frederick A. Fenning was 24 per cent in 1920, 24 per cent in 1921, 37 per cent in 1922, 49 per cent in 1923, 37 per cent in 1924, and 64 per cent in 1925; and that in the case of John Flavehan, lunacy No. 1320, the rate of commission received by Frederick A. Fenning on January 22, 1926, for the preceding year was 94 per cent.

12. I charge that said Frederick A. Fenning made a deliberate attempt to deceive Congress when, in the prepared type-written statement he sent to Representative MARTIN B. MADDEN and requested its insertion in the RECORD, on Friday, April 16, 1926, he intimated that Gen. Frank T. Hines, Director of the United States Veterans' Bureau, erred when he certified that said Fenning received 10 per cent of the estate and annual income of his Veterans' Bureau wards, said Fenning intimating that his commission was only 5 per cent in most instances.

13. I charge that said Frederick A. Fenning made a deliberate attempt to deceive Congress when, in his said prepared statement, he falsely stated that the \$109,070.25 fees and commissions which the auditor of the Supreme Court of the District of Columbia had certified had been allowed to said Fenning "includes the full amount of commission and counsel fees in cases going back to the year 1903," because as a matter of fact many fees and commissions received by the said Fenning do not appear in said auditor's certificate, and said auditor certifies officially that since we entered the World War in 1917 the fees and commissions allowed by the auditor to said Frederick A. Fenning amounted to \$98,544.46, thus showing affirmatively that of the said \$109,070.25 allowed said Fenning in fees and commissions only \$10,525 was allowed prior to April 6, 1917, and said Fenning is yet to receive his commissions on all cases for the last 12 months that will end on the court year expiring May 1, 1926.

14. I charge that since our brave ex-service men have returned from France wounded and shell shocked in the World War said Frederick A. Fenning, as guardian and committee for wards of our Veterans' Bureau, has received from said United States Veterans' Bureau the enormous sum of \$733,855.87 compensation and insurance due them, and that he has deposited same in his own bank, the National Savings & Trust Co., of which he is a director and in which he owns stock, and that he receives substantial benefits from such deposits by receiving increased dividends on his stock in said institution.

15. I charge that the said Frederick A. Fenning in making loans of his wards' money, as the law requires him to do, he

has received discounts, or commissions, or brokerage fees, additional to the interest carried in the notes or obligations, and that when making for said Fenning a loan of \$15,000, said National Savings & Trust Co. received a commission, which benefited said Fenning either directly, or indirectly.

16. I charge that the said Frederick A. Fenning has deceived the Supreme Court of the District of Columbia, by having different justices thereof to allow him to deduct from the annual income of his wards the annual premium paid to the bonding company for his fiduciary bond, and not disclosing to such court that he is the solicitor for such bonding company, and as such receives from said bonding company a commission of from 15 to 20 per cent on such annual premium, and I charge that said Frederick A. Fenning now holds a solicitor's license issued by the Department of Insurance for the District of Columbia in the following companies, to wit, the Massachusetts Bonding & Insurance Co., of Boston, Mass., the United States Fidelity & Guaranty Co., of Baltimore, Md., and the Great American Insurance Co., of New York, which expire May 1, 1926, and are renewed annually, and as such solicitor, he is authorized to receive commissions, rebates, and compensation on business he causes to be given to such companies. And I charge that he is guilty of moral turpitude in being solicitor for said companies as such interest conflicts with his duties as Commissioner of the District of Columbia, and has influenced his action in adversely passing on an important insurance bill of about 100 pages which his said companies have been opposing in many respects.

17. I charge that the said Frederick A. Fenning is attorney for the Medical Society of the District of Columbia, and is paid an annual fee by them, and that such employment has interfered with his duties as commissioner and has adversely influenced his official action, in that he has opposed and refused to favorably report a bill sought to be passed by the chiropractors, and which bill his clients are opposing.

18. I charge that the said Frederick A. Fenning, as attorney for the said Medical Society of the District of Columbia, in disregard of his duties as said commissioner, has incited, aided, and abetted the doctors employed in St. Elizabeths Hospital, who by law are required to devote all of their time to such institution, to engage in private practices here in the District of Columbia; that as attorney for said medical society he has incited, aided, and abetted certain of the doctors employed in the United States Veterans' Bureau, and who are by law required to give all of their time to said bureau, to engage in private practice here in the District of Columbia, such doctors using the equipment of the Government in their said private practice; and that the said Frederick A. Fenning has knowingly permitted the District alienist, Dr. Percy Hickling, who receives a salary of \$3,300 for all of his time, to sell his testimony at the rate of \$50 per day and more to lawyers both in the District and outside of it.

19. I charge on reliable information that Frederick A. Fenning is attorney for and is financially interested in the undertaking business of Joseph Gawler's Sons (Inc.), and that during the past 23 years has caused many bodies from St. Elizabeths Hospital to be turned over to said undertaker for burial, a number of them being wards of said Fenning, and that in the lunacy case of Walter Garland Allan, No. 10713, the said Frederick A. Fenning on March 24, 1926, paid to said undertaker the sum of \$107.81 for burial expenses, which amount was the total residue of his ward's estate, after taking from same his own fees and commissions, and at such time said Fenning knew that for a charge of only \$52 Undertaker Tabler furnishes everything necessary and conducts decent funerals for wards of the United States Veterans' Bureau, and I charge further that through confederation with his said brother-in-law, Coroner J. Ramsay Nevitt, and his employee, Bill Franklin, said Fenning wrongfully caused the body of one drowned in the basin, which body was demanded by the Veterans' Bureau and should have been turned over to it, to be wrongfully turned over to Undertaker Tullavull, who made the Government pay \$108.50 for same, but which would have cost the Government only \$52 for identically the same kind of funeral had said body been turned over to the Veterans' Bureau and the funeral conducted by the bureau's undertaker, Tabler.

20. I charge that the said Frederick A. Fenning, without having any acquaintance whatever with her, solicited Mrs. Eudora S. Kelly, of Sharon, Mass., to employ him as her attorney to prosecute a claim of \$1,800 against the Government, which he agreed to do without any expense to her whatever, but that after the United States made payment to her he was to receive a portion of the amount paid her, and that when he learned that she had already employed Lyon & Lyon, attorneys, of Washington, D. C., to prosecute this claim for her, said Fenning solicited the help of one Henry P. Fellows, and

through him finally influenced the said Mrs. Eudora S. Kelly to break her contract and power of attorney with Lyon & Lyon and to discharge them, and to employ said Fenning.

21. I charge that said Frederick A. Fenning, while Commissioner of the District of Columbia, on June 10, 1925, represented a client and as attorney filed in the Supreme Court of the District of Columbia a petition in lunacy case No. 10890, and as such attorney caused Michael Flaherty to be adjudged of unsound mind, and in his petition had himself recommended for committee, and had himself appointed as such committee, after which as such, he prosecuted a claim against the Government of the United States, and on June 20, 1925, reported to the court that he had received from the United States Navy the sum of \$565.80 as back pay due said Flaherty, and that he expected to receive from the United States Navy the sum of \$94.30 each month thereafter as pay due his said ward.

22. I charge that said Frederick A. Fenning, while Commissioner of the District of Columbia, on September 22, 1925, appeared in the Supreme Court of the District of Columbia as an attorney for a client, whose business he had solicited, and as such attorney filed a petition in lunacy case No. 11041, seeking to adjudge Richard M. Norris of unsound mind, said Fenning in his said petition alleging "That Richard M. Norris is entitled to war-risk compensation monthly, the amount not yet known," which showed that to recover same it would be necessary for him to prosecute a claim before the Veterans' Bureau, and as such attorney said Fenning had said Norris adjudged of unsound mind, and as said attorney said Fenning did prosecute such claim before said United States Veterans' Bureau, in violation of law, and had such claim allowed, and on January 20, 1926, as such attorney said Fenning made report to the court showing that his client had received a check from the United States Veterans' Bureau and had deposited it in the said National Savings & Trust Co.

23. I charge that the said Frederick A. Fenning, while Commissioner of the District of Columbia, appeared in the Supreme Court of the District of Columbia as attorney for his client, which business he solicited, and on the 20th day of October, 1925, filed a petition in lunacy case No. 11092 seeking to adjudge Francis D. Allen of unsound mind, and in such petition recommending that he be appointed committee, and said Fenning alleging in his said petition that the said Allen is entitled to recover from the United States Navy retired pay of \$150 per month as a lieutenant in the Navy, and that, as such attorney, said Frederick A. Fenning tried said case on November 20, 1925, and caused said Allen to be adjudged of unsound mind, and caused himself to be appointed committee, and that on December 9, 1925, said Frederick A. Fenning reported to the court by his sworn pleading that he had received from St. Elizabeths Hospital \$116.55 due said Allen, and that he expects to receive from the United States Navy \$150 per month as retired pay due said Allen, and that he expects to receive certain funds said Allen has on deposit in a New York bank, and that he expects to receive proceeds from the sale of certain lots said Allen owns in New York, and that he expects to recover a refund of a deposit which said Allen made on a house in Pennsylvania, and upon all of which proceeds said Fenning will unlawfully receive at least 10 per cent annually.

24. I charge that the said Frederick A. Fenning, while a Commissioner of the District of Columbia, appeared as an attorney for his client in the Supreme Court of the District of Columbia and on December 2, 1925, filed a petition in lunacy case No. 11137 in said court, seeking to adjudge Charles L. Cunningham as of unsound mind, that the case was tried on December 4, 1925, and the judgment decreeing said Cunningham of unsound mind recites that petitioner appeared as his attorney—Frederick A. Fenning—and I charge that on January 27, 1926, said Commissioner Frederick A. Fenning, as said attorney, filed with said Supreme Court a petition for his client, stating that petitioner had employed said Frederick A. Fenning and Paul V. Rogers as attorneys, and asking permission to pay them their fee of \$150, and that on that same day, January 27, 1926, said Frederick A. Fenning secured a signed order from Chief Justice McCoy authorizing the payment of said \$150 fee to said Frederick A. Fenning and Paul V. Rogers, as attorneys, and that said Fenning received such fee in violation of the laws hereinbefore mentioned, and that on said January 27, 1926, said Frederick A. Fenning filed a petition for his client showing that petitioner had collected from a bank and the United States Navy the total sum of \$1,605.13, which was deposited in said National Savings & Trust Co., said Fenning's bank.

25. I charge that the said Frederick A. Fenning, while Commissioner of the District of Columbia, during the four months from December 1, 1925, to March 31, 1926, permitted the corporation counsel of said District, in the name of the Commis-

sioners of said District of Columbia, as petitioners, to file in the Supreme Court of the District of Columbia 150 cases of lunacy and caused 150 human beings, and residents of said District, to be incarcerated in insane asylums, charged with being of unsound mind, when many of said persons are sane, and should not be deprived of their liberty.

26. I charge that the said Frederick A. Fenning continuously for the past 23 years has conspired and confederated with the said Dr. William A. White to block and prevent sane patients wrongfully incarcerated in St. Elizabeths Hospital from securing their liberty through habeas corpus proceedings, and I charge that Frederick A. Fenning admitted under oath that he went to the court and caused the court not to discharge Miss Cornelia A. Corbett and her mother, and he thus wrongfully kept them in St. Elizabeths for two years and four months, during all of which time they were sane, and while there he squandered their property, and that when finally an able lawyer in the District through habeas corpus proceedings forced a trial for them before the court they were adjudged of sound mind and released, and that the said Miss Cornelia L. Corbett in cause No. 49104, law, sued said Frederick A. Fenning in the Supreme Court of the District of Columbia and recovered a judgment against him, and made him pay back to her a part of the value of her property which he had squandered, and that said wrongful acts of said Fenning caused the premature death of Mrs. Corbett.

27. I charge that said Frederick A. Fenning is now holding in St. Elizabeths Hospital Lieut. F. D. Allen who is sane, and that said Fenning is squandering his property.

28. I charge that in each of his cases said Frederick A. Fenning charges against his ward's estate a notary fee, in each and all of the many papers he must file under oath, when such notary is an employee of his law office, and such fees are allowed by the court, when they are not proper fees.

29. I charge that said Frederick A. Fenning uses his said office of Commissioner of the District of Columbia for his own selfish benefit and advantages, and that he exercises his power in an arbitrary and tyrannical manner, evidenced by his wrongful demotion of Inspector Albert J. Headley and punishing Officer Gore for doing his duty.

30. I charge that on February 12, 1926, said Frederick A. Fenning wrongfully and without cause, but for the selfish purpose of giving a \$2,100 position to his prospective son-in-law, Dr. Floyd McJ. Allen, forced out of office Dr. C. J. Murphy, and put in his place the said Allen, as a police and fire surgeon of the District.

31. I charge that in February, 1926, said Frederick A. Fenning, in order to promote one of his friends, wrongfully retired on pay of \$100 per month for life Sergt. Robert E. Lee, a physical giant, 6 feet 2 inches tall, 55 years old, weighing 225 pounds, who for four years had not missed a day for sickness, and concerning whom all of his brother officers testified there was no better man on the force, and that said Fenning arbitrarily refused to grant a proper hearing on the matter, requested by a Member of Congress.

32. I charge that on March 3, 1926, said Frederick A. Fenning wrongfully removed from office Dr. Edward Comstock Wilson, the hero of Knickerbocker Theater, as medical inspector of schools, for the selfish and wrongful purpose of putting in his place an old friend of Dr. William A. White, who is 73 years of age, simply because when said White and Fenning were under fire in a congressional investigation in 1906 this now 73-year old doctor then sympathized with them.

33. I charge that the said Frederick A. Fenning and Dr. William A. White are jointly interested in certain financial investments together, and in February, 1920, carried a partnership account in the Washington Loan & Trust Co., and that their relation is such that neither can render to the public that quality of service to which the public is entitled.

34. I charge that the said Frederick A. Fenning has made a deliberate attempt to deceive Congress when in said prepared statement he denied the report which the Veterans' Bureau inspector, Dr. Henry Ladd Stickney, filed with the bureau on April 26, 1924, wherein Doctor Stickney charged that said Fenning "constantly opposes the transfer of his wards from St. Elizabeths Hospital," and I charge that for over three years said Fenning has refused to turn over to Mrs. Eliza Lee, the legal guardian of the person and estate of her son, Roley Lee, her said son, but withholds him from her, and that said Fenning has already received in his fees and commissions the sum of \$1,155.27 from the estate of said Roley Lee, who was shell shocked in France and is a World War veteran.

Mr. Speaker, I offer the usual resolution in such cases, which I ask that the Clerk read.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House Resolution 228

Resolved, That the Committee on the Judiciary be, and it is hereby, directed to inquire and report whether the action of this House is necessary concerning the alleged official misconduct of Frederick A. Fenning, a commissioner of the District of Columbia, and said Committee on the Judiciary is in all things hereby fully authorized and empowered to investigate all acts of misconduct and report to the House whether in their opinion the said Frederick A. Fenning has been guilty of any acts which in the contemplation of the Constitution, the statute laws, and the precedents of Congress are high crimes and misdemeanors requiring the interposition of the constitutional powers of this House, and for which he should be impeached.

That this committee is hereby authorized and empowered to send for persons and papers, to administer oaths, to employ, if necessary, an additional clerk, and to appoint and send a subcommittee whenever and wherever necessary to take necessary testimony for the use of said committee or subcommittee, which shall have the same power in respect to obtaining testimony as exercised and is hereby given to said Committee on the Judiciary.

That the expenses incurred by this investigation shall be paid out of the contingent fund of the House upon the vouchers of the chairman of said committee, approved by the Clerk of this House.

Mr. BLANTON. Mr. Speaker, I desire to use but a few minutes. I will not use the whole hour allowed me by the rules.

Gentlemen, this is an unpleasant duty for me to perform. I have tried to avoid it. I have done everything that any Member could do to obviate the necessity of filing impeachment charges. Nearly a month ago I introduced a resolution to have a joint committee of Congress investigate this matter. That resolution has been pending in the Committee on Rules for nearly a month without action. I have tried to get the chairman to report it out in some form, and amend it as he wanted to amend it, writing it as he thought it ought to be, in order to let us get action on it; but he has not done it. I have tried to get a proper subcommittee of the Committee on the District of Columbia to act. But I have failed there. Last Friday—you all know this—last Friday the District Committee, by an overwhelming vote, passed a resolution authorizing and directing the chairman of that committee to appoint a subcommittee of five to go to the bottom of these transactions. I called on the committee clerk before I came over here this morning to find out whether that subcommittee had been appointed yet, and was advised that it had not been, so the clerk reported to me, and I then told the clerk of the committee to tell the chairman that I would take steps myself to force the matter before a proper committee.

This session of Congress is nearly over. Something ought to be done about this before we adjourn. Frederick A. Fenning must be removed from office before we adjourn. I do not know of any committee better qualified to investigate this matter than that of my friend, the distinguished gentlemen from Pennsylvania [Mr. GRAHAM]. He will give it careful consideration. All the men on that Judiciary Committee are lawyers, and they know what is proper and what is ethical. They are able men, and they will give a fair deal to the Government and to the people, and a fair deal to the accused.

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

Mr. BLANTON. I yield.

Mr. RANKIN. I want to ask the gentleman from Texas whether or not in these cases of guardianship in which these excessive fees were charged the wards were veterans of the World War?

Mr. BLANTON. Oh, many of them. Many of them were shell shocked in France. Many of them are veterans of the Spanish-American War, and one or two of them are even veterans of the Civil War, if you please. Many of them are disabled men, retired from your Army and your Navy, and one other department of Government.

Mr. RANKIN. Will the gentleman yield further?

Mr. BLANTON. Yes.

Mr. RANKIN. The reason I asked that question is that a great many of us on the Veterans' Committee have been trying to get this investigation made, and it has been questioned by some members of the committee whether or not these excessive fees were charged in cases of demented veterans of the World War.

Mr. BLANTON. Many of them are veterans of the World War. I will give you one of them, the case of Roley Lee. He went to France and served his country valiantly. He was not only shell shocked but a shell broke and destroyed a part of his hip, and that poor boy came back home to die. His mother nursed him back to life, and then he disappeared for two years and she did not know what had become of him. Later

she found that he had been sent to St. Elizabeths Hospital by the forces that be here in Washington. Mr. Fenning, without knowing her, sent her a petition, to be signed by her, recommending him as committee. He found out the boy was entitled to compensation and insurance, so he sent that poor woman, over at Grundy, in Buchanan County, Va., a petition for her to sign which would make him committee for the boy. He said to her, "If you will sign this, I will look after your boy and I will get some money for both you and your boy." The poor woman was not able to come to see her boy in the hospital; she did not have the money with which to come, and under those circumstances she signed that petition. When Fenning sent her that document to sign and asked her to permit him to file that petition he was guilty of the crime of barratry under the common law, which is applicable here in the District of Columbia and applicable in the State of Virginia. He had himself appointed committee, and he has collected over \$11,000 of that poor boy's money, for he has just recently collected another fee of \$213 allowed him by Judge McCoy, additional to the amount shown in the certificate of Auditor Herbert L. Davis.

Three years ago that poor woman went into the probate court of Buchanan County, Va., and qualified as guardian both of the person and property of her son. She gave a bond of \$5,000 and received authority to take charge of her boy, and for three years she has tried to get Commissioner Fenning to turn that boy back to her and release him, but he will not do it, because he gets 10 per cent of his annual income. Gentlemen, he has drawn from that boy's estate, as shown by the auditor's certificate, over \$1,100 and more in fees and commissions, and that poor woman is spending every cent she can get to live here in Washington in order to be near her boy. Every morning at 9 o'clock she goes after him; they turn her boy over to her; she keeps him all day and then takes him back at 7 o'clock. Tell me about World War veterans. There are lots of them in St. Elizabeths being imposed upon daily by Commissioner Fenning.

Mr. LUCE. Will the gentleman yield?

Mr. BLANTON. I yield to the distinguished gentleman, who for nearly a week has held up the Veterans' Committee and prevented them from investigating this case. [Applause.]

Mr. LUCE. I may inform the gentleman that the Committee on World War Veterans' Legislation began this morning in an orderly manner—

Mr. BLANTON. Oh, yes. After you had gone to your steering committee and your steering committee gave you orders to act. [Applause.] They told you you had held this matter up until it had become a crime upon the country, and then you acted, because you were whipped into line by your steering committee. I know all about it, because I went before your Veterans' Committee and I begged the chairman to give me 10 minutes, did I not?

Mr. RANKIN. Yes.

Mr. BLANTON. And I was refused?

Mr. RANKIN. And I tried to get the committee to give you the hearing.

Mr. BLANTON. Now I yield to the distinguished gentleman from Massachusetts, and I will cut out of the RECORD all I have just stated, because I have a great deal of regard for the gentleman.

Mr. LUCE. And also because it is inaccurate. [Laughter.]

Mr. BLANTON. Well, I will leave it to the members of the Veterans' Committee as to its accuracy. What about it, men?

Mr. RANKIN. Will the gentleman yield?

Mr. BLANTON. I will be glad to yield, but first I want to find out about the accuracy of this. How about it, men?

Mr. RANKIN. The gentleman from Texas came before the Committee on World War Veterans' Legislation last Saturday—

Mr. BLANTON. Friday.

Mr. RANKIN. Friday or Saturday, and brought a list of these cases. He asked permission to make a statement of 10 minutes and every Member on the Democratic side was willing, waiting, and anxious to have him make that statement, but there was a point of order made.

Mr. BLANTON. By whom?

Mr. RANKIN. I believe by the gentleman from Massachusetts [Mr. LUCE].

Mr. BLANTON. Yes; it was made by the gentleman from Massachusetts, that there was not a quorum of the committee present, and that prevented my having 10 minutes.

Mr. RANKIN. And that prevented the Veterans' Committee from going ahead with this investigation and prevented the gentleman from Texas from presenting his facts.

Mr. TILSON. Is not the gentleman from Texas straying from his charges? In his remarks should he not confine himself to his charges?

Mr. BLANTON. Yes; and I will say to the gentleman from Connecticut that I want to confine myself to my charges. However, I want to discuss a few other matters before I conclude.

Mr. LUCE and Mr. BANKHEAD rose.

Mr. LUCE. Will not the gentleman yield to me?

Mr. BLANTON. Yes; I yield to the gentleman.

Mr. LUCE. Has the gentleman any knowledge as to whether any charges of delinquency by guardians in the District of Columbia have been laid before the officer of the Veterans' Bureau who is intrusted with the responsibility in the matter?

Mr. BLANTON. Yes. I am sure the distinguished gentleman from Massachusetts has been derelict in not reading the report of the distinguished investigator of the Veterans' Bureau that I put in the RECORD on April 8, that of Dr. Henry Ladd Stickney, who reported on April 26, 1924, to the Director of the Veterans' Bureau just about what I have charged Mr. Fenning with here on the floor of this House this morning—that is, the most serious charges.

Mr. LUCE. But within an hour and a half the officer of the Veterans' Bureau who is in charge of these matters was asked whether any charge of delinquency on the part of any guardian in the District of Columbia had been brought to his attention. He first answered with an explicit no; and then seems to have been reminded by an associate that something had slipped his mind.

Mr. BLANTON. Yes; something did slip his mind. [Laughter.]

Mr. LUCE. One moment. That question was pending at adjournment, and will be answered to-morrow morning.

Mr. BLANTON. Now, I can not yield further. I can not yield now for any defense.

Mr. LUCE. Will not the gentleman let me ask the question?

Mr. BLANTON. I do not want to yield for any defense.

Mr. LUCE. Do you decline to let me ask the question?

Mr. BLANTON. No. I will answer the gentleman's question. Ask it.

Mr. LUCE. Do you know of your own knowledge that any charge against any guardian in the District of Columbia has ever been filed with the proper officer in the Veterans' Bureau?

Mr. BLANTON. Yes, I do. I practically forced Director Hines to show me the report which this control officer, Doctor Stickney, filed with him about Frederick A. Fenning.

Mr. JOHNSON of Washington. Mr. Speaker, I make the point of order that the gentlemen are addressing each other not in the third person.

Mr. BLANTON. I know about Dr. Henry Ladd Stickney's report of April 26, 1924, which I saw in Director Hines's office and read in his presence. Dr. Henry Ladd Stickney was control officer for the United States Veterans' Bureau, and he was sent to St. Elizabeths Hospital by Director Hines in April, 1924, to investigate it, and to report conditions, and on April 26, 1924, he filed his report with Director Hines, from which I quote the following:

The control officer learned that one Frederick A. Fenning, Esq., an attorney, whose office is in the Evans Building, appears to have certain privileges and concessions shown him in contacting claimants of the bureau at the hospital. At the present time he is guardian for over 100 bureau patients. He constantly opposes the transfer of his wards from St. Elizabeths Hospital to any other hospital outside of this jurisdiction. It has been learned unofficially that Doctor White, superintendent, is very friendly to Mr. Fenning. Question is raised as to the propriety of allowing one attorney in the city to obtain guardianship of so many of the beneficiaries of the bureau.

REPORT WAS AN INDICTMENT AGAINST ST. ELIZABETHS

To show that the balance of Doctor Stickney's report filed with Director Hines was a serious indictment against St. Elizabeths, I quote further from same the following:

The construction capacity of St. Elizabeths Hospital is for 3,300 patients. It has 4,200 patients; 901 of them are United States Veterans' Bureau cases.

Howard Hall group are neither well ventilated nor lighted. The beds are of wooden construction, antiquated, and are without springs. The benches are of an old type and are very uncomfortable. Blacks and whites occupy the same small court during recreation hours.

In one semipermanent ward used for tubercular patients blacks and whites are both hospitalized in the same building and only separated by an imaginary line.

Besides the assistant superintendent, Dr. Arthur B. Noyes, there are 37 doctors on the staff, 1 chief nurse, 5 assistant nurses, and 675 attendants and orderlies.

The cost of rations per diem for the fiscal year ended June 30, 1923, was between 40 and 45 cents. Attendants handled food in the most careless manner, were sloppy in their service, and appeared wholly inefficient. Some patients were not allowed even spoons to

eat with. It is evidently the policy of the superintendent to keep down food cost. There was a doubt in the mind of the control officer whether or not all patients had sufficient amount of food. Lack of green vegetables and fruit, with no milk served except for tea and coffee, with no beverage for dinner, and weak tea for supper, with no butter served, but oleomargarine instead, I was not satisfied that the diet was well balanced, or that a sufficient number of calories were afforded these patients.

Several patients are bathed in the same water. Patients are not properly segregated. Beds are too near together, and too many are congested in the day room. There are an insufficient number of toilets and bathrooms and showers in many of the wards.

AND THEN CAME THE GRAND JURY REPORT

From the grand jury report on the murder of one Green by attendants in St. Elizabeths, I quote the following excerpts:

REPORT OF THE GRAND JURY

WASHINGTON, D. C., October 5, 1925.

In connection with the inquiry into the cause of the death of William Green, a patient of St. Elizabeths Hospital, on the 17th day of July, 1924, the grand jury made an investigation as to the general conditions of life at said institution.

The grand jury visited the hospital in a body and were shown about the grounds and through many of the buildings. As William Green came to his death in Howard Hall, they inspected it with greater care and more closely than they did the other buildings.

There are approximately 4,400 patients and 1,200 attendants in the entire institution, about 1,000 of the patients being veterans of the World War. We found the hospital greatly overcrowded and most deplorable conditions existing as a result of this overcrowding. There are some rooms, intended to accommodate 20 single beds, containing more than 40 beds; there is scarcely enough room to walk between these beds, and consequently there can not be the least privacy for the patients in dressing or undressing.

CONCERNING HOWARD HALL, WHERE GREEN WAS MURDERED

There is an open court in the center of the building, about 100 feet square, called by the inmates the "bull pen." This is the only recreation space available, and here the dangerous as well as the noisy patients mingle with those whose minds are almost normal. This intermingling must be very depressing to the latter class of patients.

After examining conditions in Howard Hall the members of the grand jury could readily believe the statement of the guard, who said: "If a man went in there—Howard Hall—with a perfectly sound mind, he would be hopelessly insane in less than three years. If I were an inmate I would go crazy in less than a year."

As there is no assembly hall in the building, it is but seldom that religious services are held, and accordingly the spiritual well-being of the patients is sadly neglected. There is nothing to break the dead monotony from one end of the week to the other.

Among the witnesses who were summoned and appeared before us, including present patients of the hospital, former inmates, and others well acquainted with the present inmates, many expressed the belief that there are many persons now confined there who are not now and never were insane, but who have been sent there for ulterior motives. Like stories have been in circulation in Washington for a long time; and whether true or false they are unquestionably injuring the hospital in the estimation of the people of this city, and some steps should be taken to clear up the situation.

We suggest that Congress be asked to authorize a commission, the members thereof to be appointed by the President, to act in conjunction with the superintendent and medical staff of the hospital, in carefully investigating the history and mental condition of every questionable case there, to the end that full justice may be done to each. This great institution will then occupy the position it should in the estimation of the people of this city and of the entire country.

Respectfully submitted for the grand jury.

DANIEL A. EDWARDS, Foreman.

Mr. BANKHEAD. I would like to ask the gentleman from Texas a question.

Mr. BLANTON. I yield to the gentleman.

Mr. BANKHEAD. The gentleman is impeaching Mr. Fenning as a civil officer of the Government of the United States.

Mr. BLANTON. That is as far as I can go.

Mr. BANKHEAD. Do all the charges enumerated in your articles of impeachment refer to acts of misdemeanor committed by him since his commission as a Commissioner of the District of Columbia?

Mr. BLANTON. Not all of them; but they are so closely interrelated and connected, and evidence a continuous wrongful system and practice, that under the rules and precedents of the Congress you can go back to the year 1, if you want to, and connect them all up because all the precedents warrant doing that.

Mr. BANKHEAD. What I had in mind is this: I will state to the gentleman that if the Committee on the Judiciary,

for instance, when this resolution is referred to them, should determine there are a great many matters relating to these guardianship affairs, and so forth, that are not germane to his official duties as Commissioner of the District of Columbia of the United States, by transferring this whole proposition to that committee, we might not lose sight of some of the other things that ought to be investigated along other lines.

Mr. BLANTON. The chairman of the committee, the gentleman from Pennsylvania [Mr. GRAHAM] is not going to overlook anything. He is a good lawyer. When he goes into this case it will be carefully considered. If Dr. William A. White were such an officer as could be impeached by Congress, I would also impeach him, for he deserves it, but I believe that the President will promptly remove him.

Mr. McKEOWN. Will the gentleman yield for a question?
Mr. BLANTON. I yield.

Mr. McKEOWN. Do all the judges in the District here allow these fees the gentleman has enumerated?

Mr. BLANTON. Not all of them.

Mr. McKEOWN. Has the gentleman looked into the amount of fees allowed by the different judges?

Mr. BLANTON. Yes; I have, but I do not want to mention that now.

Gentlemen, I want to say that the main thing the Committee on the Judiciary is going to find in their way, the first obstacle, will be a distinguished individual in Washington named Edward F. Colladay. He has bobbed up in front of me in several instances, during my investigations, and he will bob up in front of the committee, as he is Mr. Fenning's main defender.

Mr. FAIRCHILD. Mr. Speaker, I make the point of order that the gentleman from Texas is not speaking to his own resolution.

Mr. BLANTON. This man Colladay is defending Fenning.

Mr. FAIRCHILD. The gentleman is bringing in a third party who is not charged here.

Mr. BLANTON. But he is Mr. Fenning's chief defender before the people of Washington, and I have a right to discuss it.

Mr. FAIRCHILD. I submit the point of order, Mr. Speaker.

The SPEAKER. The gentleman from Texas will proceed in order.

Mr. BLANTON. Does the Chair hold I am not in order?

The SPEAKER. The Chair has been unable to hear the gentleman.

Mr. BLANTON. Whenever I proceed out of order, I want the Chair to stop me.

Mr. GREEN of Florida. Will the gentleman yield?

Mr. BLANTON. I want to tell you about this man Colladay.

Mr. GREEN of Florida. I want to know if Colladay is the man who was indicted years ago in the District for misdemeanors and high crimes.

Mr. BLANTON. He was charged with forgery, and was granted \$500 bail, and was discharged on habeas corpus, but finally, on appeal, was remanded back to jail; but later he got his case nolle prossed.

Mr. FAIRCHILD. Mr. Speaker, I renew the point of order.

Mr. BLANTON. Mr. Colladay is the local national committeeman of the Republican Party here in Washington, and certainly you do not want to shield him.

Mr. FAIRCHILD. Mr. Speaker, I again make the point of order that the gentleman from Texas should limit his remarks to the man against whom he makes the charges.

Mr. BLANTON. I think so myself, and I will not go into that further. I was merely answering a question propounded by the gentleman from Florida.

LAWS APPLICABLE TO THE DISTRICT OF COLUMBIA

Mr. Speaker, section 1 of Chapter I of the Code of Law for the District of Columbia, as amended to June 7, 1924, provides:

The common law, all British statutes in force in Maryland on the 27th day of February, 1801, the principles of equity and admiralty, all general acts of Congress not locally inapplicable in the District of Columbia, and all acts of Congress by their terms applicable to the District of Columbia and to other places under the jurisdiction of the United States, in force at the date of the passage of this act, shall remain in force, except in so far as the same are inconsistent with, or are replaced by, some provision of this code.

BARRATRY

Rawle's Revision of Bouvier's Law Dictionary, on page 222, defines Barratry as follows:

Frequently exciting and stirring up quarrels and suits, either at law or otherwise.

There must be a practice of fomenting suits.

And on page 305 of this same Bouvier's Law Dictionary is defined Champerty as follows:

A bargain with a plaintiff or defendant in a suit, for a portion of the matter sued for, in case of a successful termination of the suit which the champertor undertakes to carry on at his own expense.

And champerty is an offense indictable at common law, so stated on said page 305.

IS A UNITED STATES COURT

In the case of *Benson v. Henkel* (198 U. S. p. 1) the Supreme Court of the United States held that the Supreme Court of the District of Columbia is a "court of the United States."

Now, Mr. Speaker and gentlemen, let me illustrate just how Commissioner Fenning treated some subordinate employees under him:

AFFIDAVIT OF DR. C. J. MURPHY

I, Dr. C. J. Murphy, being duly sworn, upon my oath state: For over four years I have been a member of the board of police and fire surgeons of the District of Columbia; about six months before Commissioner Fenning entered office the board had caused Dr. Floyd McJ. Allen to discontinue services he was rendering at clinics because of his inattention, and we secured Dr. R. L. DeSaussure, a nose and throat specialist, at \$1 per year to attend clinics and do the work Doctor Allen had been doing, with the understanding that pay work should go to him, which amounted to several hundred dollars a year; shortly after Commissioner Fenning went into office our board received notice that all pay work should be sent to Doctor Allen; when some of such pay work continued on to Doctor DeSaussure a second notice came from the District Building to our board that all pay work must go to Doctor Allen; it was common knowledge that Doctor Allen was waiting on a daughter of Commissioner Fenning as her suitor; about February 5, 1926, Doctor Allen advised me that he was going to get appointed on our board, and he asked me if I knew which one of us was to be left out; on February 11, 1926, I was called by Commissioner Fenning to his office, and he advised me that it was necessary to have a nose and throat man on the board; I told him that we had the services already of Doctor DeSaussure at \$1 per year, and that he was costing the police and firemen only about \$300, and it seemed useless to put a \$2,100 man on the board; I knew by his manner that he had called me there to fire me; I said: "You can't ask for my resignation, because I am going to hand it to you first." He said: "Can you have it here by to-morrow morning?" I said yes, and asked him if there was any charges against me, and he said none whatever. I took him my resignation the next morning and found that he had prepared already the appointment of Doctor Allen in my place, and that evening the press reported that I had resigned and that Doctor Allen had been appointed in my place.

C. J. MURPHY, M. D.

Sworn to and subscribed before me on this the 19th day of April, A. D. 1926. Given under my hand and seal of office.

[SEAL.]

JOHN ANDREWS,

Notary Public in and for the District of Columbia.

(My commission expires October 27, 1927.)

AFFIDAVIT OF DR. EDWARD COMSTOCK WILSON

I, Dr. Edward Comstock Wilson, of 1777 Columbia Road, Washington, D. C., being duly sworn, upon my oath state:

I am 46 years old; until removed on March 3, 1926, by Commissioner Frederick A. Fenning, I had been medical inspector of schools for the District of Columbia for about eight years, and not one charge was made against any of my work; on Thursday, February 25, 1926, Commissioner Fenning had me come to his office about 2.30 p. m., and said, "Doctor Wilson, I want you to understand that there is nothing personal in what I am going to say to you. I want your resignation by 10 o'clock to-morrow morning, because I have worked out a plan for reorganization." I said, "Are there any charges against me?" He replied, "No; there are no charges against you." I said, "This is rather sudden; suppose I don't resign?" He said, "Then I would remove you, for I am commissioner and have the power to do it." He said, "You can write me a letter telling me that your outside practice has grown so that you haven't the time to do the school work, and not let it be known that I called you to my office." I said, "That would be a lie, and I won't do it." He said, "Then I will remove you and mark it 'for the good of the service,' as I have the power to do it." I said, "That, too, would not be honest." He then said, "I can cause you a good deal of publicity if I remove you." I said, "Who do you want to put in my place?" He said, "That is personal." I told him that I would not resign, and at the next meeting of the commissioners he had them pass an order removing me, as of date March 3, 1926. I did not then know of the anniversary birthday dinner given Dr. S. S. Adams, July 12, 1923, for his 70th birthday, at which Mr. Frederick A. Fenning and his close friend, Dr. William A. White attended, nor of the speech Doctor White made that night expressing

his gratitude to Doctor Adams for showing sympathy for him in 1906 when Doctor White and Mr. Fenning were then under fire before the congressional investigation, and hence did not know that Commissioner Fenning was removing me to make a place for his 73-year-old friend, Doctor Adams.

In the Times last Saturday Commissioner Fenning intimated that he had in mind two charges made against me in 1920. It was unfair that he did not truthfully explain same. If they had anything to do with it, why did he not remove me in June, 1925, when he became commissioner.

All physicians must register every year by July 30 under the Harrison Narcotic Act. In 1920, being very busy, I forgot to register, and my attention was called to it in August, 1920, and I paid the forfeit required by law for my forgetting to register. Concerning same, Hon. R. A. Haynes, commissioner, wrote me as follows:

"Inasmuch as it was felt that the liability incurred by you was not due to a willful intent on your part to violate the law, it was closed by the acceptance of an offer in compromise under date of March 23, 1921."

And, concerning the other matter mentioned, Commissioner Fenning knows that I was exonerated absolutely by a jury before his own brother-in-law, Coroner J. Ramsey Nevitt, in 1920.

Only because I am asked to relate it, will state that on the night of the Knickerbocker Theater disaster, when 98 people were killed by its roof giving way under an unusual snowfall, I entered the ruins immediately that night, at a little after 9 o'clock, administered to the injured and dying continuously all that night and until 3 o'clock p. m. the next day. Approximately 300 people were injured, and I had to amputate the arm of one man. This was work of mercy, as I did not receive one dollar for any of such work.

EDWARD COMSTOCK WILSON, M. D.

Sworn to and subscribed before me, the undersigned notary, by the said Dr. Edward Comstock Wilson, on this the 15th day of April, A. D. 1926. Given under my hand and seal of office.

[SEAL.]

JOHN ANDREWS,

Notary Public in and for the District of Columbia.

(My commission expires October 27, 1927.)

CONCLUSION

Mr. Speaker and gentlemen of the House, I have about concluded. This man, Frederick A. Fenning, should not be permitted to hold office after this Congress has adjourned. He should be kicked out of office by Congress before we adjourn. These charges I have made against him can be established by overwhelming evidence. Most of same are matters of record.

WILL THE PRESIDENT DO HIS DUTY

The country will expect that the President of the United States will remove Frederick A. Fenning from office immediately, and not put this Congress to the unnecessary expense of investigating, when his own sworn evidence convicts himself.

HIS CRUEL TREATMENT OF SERGEANT LEE STARTED INQUIRY

When he refused to grant me a hearing, after he had so cruelly and unjustly retired Sergeant Lee, that act alone convinced me that he was not the proper kind of an official, and caused me to investigate him. And as my investigation progressed I was simply astounded. I learned that all of the numerous criticisms appearing in the press against him since he first became commissioner were all true and justly made. I had never dreamed that Frederick A. Fenning was the man referred to in the press as mistreating World War veterans. My correspondence with Mr. Fenning shows that I was one of the last to believe the reports against him. But as I proceeded with my investigation, his perfidy unfolded itself.

COMMISSIONER FENNING AND DOCTOR WHITE HAVE JOINT BANK ACCOUNT

I have before me a letter written by one of the assistant treasurers of the Washington Loan & Trust Co., from which I quote the following paragraph:

This note was paid on February 24, 1920, and the proceeds thereof credited to the account of F. A. Fenning and William A. White on the books of this company.

That proves conclusively that they are operating together financially.

I ask unanimous consent, Mr. Speaker, that I may insert in the RECORD a certified statement from the auditor of the Supreme Court of the District of Columbia, signed by him and certified to by him as being correct, embracing the fees that have been paid to Mr. Fenning and audited by the auditor.

Mr. TILSON. Why does not the gentleman refer that to the committee along with the charges?

Mr. BLANTON. I want to put this in the RECORD for the committee's information.

Mr. RANKIN. Mr. Speaker, I hope the gentleman from Connecticut [Mr. TILSON] will not object. We want to get

that information for the Committee on World War Veterans' Legislation, and I fear this is the only way we can do it.

Mr. BLANTON. I want this to go into the RECORD for their information, and the general information of all Members of Congress.

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

There was no objection.

The SPEAKER. The Chair refers the resolution and the charges to the Committee on the Judiciary.

Mr. HOWARD. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. HOWARD. The gentleman from Texas a moment ago stated—I did not hear him very clearly—that he was going to keep some of his talk out of the RECORD. One particular part of it I hope he will not expunge; and if I have any right as a Member to insist on its going into the RECORD, I shall certainly do so.

Mr. BLANTON. I will not expunge anything if the gentleman from Nebraska objects to it. I only offered to do so as a courtesy to the distinguished gentleman from Massachusetts [Mr. LUCE].

REPORT OF AUDITOR OF SUPREME COURT

COMMISSIONS AND ATTORNEY FEES TO FREDERICK A. FENNING, ESQ., AS COMMITTEE OR ATTORNEY IN LUNACY CAUSES PENDING IN THE SUPREME COURT OF THE DISTRICT OF COLUMBIA ON MAY 16, 1925, AS SHOWN BY RECORDS OF HERBERT L. DAVIS, AUDITOR OF THE SUPREME COURT OF THE DISTRICT OF COLUMBIA, SUPPLEMENTED BY CERTAIN DATA OF RECORD IN THE OFFICE OF THE CLERK OF THE SUPREME COURT OF THE DISTRICT OF COLUMBIA

EXPLICATIVE

The following data are based upon copies of auditor's reports in the files of the office of the auditor of the Supreme Court of the District of Columbia, supplemented, in instances where no copies of auditor's reports were found in the files of the auditor, by original reports of the auditor or other data found among the records of the Supreme Court of the District of Columbia.

The rates and amounts of commissions and amounts of attorney fees, as listed herein, have not been ascertained by audit of current date, but are prima facie data.

The dates as listed are the dates of filing of auditor's reports or committee's accounts with the clerk of the Supreme Court of the District of Columbia.

This statement includes only lunacy cases in which reports were filed by Frederick A. Fenning, Esq., as committee or attorney, under the provisions of the sixty-ninth equity rule of the Supreme Court of the District of Columbia, and which were reported upon by the auditor of said court on May 16, 1925.

Additional cases in which Mr. Fenning has been allowed an attorney fee or commission, if any, should appear among the files of the clerk of the Supreme Court of the District of Columbia.

Commissions in excess of 10 per cent appear to be nominal allowances or compensation for extraordinary services.

Lunacy number	Name of ward	Date	Commission		Attorney's fee	Total
			Rate	Amount		
7742	Adler, Adolph.....	July 20, 1920	Per cent	\$162.58	-----	\$1,234.55
		Aug. 11, 1921	7	270.63	-----	
		Aug. 2, 1922	10	214.29	-----	
		July 31, 1923	9+	200.00	-----	
		Aug. 11, 1924	9-	200.00	-----	
		July 24, 1925	10	187.05	-----	
7767	Ahlemeier, Henry J.....	Aug. 9, 1920	10	155.31	-----	1,117.20
		July 19, 1921	10	179.18	-----	
		July 19, 1921	5	39.51	-----	
		July 24, 1922	10	165.09	-----	
		June 23, 1923	10	207.98	-----	
		June 24, 1924	10	183.22	-----	
		July 17, 1925	10	187.00	-----	
		10713	Allan, Walter Garland....	Mar. 3, 1926	10	
7716	Anderson, Emanuel M....	Feb. 13, 1920	10	138.65	-----	965.43
		Jan. 22, 1921	10	148.40	-----	
		Jan. 20, 1922	10	120.80	-----	
		Jan. 18, 1923	10	144.00	-----	
		Jan. 25, 1924	10	138.99	-----	
		Jan. 24, 1925	10	145.45	-----	
		Mar. 10, 1926	10	119.84	-----	

Lu-nacy number	Name of ward	Date	Commission		Attor-ney's fee	Total
			Rate	Amount		
7688	Arrese, Ardrino.....	Aug. 6, 1920	Per cent	\$110.78		
		Aug. 11, 1921	10	92.00		
		Aug. 11, 1921	10	201.85		
		Aug. 4, 1922	10	202.01		
		July 30, 1923	10	218.77		
		Aug. 8, 1924	10	221.92		
		July 24, 1925	9	200.00		
						\$1,247.33
7686	Baker, Wilder P.....	Feb. 14, 1920	10	124.82		
		Mar. 16, 1921	10	132.26		
		Mar. 14, 1923	10	134.45		
		Mar. 21, 1924	10	135.88		
						527.41
7801	Barber, Edgar Wm.....	Aug. 21, 1920	10	140.45		
		Aug. 25, 1921	5	56.76		
		Aug. 25, 1921	10	191.72		
		Aug. 4, 1922	10	209.66		
		July 23, 1923	10	217.87		
		Aug. 16, 1924	10	225.10		
		Aug. 29, 1925	10	207.88		
						1,249.45
8400	Bearley, John A.....	June 17, 1921	8	416.40		
		May 27, 1922	10	216.81		
		June 12, 1923	9+	200.00		
		June 6, 1924	10	229.00		
		May 29, 1925	8½	200.00		
				1,262.21		
7802	Becktell, Logan G.....	Feb. 14, 1920	10	224.39		
		Feb. 3, 1921	10	105.76		
		Jan. 26, 1922	10	138.44		
		Jan. 26, 1922	5	57.50		
		Jan. 26, 1922	5	42.68		
		Feb. 3, 1923	10	179.33		
		Jan. 24, 1924	10	181.35		
		Jan. 28, 1925	10	185.76		
		Mar. 10, 1926	10	138.49		
						1,253.75
7764	Bekart, Frank.....	Aug. 24, 1920	10	141.68		
		Aug. 11, 1921	5	83.38		
		Aug. 11, 1921	10	174.67		
		Aug. 2, 1922	10	211.52		
		July 30, 1923	9+	200.00		
		Aug. 14, 1924	9-	200.00		
		July 24, 1925	9+	200.00		
						1,211.25
7911	Berg, Philip.....	Oct. 25, 1920	10	227.20		
		Oct. 27, 1921	10	202.31		
		Oct. 24, 1922	10	137.10		
		Nov. 7, 1923	10	146.78		
		Dec. 3, 1924	10	144.94		
				858.33		
7644	Bialkowski, Felix.....	Mar. 20, 1920	10	118.63		
		Mar. 15, 1921	10	251.07		
		Mar. 30, 1922	10	174.04		
		Mar. 17, 1923	10	174.18		
		Mar. 14, 1924	10	183.33		
		Mar. 31, 1925	10	189.79		
				1,091.04		
10675	Boone, William.....	Feb. 19, 1926	7+	150.00		150.00
7765	Boston, Okay M.....	June 24, 1920	9	207.69		
		June 29, 1921	10	109.12		
		June 16, 1922	5	44.42		
		June 16, 1922	10	115.87		
		June 23, 1923	10	145.93		
		July 5, 1924	10	150.01		
		July 24, 1925	10	155.08		
						928.12
2198	Bozi, Adam.....	July 10, 1907	10	50.91	\$20.00	
		July 17, 1908	8	29.00		
		June 26, 1909	10	26.44		
		Jan. 12, 1911	10	54.06		
		Jan. 17, 1912	8	28.93		
		June 22, 1913	8	28.55		
		Feb. 12, 1914	10	36.05		
		Feb. 9, 1915	8	28.85		
		Feb. 21, 1916	8	28.88		
		Feb. 16, 1917	8	29.92		
		Feb. 13, 1918	8	28.94		
		Feb. 18, 1919	10	36.06		
		Nov. 13, 1920	10	63.11		
		Dec. 12, 1921	10	37.43		
Jan. 5, 1923	10	37.55				
Nov. 17, 1923	10	40.42				

Lu-nacy number	Name of ward	Date	Commission		Attor-ney's fee	Total
			Rate	Amount		
2198	Bozi, Adam.....	Dec. 30, 1924	Per cent	\$36.99		
		Feb. 19, 1925	10	39.68		
						\$20.00 652.07
7745	Braggs, James.....	Aug. 6, 1920	10	112.04		
		June 23, 1921	5	70.44		
		June 23, 1921	10	142.40		
		June 16, 1922	10	179.57		
		June 23, 1923	10	197.61		
		June 11, 1924	10	192.52		
		Aug. 29, 1925	10	199.17		
						1,093.75
8327	Brintla, John.....	Feb. 26, 1921	10	369.54		
		Feb. 20, 1922	5	52.13		
		Feb. 20, 1922	10	161.07		
		Feb. 21, 1923	10	177.96		
		Feb. 16, 1924	10	182.30		
		Mar. 17, 1925	10	189.83		
		Mar. 4, 1926	10	189.23		
						1,322.06
7872	Bruno, Gunaro.....	Aug. 24, 1920	10	132.08		
		Aug. 25, 1921	5	100.25		
		Aug. 25, 1921	10	152.27		
		Aug. 2, 1922	10	208.37		
		July 30, 1923	10	215.15		
		Aug. 19, 1924	9	205.42		
		Aug. 11, 1925	9+	200.00		
						1,213.54
3682	Byrne, Patrick J.....	Sept. 18, 1911	10	107.96		
		Oct. 1, 1912	24+	5.00		
		Sept. 25, 1913	12+	5.00		
		Sept. 18, 1914	12+	5.00		
		Sept. 2, 1915	18+	5.00		
		Sept. 11, 1916	17+	5.00		
		Sept. 17, 1917	16+	5.00		
		Sept. 4, 1918	19+	5.00		
		Sept. 2, 1919	33+	10.00		
		Sept. 2, 1920	24+	7.50		
		Sept. 2, 1921	24+	6.00		
		Nov. 22, 1922	37+	5.00		
		Nov. 6, 1923	49+	5.00		
		Nov. 19, 1924	37+	5.00		
		Nov. 24, 1925	64+	5.00		
						186.46
10566	Cahill, Joseph P.....	Oct. 2, 1925	10	122.71		122.71
7683	Callahan, Thos. S.....	Oct. 6, 1920	10	70.43		
		Oct. 19, 1921	5	89.89		
		Oct. 19, 1921	10	182.72		
		Sept. 13, 1922	5	62.02		
		Sept. 13, 1922	10	154.69		
		Sept. 19, 1923	10	184.47		
		Oct. 27, 1924	10	189.56		
		Sept. 25, 1925	10	166.51		
						1,102.29
4073	Campbell, Daniel G.....	July 20, 1911	9	95.78		
		July 19, 1912	10+	5.00		
		July 24, 1913	11+	5.00		
		July 8, 1914	11+	5.00		
		July 7, 1915	12+	5.00		
		July 10, 1916	12+	5.00		
		July 3, 1917	11+	6.00		
		July 5, 1918	21+	7.50		
		July 9, 1919	22+	10.00		
		Sept. 2, 1920	15+	7.50		
		Sept. 21, 1921	24+	6.00		
		Sept. 3, 1922	23+	6.00		
		Sept. 10, 1923	23+	6.00		
		Sept. 24, 1924	31+	6.00		
Sept. 9, 1925	36+	6.00				
				181.78		
7782	Caroussos, Nicholas G...	Aug. 31, 1920	10	168.57		
		Aug. 20, 1921	5	105.61		
		Aug. 20, 1921	10	155.45		
		Aug. 2, 1922	10	210.88		
		July 31, 1923	10	205.10		
		Aug. 16, 1924	9	210.49		
Aug. 29, 1925	6-	200.00				
				1,257.10		
7700	Carrera, Modesto.....	Dec. 27, 1919	10	79.43		
		Jan. 11, 1921	10	216.94		
		Jan. 7, 1922	5	56.71		
		Jan. 7, 1922	10	136.56		
		Dec. 20, 1923	10	171.63		

Lu-nacy number	Name of ward	Date	Commission		Attor-ney's fee	Total				
			Rate	Amount						
7803	Freeman, Ned.....	Sept. 10, 1920	Per cent 10	\$117.27		\$1,139.00				
		Aug. 23, 1921		10	114.07					
		Aug. 11, 1922		5	30.58					
		Aug. 11, 1922		5	109.06					
		Aug. 11, 1922		8	122.73					
		Sept. 10, 1923		9	219.91					
		Aug. 22, 1924		10	225.38					
		Aug. 29, 1925		9	200.00					
		5153		Gallen, John.....	Aug. 27, 1914		14+	75.00		762.33
					Aug. 6, 1915		10	48.11		
Sept. 26, 1916	10		60.05							
Sept. 27, 1917	10		53.07							
Sept. 24, 1918	10		48.15							
Sept. 24, 1919	10		48.12							
Oct. 6, 1920	10		59.06							
Oct. 25, 1921	10		72.30							
Oct. 23, 1922	10		72.67							
Nov. 7, 1923	10		79.40							
Dec. 9, 1924	10		80.23							
Nov. 12, 1925	10		56.17							
7905	Gartz, Geo. F.....		Sept. 9, 1920		10	135.70		1,078.07		
		Aug. 20, 1921	5	42.48						
		Aug. 20, 1921	10	153.54						
		Aug. 7, 1922	10	171.96						
		Sept. 10, 1923	10	192.08						
		Aug. 19, 1924	10	185.23						
		Sept. 10, 1925	10	194.08						
		8328	Gaskell, John W.....	Apr. 19, 1921	10	150.41			869.19	
May 10, 1922	5			59.99						
May 10, 1922	10			154.48						
Apr. 27, 1923	8			136.14						
May 8, 1924	10			179.79						
May 14, 1925	10			188.38						
7608	Grabosky, Joe.....	Dec. 27, 1919	10	67.36		1,288.35				
		Dec. 16, 1920	10	149.42						
		Jan. 6, 1922	5	31.57						
		Jan. 6, 1922	10	107.61						
		Jan. 5, 1924	7-	308.17						
		Jan. 5, 1924	9+	200.00						
		Dec. 29, 1924	9	207.87						
		Feb. 19, 1925	9	216.35						
		4743	Grace, David.....	May 24, 1913	8		200.19		353.12	
				May 8, 1914	10		12.11			
May 6, 1915	10			10.85						
May 5, 1916	10			14.51						
May 9, 1917	10			12.63						
May 28, 1918	10			12.93						
May 29, 1919	10			13.60						
May 29, 1920	10			13.13						
June 4, 1921	10			13.62						
May 27, 1922	10			13.47						
May 22, 1923	10			12.45						
June 9, 1924	10			16.00						
May 11, 1925	10			7.63						
6352	Grazer, Chas.....	Apr. 20, 1917	10	112.11		704.86				
		Apr. 30, 1918	10	65.34						
		Apr. 24, 1919	10	66.17						
		May 29, 1920	10	73.36						
		May 9, 1921	10	74.49						
		Apr. 24, 1922	10	74.48						
		Apr. 25, 1923	10	79.41						
		May 3, 1924	10	79.76						
		Apr. 22, 1925	10	79.74						
		8715	Green, Joseph.....	Mar. 3, 1923	10		122.87		474.53	
Feb. 20, 1924	10			120.45						
Mar. 18, 1925	10			120.57						
Mar. 23, 1926	10			110.64						
6756	Greene, Wilbur E.....	Apr. 20, 1918	10	76.73		655.02				
		Apr. 24, 1919	10	86.18						
		May 29, 1920	10	72.00						
		Apr. 11, 1921	10	71.23						
		May 18, 1922	10	83.05						
		May 11, 1923	10	96.26						
		May 17, 1924	10	86.55						
		May 14, 1925	10	83.02						

Lu-nacy number	Name of ward	Date	Commission		Attor-ney's fee	Total			
			Rate	Amount					
4252	Griffin, Patrick.....	Feb. 13, 1913	Per cent 7+	\$65.42		\$36.92			
		Feb. 18, 1914		12+	5.00				
		Feb. 11, 1915		12+	5.00				
		Feb. 2, 1916		12+	5.00				
		Feb. 2, 1917		11+	5.00				
		Feb. 11, 1918		17+	6.00				
		Feb. 5, 1919		22+	7.50				
		Feb. 16, 1920		16+	6.00				
		Jan. 24, 1921		18+	7.00				
		Jan. 16, 1922		15+	5.00				
		Jan. 19, 1923		25+	5.00				
		Jan. 21, 1924		50+	5.00				
		Jan. 21, 1925		31+	5.00				
		Jan. 22, 1926		32+	5.00				
		7659		Hall, Fred C.....	Mar. 4, 1920		10	130.06	
Feb. 18, 1921	10		100.11						
Feb. 13, 1922	10		303.04						
Feb. 13, 1922	5		131.68						
Feb. 21, 1923	10		216.71						
Feb. 20, 1924	10		226.61						
Mar. 26, 1925	10		231.86						
5353	Hermann, Julius.....		Mar. 10, 1915		8	153.08		1,407.87	
			Mar. 22, 1916		9	76.17			
			Mar. 17, 1917		10	88.42			
		Mar. 16, 1918	10	93.25					
		Mar. 29, 1919	10	89.10					
		Mar. 10, 1920	10	97.21					
		Feb. 18, 1921	10	103.39					
		Feb. 11, 1922	10	107.96					
		Feb. 17, 1923	10	121.61					
		Jan. 25, 1924	10	152.13					
		Jan. 28, 1925	10	159.10					
		Mar. 4, 1926	10	166.45					
		3887	Higginson, Jas. A.....	Nov. 10, 1910	8	83.78			167.28
				Mar. 11, 1912	39+	10.00			
Mar. 18, 1913	12+			5.00					
Mar. 17, 1914	16+			5.00					
Mar. 22, 1915	13+			5.00					
Mar. 9, 1916	16+			5.00					
Mar. 2, 1917	13+			5.00					
Mar. 11, 1918	17+			6.00					
Mar. 10, 1919	26+			7.50					
Mar. 17, 1920	32+			6.00					
Apr. 25, 1921	16+			5.00					
Apr. 13, 1922	35+			6.00					
Apr. 27, 1923	19+			6.00					
Apr. 21, 1924	46+			6.00					
May 5, 1925	22+			6.00					
8331	Hill, Leon.....	Apr. 27, 1921	10	287.74		869.27			
		Apr. 25, 1922	5	17.15					
		Apr. 25, 1922	10	84.32					
		Apr. 27, 1923	5	77.50					
		Apr. 27, 1923	10	119.95					
		Apr. 29, 1924	10	143.58					
9735	Hodges, Carl.....	Dec. 13, 1923	6	340.68		440.15			
		Dec. 9, 1924	11+	20.00					
		Jan. 28, 1926	10	79.47					
7747	Howard, Wm. H.....	Sept. 13, 1920	10	158.36		1,226.28			
		Aug. 26, 1921	5	94.13					
		Aug. 26, 1921	10	109.43					
		Aug. 16, 1922	10	203.41					
		Sept. 14, 1923	10	228.35					
		Aug. 22, 1924	10	212.18					
		Aug. 25, 1925	10	230.42					
		3503	Jawrosky, Felix F.....	Mar. 19, 1910	8		172.00		322.76
June 5, 1911	10			9.93					
June 27, 1912	10			9.88					
June 16, 1913	10			9.69					
June 4, 1914	10			9.73					
June 3, 1915	10			10.10					
June 7, 1916	10			10.06					
June 5, 1917	10			10.04					
June 4, 1918	10			10.53					
June 16, 1919	10+			10.00					
June 28, 1920	10			12.80					
July 11, 1921	12+			10.00					
July 24, 1922	12+			10.00					
June 19, 1923	15+			10.00					
July 25, 1924	8+			10.00					
July 20, 1925	16+	8.00							

Lu-nacy number	Name of ward	Date	Commission		Attor-ney's fee	Total	
			Rate	Amount			
7831	Johanson, Gustaf.....	Sept. 13, 1920	10	\$136.38			
		Oct. 31, 1921	5	69.41			
		Oct. 31, 1921	7	149.23			
		Oct. 23, 1922	10	217.18			
		Nov. 7, 1923	10	227.22			
		Dec. 17, 1924	10	230.37			
		Nov. 16, 1925	10	210.58			
					\$1,240.37		
6727	Johnson, James.....	June 5, 1918	10	133.58			
		June 13, 1919	10	93.66			
		Aug. 21, 1920	10	93.75			
		July 15, 1921	10	95.95			
		July 24, 1922	10	97.50			
		June 13, 1923	10	139.20			
		May 23, 1924	10	146.95			
		May 23, 1925	10	164.08			
							964.67
		8256	Jones, Henry.....	Mar. 12, 1921	10	300.77	
Feb. 20, 1922	5			111.98			
Feb. 20, 1922	10			123.59			
Feb. 21, 1923	10			182.47			
Feb. 16, 1924	10			170.23			
Mar. 26, 1925	10			223.37			
							1,112.41
5084	Joyce, William.....	Dec. 22, 1913	10	116.25			
		Dec. 11, 1914	8	68.96			
		Dec. 20, 1915	8	69.87			
		Dec. 19, 1916	10	90.33			
		Dec. 15, 1917	10	92.02			
		Dec. 10, 1918	10	94.92			
		Dec. 27, 1919	10	98.68			
		Dec. 17, 1920	10	104.10			
		Jan. 6, 1922	10	101.93			
		Dec. 22, 1922	10	113.41			
		Jan. 5, 1924	10	141.47			
		Dec. 24, 1924	10	156.65			
		Feb. 10, 1926	10	139.40			
							1,367.99
8057	Kass, Isadore J.....	Dec. 31, 1920	10	141.88			
		Jan. 7, 1922	10	98.31			
		Jan. 5, 1923	5	42.11			
		Jan. 5, 1923	5	15.65			
		Jan. 5, 1923	10	118.30			
		Jan. 25, 1924	10	14.30			
		Dec. 17, 1924	7	276.79			
		Feb. 19, 1926	10	217.93			
							925.27
7950	Kelly, Neil I.....	Jan. 20, 1921	10	150.93			
		Feb. 2, 1922	5	46.54			
		Feb. 2, 1922	10	126.57			
		Jan. 18, 1923	10	172.19			
		Jan. 21, 1924	10	170.14			
		Jan. 30, 1925	10	181.04			
		Feb. 24, 1926	10	127.27			
					974.68		
3694	Kennedy, Wm. John.....	Apr. 28, 1911	10	109.40			
		May 27, 1912	12+	5.00			
		May 16, 1913	12+	5.00			
		May 11, 1914	10+	5.00			
		May 12, 1915	20+	5.00			
		May 5, 1916	15+	5.00			
		May 11, 1917	18+	6.00			
		May 14, 1918	22+	7.50			
		May 12, 1919	21+	7.50			
		May 27, 1920	30+	6.00			
		June 1, 1921	28+	6.00			
		May 22, 1922	25+	6.00			
		Apr. 23, 1923	26+	6.00			
		Apr. 21, 1924	25+	6.00			
		May 5, 1925	37+	6.00			
					191.40		
6309	Kennon, Genevieve G....	May 21, 1923	10	51.88			
		May 20, 1924	9-	300.00			
		May 29, 1925	10	122.33			
					474.21		
8312	Knight, Frank (or Fran-cis)	Apr. 28, 1921	10	168.40			
		Apr. 18, 1922	17+	7.50			
		Apr. 27, 1923	15+	7.50			
		Apr. 23, 1924	8+	7.50			
		May 5, 1925	10+	7.50			
					198.40		
2399	Koslick, Frank.....	Dec. 21, 1907	10	305.43			
		Dec. 30, 1908	8	63.26			
		Dec. 18, 1909	9	77.82			
		Jan. 4, 1911	9	90.44			
		Jan. 6, 1912	9	94.54			
		Jan. 10, 1913	9	98.74			

Lu-nacy number	Name of ward	Date	Commission		Attor-ney's fee	Total		
			Rate	Amount				
2399	Koslick, Frank.....	Jan. 21, 1914	9	\$103.41				
		Jan. 18, 1915	9	102.94				
		Jan. 21, 1916	9	107.69				
		Jan. 18, 1917	10	125.79				
		Jan. 26, 1918	10	126.49				
		Jan. 20, 1919	10	130.68				
		Jan. 31, 1920	10	136.94				
		Jan. 11, 1921	10	139.40				
		Jan. 11, 1922	10	150.37				
		Jan. 5, 1923	10	144.64				
		Jan. 21, 1924	10	113.62				
		Dec. 30, 1924	10	185.89				
		Feb. 19, 1925	10	158.94				
							\$2,448.03	
		3468	Krebs, John.....	Nov. 24, 1909	10	101.37		
				Nov. 26, 1910	8	68.06		
				Nov. 8, 1911	8	69.81		
Nov. 14, 1912	8			72.83				
Nov. 8, 1913	8			74.53				
Nov. 10, 1914	8			75.40				
Nov. 22, 1915	9			90.46				
Nov. 27, 1916	10			103.73				
Nov. 15, 1917	10			107.32				
Nov. 15, 1918	10			110.41				
Nov. 11, 1919	10			107.14				
Nov. 19, 1920	10			120.49				
Nov. 17, 1921	10			133.52				
Dec. 6, 1922	10			132.38				
Nov. 16, 1923	10			150.43				
Dec. 9, 1924	10			154.23				
Nov. 25, 1925	10			160.76				
					1,832.87			
7851	Kucis, Anton.....	July 27, 1920	10	144.79				
		Aug. 11, 1921	5	44.63				
			10	164.59				
		Aug. 15, 1922	10	167.21				
		Sept. 12, 1923	10	186.52				
		Aug. 18, 1924	10	181.22				
		Sept. 10, 1925	10	191.04				
							1,080.00	
		7666	Kuhn, Anna T.....	Oct. 12, 1923	6+	300.00		
Sept. 30, 1924	13+			7.00				
Sept. 28, 1925	13+			7.00				
					314.00			
8780	Lee, Roley.....	Mar. 7, 1922	5	134.95				
			10	188.00				
		Feb. 23, 1923	10	204.22				
		Feb. 14, 1924	10	204.25				
Mar. 17, 1925	10	210.81						
					942.23			
4281	Lindell, Oscar.....	Feb. 17, 1913	8	86.51				
		Feb. 18, 1914	11+	5.00				
		Feb. 11, 1915	10	6.80				
		Feb. 2, 1916	10	6.59				
		Feb. 2, 1917	10	5.41				
		Feb. 7, 1918	12+	6.00				
		Feb. 10, 1919	16+	7.50				
		Feb. 25, 1920	15+	7.50				
		Feb. 1, 1921	12+	7.50				
		Feb. 3, 1922	13+	6.50				
		Jan. 22, 1923	12+	7.00				
		Jan. 21, 1924	9+	6.00				
		Jan. 21, 1925	22+	6.00				
Jan. 22, 1926	12+	6.00						
					170.31			
4345	Maiss, Julius.....	Mar. 8, 1912	8	124.91				
		Mar. 14, 1913	10	5.31				
		Mar. 18, 1914	8+	290.43				
		Mar. 8, 1915	10	23.14				
		Mar. 25, 1916	10	26.66				
		Mar. 19, 1917	10	28.08				
		Mar. 13, 1918	10	29.73				
		Apr. 24, 1919	10	37.58				
		June 21, 1920	10	34.81				
		Aug. 20, 1921	10	34.50				
		Aug. 11, 1922	10	31.88				
		July 3, 1923	10	34.95				
		June 9, 1924	10	33.80				
		June 8, 1925	10	30.24				
					765.52			
7811	McCarty, Francis X.....	July 21, 1920	10	114.94				
		July 19, 1921	10	149.69				
		July 1, 1922	5	100.63				
		July 1, 1922	8	160.61				
		June 25, 1923	9	200.00				
		June 9, 1924	10	208.24				
		May 29, 1925	9	215.73				
					1,149.84			

Lu-nacy number	Name of ward	Date	Commission		Attor-ney's fee	Total			
			Rate	Amount					
8021	McGuire, Edw. V.....	Nov. 19, 1920	10	\$160.01		\$1,114.33			
		Dec. 2, 1921	5	39.90					
		Dec. 2, 1921	10	179.59					
		Dec. 6, 1923	10	173.65					
		Nov. 14, 1923	10	182.01					
		Nov. 24, 1924	10	181.18					
		Jan. 14, 1926	10	197.99					
10593	McNeff, James.....	Jan. 14, 1926	7-	250.00		250.00			
4366	McNeil, Wm. J.....	Jan. 20, 1913	17	82.03		156.75			
		Feb. 3, 1914	10	5.00					
		Feb. 10, 1915	10	5.00					
		Feb. 15, 1916	10	5.00					
		Feb. 12, 1917	10	5.22					
		Feb. 8, 1918	2+	6.00					
		Feb. 6, 1919	15+	7.50					
		Feb. 25, 1920	13+	7.50					
		Mar. 16, 1921	13+	7.50					
		Mar. 22, 1922	15+	7.00					
		Mar. 15, 1923	16+	7.00					
		Mar. 6, 1924	27-	6.00					
		Mar. 12, 1925	23+	6.00					
		7883	Mercado, Casinro.....	Sept. 21, 1920	10		133.55		1,028.72
				Oct. 5, 1921	5		109.83		
Oct. 5, 1921	10			99.66					
Sept. 15, 1922	10			161.05					
Oct. 7, 1923	10			171.84					
Oct. 17, 1924	10			174.71					
Oct. 7, 1925	10			178.08					
7832	Mientus, Stanley.....			July 23, 1920	10	174.90		978.21	
		July 19, 1921	10	162.48					
		July 17, 1922	10	131.39					
		June 25, 1923	10	145.38					
		June 11, 1924	10	193.96					
		July 24, 1925	10	215.10					
		7809	Milewski, Joe.....	July 21, 1920	9	194.87			1,142.14
July 19, 1921	5			54.52					
July 19, 1921	10			173.14					
July 6, 1922	10			166.22					
June 27, 1923	10			194.15					
June 24, 1924	10			180.09					
July 24, 1925	10			179.15					
7298	Motley, Wilfred R.....	Sept. 24, 1919	10	59.59		1,203.20			
		Oct. 6, 1920	8	244.79					
		Oct. 20, 1921	10	163.47					
		Sept. 29, 1922	10	182.74					
		Oct. 12, 1923	10	174.24					
		Oct. 17, 1924	10	184.87					
		Oct. 3, 1925	10	193.50					
4711	Mutschal, Gus.....	Aug. 16, 1917	10	153.96		407.02			
		Aug. 26, 1919	8	160.73					
		Dec. 14, 1920	10	16.60					
		Jan. 10, 1922	10	22.55					
		Jan. 14, 1924	10	17.00					
		Dec. 17, 1924	10	17.47					
		Feb. 19, 1926	10	18.71					
		8402	Navarros, Santiago.....	June 3, 1921	10		195.62		739.95
May 27, 1922	10			119.73					
June 23, 1923	10			135.19					
June 6, 1924	10			143.82					
June 30, 1925	10			145.59					
7805	Nicholetto, Castenzo.....	Sept. 21, 1920	10	218.98		1,295.54			
		Oct. 20, 1921	7+	289.42					
		Sept. 29, 1922	8	172.30					
		Oct. 12, 1923	9	200.99					
		Oct. 23, 1924	9	213.85					
		Oct. 7, 1925	8+	200.00					
4207	O'Brien, John.....	Feb. 8, 1913	7	76.19		937.16			
		Feb. 10, 1914	10+	5.00					
		Feb. 17, 1915	10+	5.00					
		Feb. 9, 1916	11+	5.00					
		Feb. 2, 1917	10+	5.00					
		Feb. 8, 1918	13+	6.00					
		Feb. 6, 1919	15+	7.50					

Lu-nacy number	Name of ward	Date	Commission		Attor-ney's fee	Total
			Rate	Amount		
4207	O'Brien, John.....	Feb. 25, 1920	19+	\$7.50		\$145.19
		Mar. 18, 1921	14+	5.00		
		Mar. 10, 1922	18+	6.00		
		Mar. 16, 1923	21+	6.00		
		Mar. 6, 1924	28+	6.00		
		Mar. 17, 1925	17+	5.00		
7759	Pach, Frank.....	Sept. 17, 1920	8	188.38		1,121.30
		Oct. 19, 1921	10	115.12		
		Sept. 29, 1922	10	109.37		
		Oct. 4, 1923	5+	300.00		
		Oct. 31, 1924	9	208.43		
		Oct. 10, 1925	8+	200.00		
7812	Perko, Frank.....	July 20, 1920	10	148.30		1,138.36
		June 10, 1921	10	91.57		
		June 9, 1922	5	132.05		
		June 9, 1922	8	146.03		
		May 26, 1923	10	217.28		
		June 19, 1924	9	203.13		
		June 20, 1925	9-	200.00		
		7874	Petrovitch, Stephen.....	Oct. 6, 1920	10	
Oct. 29, 1921	10			194.76		
Nov. 1, 1922	5			41.25		
Nov. 1, 1922	10			207.54		
Nov. 14, 1923	10			174.97		
Nov. 14, 1924	10			140.30		
Oct. 29, 1925	10			31.62		
7787	Pierca, Leighton B.....			July 27, 1920	10	163.94
		June 30, 1921	5	99.28		
		June 30, 1921	10	158.94		
		June 14, 1922	10	201.33		
		June 14, 1923	10	207.31		
		June 9, 1924	9+	200.00		
		June 23, 1925	9+	200.00		
		8412	Powers, Thomas F.....	Nov. 11, 1925	5+	250.00
7957	Puesley, George.....	Oct. 6, 1920	10	119.21		1,236.53
		Oct. 31, 1921	5	94.20		
		Oct. 31, 1921	8	156.03		
		Oct. 23, 1922	10	253.95		
		Nov. 14, 1923	9+	200.00		
		Nov. 13, 1924	9	232.69		
		Nov. 12, 1925	10	180.45		
		9973	Randall, William.....	June 24, 1924	5	
June 24, 1924	10			76.72		
June 8, 1925	10			86.44		
7685	Richardson, Arthur T....	May 6, 1920	10	133.98		1,164.01
		May 17, 1921	10	101.41		
		Apr. 24, 1922	5	143.30		
		Apr. 24, 1922	10	164.58		
		Apr. 26, 1923	5	44.00		
		Apr. 26, 1923	8	172.46		
		May 17, 1924	9	204.28		
		May 14, 1925	8+	200.00		
5810	Robertson, Daniel B.....	Feb. 4, 1916	10	66.78		651.15
		Feb. 10, 1917	10	57.50		
		Feb. 20, 1918	10	54.69		
		Feb. 18, 1919	10	54.77		
		Apr. 9, 1920	10	63.47		
		May 5, 1921	8	50.70		
		May 10, 1922	10	62.56		
		Apr. 26, 1923	10	77.18		
May 20, 1924	10	81.35				
May 16, 1925	10	82.15				
7718	Rocco, Femis.....	Jan. 1, 1920	10	209.73		937.16
		June 11, 1921	10	168.61		
		May 18, 1922	10	137.02		
		June 12, 1923	10	140.05		
		May 21, 1924	10	147.42		
		June 20, 1925	10	134.33		

Lu-nacy number	Name of ward	Date	Commission		Attor-ney's fee	Total	Lu-nacy number	Name of ward	Date	Commission		Attor-ney's fee	Total	
			Rate	Amount						Rate	Amount			
7958	Rose, John H.	Oct. 6, 1920	8	\$249.66		\$1,187.97	7744	Stehman, Cameron	Dec. 2, 1921	4+	\$164.48	\$1,009.22		
		Oct. 5, 1921	10	169.06	Jan. 30, 1923				5	122.55				
		Sept. 29, 1922	10	173.61	Jan. 30, 1924				5	122.19				
		Oct. 12, 1923	10	182.33	May 16, 1925				4+	600.00				
		Oct. 31, 1924	10	187.89										
		Oct. 10, 1925	10	195.42										
8464	Rutledge, Patrick	Aug. 25, 1921	9	201.21		954.36	3545	Stone, William C.	Sept. 13, 1909	4	39.90	\$150.00		
		Aug. 12, 1922	10	155.13	Aug. 25, 1910				5	90.16				
		Sept. 26, 1923	10	167.44	Aug. 25, 1911				4	72.77				
		Aug. 22, 1924	10	162.64	Aug. 20, 1912				4½	52.39				
		Sept. 10, 1925	10	167.94	Aug. 22, 1913				7	140.91				
					Aug. 8, 1914				7	120.63				
			Aug. 6, 1915	10	142.75									
			Aug. 22, 1916	10	135.78									
			Aug. 14, 1917	10	181.08									
			Aug. 13, 1918	10	181.17									
			Aug. 11, 1919	10	198.57									
			Sept. 9, 1920	10	200.56									
			Aug. 30, 1921	10	217.11									
			Sept. 13, 1922	10	218.87									
			Sept. 15, 1923	10	230.58									
			Aug. 19, 1924	10	233.62									
			Sept. 14, 1925	8	213.18									
					2,570.03	150.00	2,820.03							
7933	Selecman, Jos. S.	Sept. 21, 1920	9	204.02		812.06	1591	Straub, Charles	June 6, 1905	7	346.26	2,151.52		
		Oct. 5, 1921	10	131.56	July 19, 1906				9	49.88				
		Oct. 9, 1922	10	127.41	July 22, 1907				9	53.70				
		Oct. 16, 1923	10	134.60	1908				9	56.50				
		Oct. 17, 1924	10	70.45	July 16, 1909				9	69.63				
		Oct. 23, 1925	10	144.02	Aug. 22, 1910				10	83.03				
			Aug. 11, 1911	9	72.90									
			Aug. 8, 1912	9+	73.74									
			Aug. 23, 1913	10	87.85									
			Aug. 10, 1914	10	86.42									
			Aug. 6, 1915	10	92.53									
			Aug. 22, 1916	10	93.33									
			Aug. 14, 1917	10	92.60									
			Aug. 13, 1918	10	98.36									
			Aug. 26, 1919	10	99.20									
			Sept. 10, 1920	10	113.69									
			Oct. 19, 1921	10	118.35									
			Sept. 13, 1922	10	115.04									
			Sept. 15, 1923	10	115.90									
			Aug. 22, 1924	10	117.68									
			Aug. 25, 1925	10	114.93									
							2,151.52							
10289	Shea, Wm. Patrick	Mar. 31, 1925	10	121.74		121.74								
1155	Sinnott, James A.	May 23, 1904	8+	100.00		1,142.66	8332	Sutton, William	June 7, 1921	10	178.76	1,032.70		
		Feb. 8, 1906	10	95.11	May 25, 1922				5	100.33				
		Jan. 29, 1907	8	56.51	May 25, 1922				10	153.61				
		Jan. 24, 1908	8	49.84	May 26, 1923				9+	200.00				
		Feb. 18, 1909	8	48.45	June 6, 1924				9-	200.00				
		Mar. 22, 1911	8	96.13	June 20, 1925				10-	200.00				
		Mar. 22, 1912	6	45.05										
		Mar. 26, 1913	5	30.02										
		Apr. 6, 1914	5	30.07										
		Apr. 13, 1915	6	36.11										
		Apr. 29, 1916	7	42.17										
		Apr. 20, 1917	8	48.14										
		May 7, 1918	8	48.33										
		May 29, 1919	10	60.47										
		Aug. 9, 1920	10	75.56										
		July 9, 1921	10	60.00										
		July 24, 1922	10	60.06										
Sept. 19, 1923	10	60.24												
Aug. 18, 1924	7+	25.00												
Sept. 25, 1925	10	75.40												
7633	Smith, Rodney M.	Jan. 22, 1920	10	106.28			7748	Taylor, French	Aug. 27, 1920	10	138.10			
		Jan. 24, 1921	10	320.15					Aug. 25, 1921	5	99.98			
		Feb. 2, 1922	10	219.21					Aug. 25, 1921	10	147.28			
		Jan. 13, 1923	10	221.86					Aug. 7, 1922	10	202.47			
		Jan. 25, 1924	9+	200.00					Sept. 19, 1923	9	204.15			
		Jan. 28, 1925	10	207.91		1,275.41			Dec. 15, 1924	10	218.07			
									Aug. 29, 1925	9-	200.00			
												1,210.05		
7723	Smith, Charles F.	Oct. 6, 1920	10	146.05			7959	Thomas, Sidor	Oct. 28, 1920	8	250.01			
		Oct. 25, 1921	10	177.51					Oct. 25, 1921	10	172.02			
		Oct. 23, 1922	5	66.17					Oct. 23, 1922	10	178.98			
		Oct. 23, 1922	10	132.28					Nov. 9, 1923	10	187.98			
		Nov. 9, 1923	10	187.74					Nov. 13, 1924	10	88.27			
		Nov. 13, 1924	10	178.24					Nov. 12, 1925	(*)	100.00			
		Oct. 28, 1925	10	164.12		1,062.11						977.26		
8919	Smith, Evelina P.	May 15, 1922	7	120.21			5225	Thompson, John W.	Oct. 10, 1914	12+	75.00			
		May 11, 1923	9-	150.00					Oct. 22, 1915	10	63.71			
		June 9, 1924	10	173.97					Oct. 21, 1916	10	64.45			
		June 20, 1925	10	162.14					Oct. 25, 1917	10	65.11			
		Jan. 26, 1926	8+	75.00					Oct. 15, 1918	10	66.34			
		Jan. 26, 1926	5	150.00		831.32			Oct. 14, 1919	10	66.96			
									Oct. 28, 1920	10	75.60			
									Oct. 27, 1921	10	74.16			
									Nov. 1, 1922	10	76.05			
									Nov. 17, 1923	10	84.21			
									Nov. 14, 1924	10	86.55			
									Nov. 12, 1925	10	84.14			
												882.28		
9573	Starkes, Thomas Nelson	Nov. 9, 1923	10	145.75			8101	Vazquez, Genaro	Dec. 16, 1920	10	178.73			
		Nov. 4, 1924	10	121.79					Dec. 2, 1921	10	143.09			
		Oct. 29, 1925	10	121.79		389.33			Dec. 15, 1922	5	53.37			
									Dec. 15, 1922	10	162.80			
									Nov. 17, 1923	10	177.41			
8030	Steele, Hugh A.	Nov. 24, 1920	10	161.66										
		Dec. 1, 1921	5	76.98										
		Dec. 1, 1921	10	140.67										
		Dec. 15, 1922	10	204.81										
		Nov. 17, 1923	10	214.22										
		Nov. 24, 1924	10	220.96										
		Jan. 28, 1926	10	215.80		1,235.10								

* Rate and amount of commission for 1909, 1910, 1911, and 1912 represents one-half, as records show cocommittee during said years.
 * No net assets for basis.

Lu-nacy number	Name of ward	Date	Commission		Attor-ney's fee	Total
			Rate	Amount		
8101	Vazquez, Genaro.....	Dec. 15, 1924	10	\$180.36		\$1,082.69
		Jan. 28, 1926	10	186.93		
4164	Watkins, Lee G.....	Nov. 10, 1911	8	232.80		531.09
		Nov. 23, 1912	8	51.86		
		Nov. 10, 1913	10	16.32		
		Nov. 10, 1914	13+	17.74		
		Nov. 26, 1915	8	18.47		
		Nov. 24, 1916	10	22.67		
		Nov. 7, 1917	10	10.74		
		Nov. 15, 1918	10	21.00		
		Nov. 11, 1919	10+	17.13		
		Nov. 24, 1920	10	21.39		
		Nov. 17, 1921	10	20.86		
		Dec. 20, 1922	10	20.09		
		Dec. 5, 1923	10	19.39		
		Dec. 9, 1924	10	20.29		
Jan. 24, 1926	10	20.34				
3376	Weaver, Lewis.....	Sept. 7, 1909	8	167.78		913.84
		Aug. 22, 1910	10	40.81		
		Aug. 25, 1911	10	47.75		
		Aug. 8, 1912	10	41.03		
		Aug. 23, 1913	10	47.43		
		Aug. 10, 1914	10	44.68		
		Aug. 16, 1915	10	46.75		
		Aug. 3, 1916	10	48.52		
		Aug. 14, 1917	10	46.72		
		Aug. 13, 1918	12+	60.00		
		Sept. 10, 1919	10	48.56		
		Aug. 28, 1920	10	48.46		
		Aug. 30, 1921	10	48.47		
		Sept. 13, 1922	10	48.96		
		Sept. 15, 1923	10	48.69		
Oct. 14, 1924	10	43.31				
Oct. 7, 1925	10	35.92				
7806	Williams, Henry.....	Sept. 13, 1920	10	128.07		881.62
		Aug. 20, 1921	10	198.61		
		Aug. 1, 1922	10	132.25		
		Sept. 14, 1923	10	149.38		
		Oct. 31, 1924	10	155.52		
		Oct. 10, 1925	10	117.79		
8575	Winbush, Hayne.....	Oct. 20, 1921	5	64.09		1,119.94
		Oct. 20, 1921	10	215.21		
		Oct. 4, 1922	10	199.10		
		Oct. 12, 1923	9+	200.00		
		Oct. 31, 1924	10	211.34		
		Oct. 7, 1925	10	230.20		
8266	Wright, Richard.....	Apr. 23, 1921	5	259.55		760.04
		Mar. 27, 1922	8	127.23		
		Mar. 6, 1923	10	174.45		
		Feb. 16, 1924	10	137.58		
		Mar. 18, 1925	10	61.23		
Total.....						109,070.25

HERBERT L. DAVIS,
Auditor Supreme Court, District of Columbia.

MARCH 29, 1926.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL

Mr. CAMPBELL 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. 7455. An act to legalize the submarine cable laid in the St. Louis River at the Spirit Lake Transfer Railway drawbridge, between New Duluth, Minn., and Oliver, Wis., and used for the lighting of the village of Oliver Wis.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, one of its clerks, announced that the Senate had agreed to the report of the Committee of Conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 9341) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1927, and for other purposes, and that the Senate had agreed to the amendment of the House of Representatives to the amendment of the Senate numbered 5 to said bill.

The message also announced that the Senate had passed without amendment H. Con. Res. 22:

Resolved by the House of Representatives (the Senate concurring), That there be, and is hereby created, a joint committee consisting of 10 members, 5 of whom shall be appointed by the Presiding Officer of the Senate and 5 by the Speaker of the House to attend said celebration for the purpose of representing the Congress of the United States.

The message also announced that the Senate had passed the following resolution:

Senate Concurrent Resolution 14

Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives be, and he is hereby, authorized and directed, in the enrollment of the bill (H. R. 8132) granting pensions and increase of pensions to certain soldiers and sailors of the war with Spain, the Philippine insurrection, or the China relief expedition, to certain maimed soldiers, to certain widows, minor children, and helpless children of such soldiers and sailors, and for other purposes, to incorporate therein the following amendment, viz:

On page 2, line 6 of the Senate engrossed amendment, after the word "Provided" and the comma, insert the following: "That any such person whose name was upon the pension roll on the 5th day of April, 1917, and who served 90 days or more in the military or naval service of the United States during the World War and was honorably discharged therefrom, shall upon making proof of such fact, be replaced upon the pension roll and be entitled to receive all the benefits of this act: *Provided further,*"

On page 5, line 9 of said amendment, after the word "roll," insert the following: ", or whose name was upon the pension roll on the 5th day of April, 1917,"

On page 6, line 1 of said amendment, after the word "law" and the comma, insert the following: "or whose names were on the pension roll on the 5th day of April, 1917,"

On page 6, line 5 of said amendment, after the word "roll" and the comma, insert the following: "or whose names are not entitled to be replaced on the pension roll under the provisions of this act,"

BATTLE OF COWPENS

Mr. McSWAIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Battle of Cowpens.

The SPEAKER. The gentleman from South Carolina asks unanimous consent to extend his remarks in the RECORD on the Battle of Cowpens. Is there objection?

There was no objection.

Mr. McSWAIN. Mr. Speaker, on this one hundred and fifty-first anniversary of the Battle of Lexington against British regulars, by "those embattled farmers whose shot was heard round the world," it seems fitting to recall that most signal and brilliant victory by American militiamen against trained and seasoned imperial campaigners.

I have sought to show, and believe that history will sustain the claim, that but for the victory at Cowpens there would have been no glorious Yorktown. If Morgan's forces had been crushed and scattered, Cornwallis, with the aid of Tarleton's force, would probably have overwhelmed and destroyed Greene's army at Guilford Court House. With this accomplished, Cornwallis would have gained sufficient strength and confidence, and the patriot organizations would have been proportionately weakened and demoralized as to enable the British to keep the field and his refuge to the "bottle neck" at Yorktown would not have been taken. So we may justly and fairly claim that Cowpens is a companion victory with Kings Mountain, only 30 miles distant, and having taken place just 100 days prior thereto. So we can fairly assert that Cowpens and Kings Mountain deserve to rank with Bennington and Saratoga, with Bunker Hill, Brandywine, and Princeton. Already at a cost of \$65,000, a monument has been erected by appropriation of Congress on the Kings Mountain battle field, but not a single cent has ever been spent by any government on the Cowpens battle ground. Yet Cowpens battle ground is so situated with reference to railroads, highways, and concentrated populations as to render the improvement and development of same by the expenditure of \$25,000, a great object lesson in patriotism to tens of thousands annually.

HISTORIC SIGNIFICANCE OF BATTLE OF COWPENS

In order fully to grasp the far-reaching historical significance of the victory at Cowpens we must make a broad review of the situation in America generally. We will find that there had been no conspicuous victory since Burgoyne's surrender at Saratoga. We will find that New York and Newport seemed to be firmly held by the British. We will find that the populations in the smaller towns and in the country of the New England and the Middle Atlantic States were generally Whigs, and therefore strictly in sympathy with the cause of American in-

dependence, and perhaps the British had well-nigh despaired of ever reestablishing complete authority in that section of the country. However, there is ground for the belief that the English Government under Lord North concluded that if they could keep Washington and his resolute army busy watching the British forces penned up in New York and Newport they might send other forces to subjugate completely Georgia, the Carolinas, and Virginia. Thus there was a prospect that at least a portion of the colonies might be saved to the crown and be exceedingly useful as a counterpoise to such of the colonies as might win their independence.

Accordingly the British authorities set about to subjugate these Southern States. In turn the Continental Congress and the various States resolved that America would fight as a whole and win her independence as a whole. Consequently, efforts were made to raise the strongest possible army to resist the British in the South.

But the success of the British and the corresponding failure of the Americans was most disheartening and well-nigh fatal but for the events up to which we are leading. It will be recalled that there was a combined French and American attack upon the British entrenched in Savannah, and this ended in a most disastrous defeat on October 9, 1779, when the gallant Count Pulaski with more than 1,000 other French and American soldiers gave up their lives.

The next move of the British was to capture Charleston, S. C., the principal city of the South at that time. No effort was spared either in the strength of the forces organized or in the desperate and cruel mode of warfare resorted to to terrorize the people of South Carolina, and especially to hold before their terrified minds the prospect of inciting the slaves to a general insurrection against their masters. John Fiske, in his history of the American Revolution, on page 165, Volume II, says of the resolute and determined spirit of the people of South Carolina to resist the powerful efforts of the British, that—

The fit ground for wonder is that, in spite of such adverse circumstances, the State of South Carolina should have shown as much elastic strength as she did under the severest military stress which any American State was called upon to withstand during the Revolutionary War.

Neither space nor time permits us here to record the terrible sufferings of the people of South Carolina during the campaign of 1780. The cruel and implacable General Prevost hesitated at no device of cruelty or barbarity to terrorize the population and to disorganize opposition. He had with him a corps of Indians that were expected to display the severest of barbarities and they did not disappoint him. At this time the famous Col. Banastre Tarleton first appears in the annals of the war for independence and immediately established that reputation which followed him throughout his career on American soil as an officer of ability, mingled with a wantonness and cruelty seldom equaled.

A large British army now advanced overland from Savannah, Ga., toward Charleston, S. C., and General Lincoln, in command of the American Army, consisting of about 7,000 troops, retired within the works about Charleston in the hope of being able to defend it. But resistance was in vain. After withstanding a long siege the entire army was compelled to surrender on May 12, 1780, and the city of Charleston fell into the hands of the British. The loss of the entire army, with the most prominent and important city in the South, well-nigh crushed the hopes of all patriotic Americans everywhere. It was the greatest blow that the cause of independence had received since the surrender of Fort Mifflin. But it was not the only misfortune that was to fall upon American arms.

The British now sent out from Charleston forces in several directions to take possession of important inland points, such as Ninety-Six toward the west, and Camden, Winnsboro, and Cheraw toward the north. The Americans were still determined to defend their country, and, after the capture of Lincoln and his army in Charleston, General Gates, the hero of Saratoga, was put in command of the armies in the South, and he advanced southward through Virginia and North Carolina, gathering troops as he went. At this time Horace Walpole, in the British House of Commons, believing his statement to be true, said:

We look on America as at our feet.

The English Government thought that all resistance must now cease. But they did not understand the American spirit nor the resolute purpose back of American action. Now, again, the farmers left their fields and families, the workmen left their shops, and all classes rallied once more around the standard for independence. In the meantime an internecine warfare was

going on all over South Carolina. Many weak and irresolute persons, believing that the British authority would finally be restored, now deserted the cause of the colonists and joined the Tories, and it was neighbor against neighbor, and sometimes brother against brother, and no man's life nor home was safe. Negroes and Indians were called into this strife.

Families retired at night to be awakened before daylight by the crackling of the fires consuming their homes and barns. Their horses were stolen and carried away and their cattle and hogs driven into the camps of the enemy. Indeed, it took a stout heart to withstand the temptation to align one's self with what seemed to be the all-powerful victorious British cause.

But another sad disappointment was to afflict the patriots. Lord Rawdon, with about 2,000 British troops, was in command at Camden, S. C., and General Gates, with an American Army of about 3,000 men, most of them inexperienced militia and suffering from insufficient food, clothing, and medicine, and faint from long and weary marches in hot weather, advanced toward Camden. General Gates planned a surprise attack on the night of August 15, 1780, and Lord Rawdon, in turn, had planned a surprise attack at the same time, and their advance parties met about 3 o'clock in the morning of August 16 on the road about 5 miles from Camden. After a slight skirmish both armies rested on their arms waiting for daylight, and when the sun rose the battle was resumed. General Gates failed to display any of the daring and heroic leadership that won at Saratoga; on the contrary, he was hesitating, uncertain, and confused. He allowed his forces to be divided, he did not take advantage of the opportunity to flank the enemy, allowed himself to be caught on a narrow ledge of land between two inextricable swamps, and consequently was not only defeated but horribly routed, his army broken to pieces, his soldiers butchered or driven into the swamps, and himself forced to fly on horseback at full speed and almost alone, nearly 200 miles, to Hillsborough, N. C. Indeed, "The laurels of Saratoga had changed to the willows of the South."

Surely, this was "the year of disaster" for the cause of independence. The British thought, surely, now the southern spirit would be broken. Surely, resistance would cease. But not so. The British Army was divided into three parts—one under the famous Tarleton, another under an able and determined Scotch soldier, Colonel Ferguson, and the main body under Lord Cornwallis, who had come from Charleston and succeeded Rawdon in command at Camden. These three forces advanced by three different routes through the northern part of South Carolina toward North Carolina, and Ferguson's force of about 1,100 British regulars camped on a spur of King's Mountain and was surrounded, surprised, and destroyed by forces under Colonels Campbell, McDowell, Shelby, Sevier, and Cleveland on October 7, 1780. The men making up these patriotic organizations under these natural leaders were not regulars, and in fact could hardly be called "militia." They were made up from the hardy Scotch-Irish settlers, described contemptuously by Tarleton as "backwater men."

When they found that this force of the British had separated themselves from the main body they joined their favorite leaders and took their rifles and shotguns of various description with them, rode their own horses, provided their own ammunition, and even the private soldiers participated in the "council of war" as to whether or not an attack should be made upon the British established on King's Mountain. These men were independent fighters. The several subdivisions advanced upon the mountain from so many directions and quietly crept up its steep sides and had seized the sentinels around the camp before their approach was dreamed of. Colonel Ferguson displayed all the heroism and gallantry of the race of Scotch fighters from which he came. With defiance he shouted to his men, "Now beat the damned rebels to the ground." But it was all in vain. These determined backwoods fighters could not be terrified. One of them sent a bullet through the body of Ferguson himself, who fell dead from his horse. Practically the entire force was either killed, wounded, or captured.

This victory at King's Mountain gave cheer to the patriots from one end of the country to the other. But it was followed by a period of watchful waiting, and the loss of a thousand soldiers was by no means decisive as against the British. Hence they continued in their policy of terrorizing and destroying the people and their substance. Now, "the old wagoner," Daniel Morgan, who was with Braddock and Washington on their expedition against the French in 1754, went to the South with a commission from Congress as brigadier to exercise command under General Greene, who had supplanted the unfortunate Gates in command of the whole South. Morgan was a

character who deserves to be better known to the American people. On that expedition with Braddock he was a mere wagoner, a team driver, yet when insulted by a British lieutenant he knocked the lieutenant down and was tried by a summary court-martial and sentenced to suffer "500 lashes on his bare back." He was heroic to the point of desperation at Quebec and Saratoga.

THE BRITISH STILL DETERMINED

But the British were resolved to hold the ground they had gained in the Southern Colonies. The communications and security of Cornwallis were constantly threatened by the presence of forces under Gen. Daniel Morgan, varying from 200 to 800 men, according to the nature of the mission and the inclination of the troops of some of the militia organizations. Cornwallis was reinforced by 2,000 soldiers sent from New York by water to Charleston and thence overland to the interior, and in January, 1781, he ordered Colonel Tarleton to drive Morgan, "the wagoner," as he was contemptuously called, out of South Carolina or destroy him. The force of General Morgan had a very precarious existence. It was compelled to rely largely upon the people in the vicinity for subsistence and for forage for the force of about 80 cavalry under Lieut. Col. William Washington.

Morgan was slowly retreating to the northwest and was being pushed by the pursuing Tarleton. Finally, on the night of January 16, Morgan camped at what is known as "The Cowpens," a high plateau where the underbrush had been killed, due to the fact that the cattle for all that section would be assembled at that place to be branded and where it was possible to see through the forest for several hundred yards. In addition to the force of 80 cavalry, Morgan had 237 Continental troops and 553 militiamen from Virginia, North Carolina, South Carolina, and Georgia. Here Morgan determined that he must fight and went from mess to mess where the soldiers were bivouacked, advising them that they must fight not only for victory but for life, for home, and for loved ones, as well as for independence.

The disposition of the troops by General Morgan manifests unusual tactical skill. John Fiske, in his history of the American Revolutionary War, says that "the Battle of Cowpens was the most conspicuous tactical victory of the war." The arrangement was substantially as follows: About 60 sharpshooters from North Carolina were placed as skirmishers on the right flank and far out in front, and about 150 of the Georgia militia similarly placed on the left flank, making a thin line of skirmishers, who were instructed to pick out the officers as they would squirrels, and having delivered their first volley to fall back on the next line and reload.

Colonel Tarleton had a force of about 1,100 British regulars, with two field pieces and with great superiority in cavalry and in ammunition and in bayonets. When formed in battle line they all rushed forward with great impetuosity and confidence. But many of the officers fell under the well-directed aim of the American skirmishers. But when the British troops saw the skirmish line giving way they became overconfident, assumed that the Americans were retreating, and rushed forward in disorder. The next line of Morgan's troops, consisting of Virginia riflemen, delivered volley after volley that thinned the ranks of the British and threw them into confusion. The militia, having retired behind the Continental regulars, reformed and returned to the fight, this time striking the British left flank, while Lieutenant Colonel Washington, whose cavalry had been stationed in the rear of the main body of Morgan's troops, now bore down with irresistible force upon the British right flank so that soon the British were practically surrounded, and Tarleton barely escaped capture as he rushed at full speed from the field, accompanied by a few of the dragoons.

THE VICTORY AT COWPENS DECISIVE

On this glorious day of January 17, 1781, the American militiamen, "the backwater men," led by the plain civilian soldier, Daniel Morgan, gave wonderful account of themselves in administering a terrific and destructive defeat to a force of British regulars with a superiority of 300 in numbers and with great superiority in arms and ammunition. The Americans lost only 12 killed and 60 wounded, while the British lost 115 killed, 200 wounded, with about 550 prisoners, including 70 negroes that had been taken from their owners and masters and were carried by the British as camp servants. The British lost two standards, 100 horses, 35 wagons, 800 muskets, and their two fieldpieces, and many other supplies. General Morgan wrote in his report:

Our success must be attributed to the justice of our cause and the gallantry of our troops. My wishes would induce me to name every sentinel in the corps.

This victory settled the question of subjugating the South.

Hereafter the sole problem in the mind of Cornwallis was to get away from those uncompromising and unconquerable patriots of South Carolina. Hence he moved northward with all dispatch, had a drawn battle with General Greene at Guilford Court House, and thence advanced through Virginia to his position at Yorktown. We know the rest. We know how Lafayette held him at bay on Yorktown Peninsula while Washington was coming from the Hudson over land and water to the great and final victory. We know how the French Admiral de Grasse had sent word that he would bring the French fleet to the Chesapeake Bay in the late summer of 1781, and how de Grasse, after a severe naval battle, prevented the British fleet from relieving Cornwallis from the "bottle neck" that the Americans and their allies had formed about him. But for the victory of the French fleet, Cornwallis would have embarked upon the British fleet and would have transported his army to New York, and thus Washington's march from the Hudson and the assembling of troops from north, south, east, and west at Yorktown would have been in vain.

Thus 1780, "the year of disasters," was followed by 1781, "the year of glorious victory." Thus King's Mountain, fought on October 7, 1780, on South Carolina soil, was followed shortly by Cowpens on January 17, 1781, also on South Carolina soil, distant only about 30 miles. These two victories turned the tide of war. These two victories heartened the patriots north and south. These two victories showed the haughty British regulars and the still haughtier British cabinet, led by Lord North, what these determined American militiamen could do. They were poor at drill, they had no uniform dress, they had little but the hunting rifle, but their aim was true, their hearts were fearless, and their wills were unconquerable.

Therefore, it is highly fitting that the Federal Government should at last take notice in a material way of the great contribution that the victory at Cowpens made to the cause of independence. While King's Mountain has been recognized in a partial way by the erection of a beautiful monument to the memory of her heroes, not one single dollar has ever been spent by either State or Federal Government at Cowpens. To create here a military park in the heart of the new industrial South, accessible from every quarter by railroad and highway, will afford the opportunity for millions to be inspired by the lessons of that victory. Military students may ponder well its teachings. Historians will here gather inspiration. Citizens of all sections and classes and callings will find here inspiration to a higher, more unselfish patriotism.

The amount suggested to be expended for the purposes of this military park is very modest. It will be noted that a memorial association has owned 1 acre of land of the old battle ground, where 70 years ago a small monument was erected by the Washington Light Infantry of Charleston, an organization named in honor of Lieut. Col. William Washington, a distant kinsman of Gen. George Washington. Especial attention is called to the fact that one of the citizens in the neighborhood that owns a portion of the battle field, a generous lady, has entered into a written agreement to donate without charge 5 acres of land.

The citizens of Spartanburg and Gaffney and surrounding country have agreed to raise \$1,000 with which to buy 5 acres additional and adjoining the 5 acres to be donated. If, therefore, under the authority contained in the bill the Secretary of War will acquire not exceeding 10 acres additional, connecting the 10 acres to be donated with the 1 acre above mentioned, making in all not more than 21 acres, there will be sufficient land to indicate for all time the principal features of the battle. Under the authority contained in this bill the Secretary of War, with the best information available, will have the principal places and positions of the respective armies indicated by appropriate markers. The Secretary of War will doubtless have roads graded and graveled through this park, so that visitors may inspect the positions with ease and comfort. This act of simple justice to the great heroes of a great cause has been too long delayed, and it is our confident hope that this Congress will promptly enact this bill into law, so that the hundreds of thousands of visitors now flocking by train and automobile to that section of the country may find material evidence of the loving appreciation of this generation of the devotion and heroism of the men who by their blood sealed not only the cause of American independence but the sacred cause of human right under free institutions "deriving their just powers from the consent of the governed."

EUGENE V. DEBS

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to address the House for three minutes.

The SPEAKER. The gentleman from Washington asks unanimous consent to address the House for three minutes. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Mr. Speaker and gentlemen, I hold in my hand a socialist newspaper which contains a misleading story as to the citizenship of Eugene V. Debs, stating that there is danger that he will not be permitted to return to the United States from Bermuda; that there is to be a May day demonstration in the United States on that account. I think Members will find in their mail within the next few days numerous letters making an appeal that Eugene V. Debs be permitted to return to the United States. Members may answer such letters by saying that he has not lost his citizenship. He is still a citizen of the United States. It is possible under the condition of the pardon that he has lost certain rights of citizenship in the State of Indiana, but he was born here in the United States, and all this stuff put out by the socialist papers is bunkum pure and simple.

Recently there was introduced a joint resolution asking Congress to restore citizenship to Eugene V. Debs. It is H. J. Res. 172, to readmit Eugene V. Debs to the rights and privileges of citizenship. That resolution was referred to the committee of which I have the honor to be the chairman and was promptly tabled because he never had lost his citizenship. It was not a proper matter to come before Congress. I am making this statement so that Members may state the facts in answer to letters concerning that bill. Mr. Speaker, I yield back the balance of my time.

THE CONSENT CALENDAR

The SPEAKER. The Clerk will report the first number on the Consent Calendar.

CONSTRUCTION OF ROAD ON LUMMI INDIAN RESERVATION

The first business on the Consent Calendar was the bill (H. R. 61) to authorize an appropriation for the construction of a road on the Lummi Indian Reservation, Wash.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Reserving the right to object, I see that this is a gratuity appropriation. I question the wisdom of enacting a policy of appropriating money for highways that are not eligible to come in under the Federal system.

Mr. HADLEY. Mr. Speaker, I wish to say to the gentleman from New York and to the House that if he will permit I will make a request that it go over. Preliminary to that I wish to say that objection was withheld to the consideration of the bill on a former occasion pending correspondence with respect to its terms.

From the correspondence received I am satisfied that the facts are not fully understood. I want it postponed until we can reach an agreement, and I hope it may be resolved to the satisfaction of all concerned. Therefore I ask unanimous consent that the bill be passed over without prejudice and retain its place on the calendar.

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

There was no objection.

CONVEYANCE OF LAND ON THE KAW RESERVATION, OKLA.

The next business on the Consent Calendar was the bill (H. R. 7083) authorizing the sale and conveyance of certain lands on the Kaw Reservation in Oklahoma.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. CARTER of Oklahoma. Mr. Speaker, reserving the right to object, at the request of the gentleman from Oklahoma [Mr. MONTGOMERY], who is interested in the measure, I ask that it go over without prejudice.

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

There was no objection.

ELECTRIC LIGHT AND POWER IN THE DISTRICT OF HANA

The next business on the Consent Calendar was the bill (H. R. 4799) to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within the district of Hana, on the island and county of Maui, Territory of Hawaii.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object—

Mr. CRAMTON. Reserving the right to object, I have gone over the question of the form of the bill with the gentleman from California [Mr. CURRY] and the Delegate from Hawaii [Mr. JARRETT] and agreed with them on the proper form of

the bill. With the understanding that an amendment will be accepted at the proper time, I have no objection to the bill.

Mr. LAGUARDIA. The gentleman was kind enough to show me the amendment, and that eliminates some objections I had to the bill. But I find on page 2 what is commonly known as a joker in these franchises, where, after reciting the specific powers granted to the corporation, it gives them power to operate for any other purpose which the association may deem advisable. It seems to me that we do not want to extend any such power in a franchise which we are granting to generate electricity to be used for motive and lighting purposes.

Mr. CRAMTON. Mr. Speaker, the function of Congress in this matter is not to legislate originally, but to approve an act of the Legislature of Hawaii, and we have before us the act of the Legislature of Hawaii. The amendment that I have discussed with the gentleman would approve that act. I have not gone into all of the details of the act itself, as the gentleman from New York has.

Mr. LAGUARDIA. The gentleman in his proposed amendment recites specifically the powers of generating electricity, but does not give that blanket general power at all, as I remember it.

Mr. CRAMTON. The amendment that I shall offer is merely an approval of the act which has been passed by the Legislature of Hawaii, except as to section 17. Section 17 of the act passed by the Legislature of Hawaii, if approved by Congress, would give to the Legislature of Hawaii the authority hereafter to amend in any respect it desired, and the amendment that I shall submit would only perpetuate the right on the part of the Territorial legislature to amend subject to the approval of the Congress.

Mr. LAGUARDIA. And we retain control?

Mr. CRAMTON. Yes. The necessity for the change of form I will suggest is as follows:

The organic act of Hawaii, found on page 1141, volume 2, Supplement of the Revised Statutes of the United States, and approved April 30, 1900, provides in section 55—

that the legislative power of the Territory shall extend to all rightful subjects of legislation not inconsistent with the Constitution and laws of the United States locally applicable. * * * (b) But the legislature shall not grant to any corporation, association, or individual any special or exclusive privilege, immunity, or franchise without the approval of Congress; * * *

The Legislature of Hawaii under act 235 of the Session Laws of Hawaii for 1923 passed an act to grant a franchise for light and power purposes within the district of Hana, which is apparently identical in language with H. R. 4799 as reported to the House, except that it stipulated that the approval of the act by Congress must be secured within two years from the time of approval of the act by the governor. It was so approved by the governor May 2, 1923, and accordingly the limit of time fixed by the legislature for its approval by Congress would have expired May 2, 1925. By act 6 of the Session Laws of Hawaii for 1925, section 18 of act 235 of 1923 was amended so as to extend the time within which the approval of Congress might be secured to four years from the date of such approval by the governor, thereby authorizing approval by Congress up to May 2, 1927. Act 6 was approved by the governor March 20, 1925.

It is apparent, therefore, that it is the proper function of the Legislature of Hawaii to pass bills for granting charters for public utilities in the first instance, but that such laws are not effective until formally approved by Congress, and such approval by Congress to be effective must be given within the time stipulated in the act passed by the legislature.

The function of Congress, therefore, not being to legislate, but merely to approve or refuse to approve legislation drafted and enacted by the Legislature of Hawaii, it is clear that the form followed by the committee in this case of H. R. 4799 is undesirable. On its face it is an independent enactment by Congress, carrying no evidence as to whether any action by the Legislature of Hawaii had preceded it or not, and one having knowledge of the fact that a similar act had been passed by the Legislature of Hawaii could only determine the identical form of such act by a close comparison of the two acts. It further appears to be unnecessary and undesirable that the statutes of the United States, which are sufficiently cumbersome in any event, should be encumbered by setting up in full the franchise act when the only proper function of Congress is that of approval and confirmation.

It therefore appears that the proper course to be followed by Congress in all such cases is to express its approval of the act passed by the Territorial legislature. In this case section 17 of the Territorial act should not be approved by Congress, since its approval as it stands would operate as a grant of

authority to the legislature to alter, amend, or repeal this particular franchise without consent of Congress.

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

There was no objection.

The SPEAKER. The Clerk will report the bill.

Mr. CRAMTON. Mr. Speaker, the bill that is in the hands of the Clerk is a long bill setting out a franchise to be granted to a public-utility corporation in Hawaii. The function of the Congress is to approve or disapprove of that act. I propose to offer a substitute that is very brief, which recites such approval with a certain amendment. Therefore I ask unanimous consent, to save the time of the House, that the reading of the bill be dispensed with and that in lieu thereof the substitute which I send to the Clerk's desk may be read, which substitute I offer as an amendment.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the reading of the bill (H. R. 4799) be dispensed with and that in lieu thereof the substitute which he sends to the Clerk's desk be read and considered. Is there objection?

There was no objection.

The Clerk read as follows:

Strike out the whole text of H. R. 4799 after the enacting clause and insert the following:

"That Act 235 of the Session Laws of 1923, entitled 'An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within the district of Hana, on the island and county of Maui, Territory of Hawaii,' passed by the Legislature of the Territory of Hawaii and approved by the Governor of the Territory of Hawaii on May 2, 1923, as amended by Act 6 of the Session Laws of 1925, entitled 'An act to extend the time within which the approval of the Congress of the United States must be secured to act 235 of the Session Laws of 1923 by amending section 18 of that act,' passed by the Legislature of Hawaii and approved by the Governor of the Territory of Hawaii on March 30, 1925, is hereby approved: *Provided*, That the authority in section 17 of said act for the altering, amending, or repeal of said act shall not be held to authorize such action by the Legislature of Hawaii, except upon approval by Congress in accordance with the organic act."

The SPEAKER. The question is on agreeing to the amendment in the nature of a substitute.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended to conform to the text.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record upon the bill by inserting a further statement in respect to it.

The SPEAKER. Is there objection?

There was no objection.

PROMOTION OF A PROFESSOR OF THE UNITED STATES MILITARY ACADEMY

The next business on the Consent Calendar was the bill (S. 2274) providing for the promotion of a professor at the United States Military Academy.

The Clerk read the title of the bill.

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

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I objected to the consideration of this bill last consent day. Let me ask the gentleman from Minnesota [Mr. FURLOW] the necessity for having a lieutenant colonel permanently detailed at West Point to teach natural and experimental philosophy?

Mr. FURLOW. Mr. Speaker, I hope the gentleman from New York will not object to the consideration of this bill.

The SPEAKER. This bill requires three objectors.

Mr. FURLOW. Mr. Speaker, the last time the bill was called up it was objected to because it was not explained on the floor. The bill affects one officer in the United States Army, a man who in 1917 was ordered to serve as an instructor at West Point. Being drafted into that service he was not permitted to go along on the promotion list with his classmates from West Point. This officer did not attempt to avoid service at the front, as shown by the report from the War Department. In fact, he did serve in about six of the major campaigns at the front after he had been assigned to duty at West Point. During the period when he was entitled to a vacation from West Point, he went to France and served, and then returned from France, acting upon orders from the War Department. This bill is sponsored by the War Department, to do justice to an officer who has been deprived of his regular promotion ad-

vantages. He is four years behind his classmates. The War Department recommends the passage of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That any officer of the United States Army now holding the position of permanent professor at the United States Military Academy, and who on July 2, 1921, would have become entitled to his promotion to a colonelcy had he remained in the line of the Army and who on that date had completed more than three years' duty as permanent professor shall have the rank, pay, and allowances of a colonel in the Army, and that the said rank shall date from July 2, 1921: *Provided*, That no back pay and allowances prior to the passage of this act shall accrue.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

ARTILLERY RANGE AT FORT ETHAN ALLEN, VT.

The next business on the Consent Calendar was the bill (S. 2752) for the purchase of land as an artillery range at Fort Ethan Allen, Vt.

The Clerk read the title of the bill.

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

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I wish some member of the Committee on Military Affairs would tell us how many more artillery fields or new fields the War Department contemplates buying, in view of the action taken by the Congress only a few weeks ago authorizing the sale of a great deal of surplus land and property.

Mr. HILL of Maryland. Mr. Speaker, that is a very proper question. The corps area in which Fort Ethan Allen is situated has no artillery range. I have here a statement from Senator GREENE, formerly a member of the House Military Affairs Committee. I will say for Senator GREENE that no man ever opposed more strenuously the acquisition of additional property. I have very great confidence, and so has the House, in his judgment.

I am told that the other corps areas have good ranges. I wish to emphasize the point that this artillery range is needed. It is not good policy to train men to drill with guns that do not know how to shoot.

Mr. LAGUARDIA. I want to say to the gentleman, of course no one has a greater admiration for the distinguished Senator from Vermont [Senator GREENE] than I have or confidence in his judgment. I served on the Committee on Military Affairs with him, and I shall not object to this out of deference to the distinguished Senator; but as long as I am a Member of the House I am going to object to any purchases of land by the War Department when they come here and ask us to sell what they have on hand.

Mr. HILL of Maryland. I agree entirely with the gentleman, and that is the position of the Committee on Military Affairs. It will be well for the committee to note what is said about this bill by Senator GREENE and by the War Department:

STATEMENT BY SENATOR FRANK L. GREENE

It seems desirable for me to call the attention of Congress to the necessity for the immediate passage of this bill. The urgency for prompt action arises from the fact that the options on the various properties involved expire January 1, 1927. In all probability it will be impossible to renew these options at the prices stipulated in the existing agreements.

In order to carry out the terms of these contracts, Congress must pass this bill (S. 2752) and provide for the appropriation of the required funds in the next deficiency bill.

The project has the approval of the War Department and of the Bureau of the Budget. This information is contained in a letter from Secretary of War Dwight F. Davis to Senator JAMES W. WADSWORTH, Jr., of the Senate Military Affairs Committee, under date of February 23, 1926.

I am told that the other corps areas have good ranges.

I wish to emphasize the point that this artillery range is needed. It is not good policy to train men to drill with guns that they do not know how to shoot.

This is in no sense a "raid on the Treasury" and the prices agreed to are evidence that there is little effort to profit at the expense of the Government. The sums named in the agreements are considered by well-informed persons to be fair to all concerned. In somewhat over 80 parcels of land there are only three which are thought overvalued. The prices for the various holdings vary from \$200 for 50 acres of cut-over timber land to \$20,000 for one excellent farm. It may be that some further adjustment will be possible. The Govern-

ment can buy most of the properties for less than \$5,000 in each case. The average price an acre is around \$34, which I am convinced is very reasonable. The entire tract is hilly and it is mostly pastures, wood lots, and some tillable land. It is in the heart of the Green Mountains at the junction of the town lines of Jericho, Underhill, and Bolton, about one-third of the range in each town.

If this same area were leased, the owners would demand \$34,866 a year. The high cost of leasing results from consideration of the inconvenience to the owners in moving goods and stock and in paying taxes and insurance during the periods of firing. It is only proper that they should be compensated for this. This in a few years would result in the expenditure of a sum that would at this time buy outright the entire property. While speaking of economy, I wish to point out that all equipment can be safely stored at Fort Ethan Allen, thus saving transportation costs.

We in New England are confronted with the problem of training artillery with no adequate facilities for actual firing. The only good ranges anywhere near are at Pine Plains, N. Y., and at Tobyhanna, Pa. These are in other corps areas and are now used to the limit. Obviously it is not good economy to send troops from New England to either of these places. In two or three years transportation costs would equal the sum necessary to pay for this project. Nor is it good financing to lease a range under the circumstances I have described.

At the proposed location the mountains form an effective backstop and the slopes of these mountains are contained within the limits of the proposed reservation. The altitude there varies from about 900 feet to over 3,000 feet above sea level.

We have here an opportunity to acquire property where firing can be conducted with both the 75-mm. and the 155-mm. guns. Ranges can be secured up to 8,500 yards and probably more. The site has been carefully selected from the viewpoint of military utility and also from the standpoint of isolation. However, in spite of its isolation, it is conveniently close to Fort Ethan Allen, a distance of about 20 miles over good roads. This distance gives excellent opportunity for marching practice. This location was decided upon after a survey of a large amount of territory. It is not a haphazard project by any means. It has been thoughtfully considered from all angles, military and civilian. It is only recommended after a careful trial. A section of it sufficient for test purposes was leased last summer and it meets with the approval of the Regular, Militia, and Reserve officers. There is a scarcity now of desirable locations and as time goes on it will be increasingly difficult to secure one. If we wait until later we will have to pay a higher price, we may be unable to find such a desirable location, and in the meantime we will have to lease land at high prices for artillery practice.

Among the various plots suitable for camps in this area there is one on the banks of the Lee River large enough for a regiment of artillery. Within a hundred yards of this camp site there is ample water for animals, and in addition there is an abundance of good well water for troops. The camp would be on hard, well-drained land; the climate is healthful and the surroundings rich in scenic beauty. I mention these things because the welfare and contentment of troops are of primary importance.

Here we have a place where conditions are ideal, where the contour of the country provides for all sorts of maneuvers, gun positions, and ranges, where the civilian population is friendly and well disposed toward the Army, and where the interests of economy will be served in the cutting of transportation costs by the storing of guns at the post and the absence of damage claims against the Government. If it be found desirable to conduct airplane practice, no better location can be found. There is a municipal landing field in Burlington, near by, and there is plenty of opportunity for landing and taking off on the present reservation at Fort Ethan Allen.

The land owned by the State of Vermont comprises 1,234 acres. The latest session of the legislature authorized its disposal to the Federal Government. Gov. Franklin S. Billings wrote me under date of December 21, 1925, that "acting under 148, acts of 1925," he had given an option to the Federal Government on this land for \$18,000. There is no doubt of his authority to sell.

I am told that General Pershing is familiar with the conditions there and that he is favorable to this project. Other staff officers who have been on the ground are likewise favorably impressed.

October 14, 1925, Maj. Gen. John L. Hines, the Chief of Staff, wrote me that "such purchase is considered most desirable from the standpoint of successful field-artillery training in the First Corps Area. The results accomplished this summer were successful." He also wrote me on January 4, 1926, in part as follows: "From a military standpoint the permanent possession of this range is highly desirable, as it is quite evident that the day is fast approaching when artillery target ranges will be increasingly difficult to locate and much more costly to acquire." These letters were written in reply to communications I had sent him on this subject.

Maj. Gen. William J. Snow, Chief of Field Artillery, wrote to me on January 14, 1925, in reply to an inquiry, "From all accounts the terrain is well adapted to the purchase for which it is intended to be

used, namely, a field-artillery target range. I am heartily in favor of the project in view of the urgent need of the First Corps Area for a suitable range."

Lieut. Col. T. W. Hollyday, formerly in command at Fort Ethan Allen, has told me that practically every kind of artillery problem can be worked out at this site.

Lieut. Col. A. A. Starbird, now in command at that post, is enthusiastic about the possibilities of the range.

The people of Vermont are well disposed toward the military. The State believes in reasonable preparedness, and I may say here that at the outbreak of the World War the Vermont National Guard was the only militia outfit equipped and ready to take the field at once.

In closing, I want to say that I have been interested in this matter for a long period of time, and feel that at last a location has been found that can not be surpassed. I hope you will believe me when I say that I am not urging the enactment of the bill solely because it is located in the State which I have the privilege of representing. This range is needed in the First Corps Area.

WAR DEPARTMENT,
Washington, February 23, 1926.

HON. JAMES W. WADSWORTH, JR.,
Chairman Committee on Military Affairs,
United States Senate.

MY DEAR SENATOR WADSWORTH: In compliance with your request of January 28, 1926, I am pleased to submit the following report on S. 2752.

The subject of the proposed legislation is the purchase of land as an artillery range at Fort Ethan Allen, Vt.

There are no provisions of existing law on this subject.

The acquisition of a target range in this vicinity has been under consideration for some time, and from a military standpoint the enactment of the proposed legislation is desirable.

It is necessary at present to rent a rather inadequate range at an annual expenditure of \$10,735, with the prospect of an advance in rentals next year, when the options to purchase expire.

In addition to this, we have been using without cost to the Government (under license signed by the Governor of Vermont) 1,200 acres of State land. This privilege may be withdrawn at any time, which would entail the rental of additional privately owned areas at a considerably increased expenditure.

The present rental of the land now under lease amounts to 5.37 per cent of the proposed purchase price; and if we add the rental to be expected if the State-owned land is withdrawn, it is apparent that the purchase would pay for itself in the matter of rental alone in a few years.

It appears therefore that both from a military viewpoint and from a business viewpoint the acquisition of this tract is advisable.

If the Committee on Military Affairs wishes to have hearings upon the proposed legislation, the following-named officers are designated to appear before your committee:

Lieut. Col. J. A. Baer, G. S.
Maj. A. C. Sandeford, F. A.

The Director of the Bureau of the Budget has been consulted and advises that this proposed legislation is not in conflict with the financial program of the President.

Sincerely yours,

DWIGHT F. DAVIS, *Secretary of War.*

Mr. O'CONNOR of Louisiana. Reserving the right to object, what is the cost?

Mr. HILL of Maryland. Two hundred thousand dollars; and that is less than the capitalization of the rental at the present time.

Mr. O'CONNOR of Louisiana. I will not object, but I can not help but express my amazement at the inconsistency of the War Department in selling certain property used by a State National Guard and immediately afterwards asking for authority to purchase land at a cost of \$200,000—

Mr. HILL of Maryland. I will say to my colleague—

Mr. O'CONNOR of Louisiana. Will the gentleman permit me to finish? Jackson Barracks, in the city of New Orleans, was purchased about 1843 by the Federal Government at a cost of \$43,000, and was used as a barracks by the Regular troops up to about four or five years ago, when it was abandoned and then a permit issued to the State National Guard of Louisiana to occupy that ground and the buildings. The State National Guard at the blast of the bugle, of course, will go out heel to heel and arm in arm with the Regular troops, but notwithstanding this military fact and our protest, the War Department determined that this property must be sold and the National Guard evicted, kicked out unceremoniously, though it is unquestionably a part of the Military Establishment of the country. It was with considerable difficulty that we secured a recognition of the claim of the National Guard on property which had been used for military purposes by the United States

Government. We thought that the bill authorizing the sale of the no longer used reservations and abandoned forts, as connected in conference, assured the State that it could purchase this property for its National Guard.

Mr. HILL of Maryland. I will say to the gentleman I have been a member of the National Guard for 20 years and I would not do anything to discriminate against the National Guard, but this does not discriminate—

Mr. O'CONNOR of Louisiana. It is an inconsistency to put the National Guard off of military property and acquire other property at a cost of \$200,000 for a rifle range. No sophistry or casuistry will conceal that fact.

Mr. LA GUARDIA. If the gentleman will permit, in the bill we passed two weeks ago a piece of property in the gentleman's State was being used by the National Guard and they improved it. We authorized the sale, and the Louisiana National Guard has to go out and buy property—

Mr. O'CONNOR of Louisiana. Have to pass the hat, as it were, to acquire that which should have been given to them. And now we find a coordinator with full knowledge of the attitude of Congress toward our National Guard and Jackson Barracks, recommending that a Federal department take it over.

Mr. HILL of Maryland. I will say that the Federal Government is now furnishing the National Guard money for such purposes.

Mr. O'CONNOR of Louisiana. I wanted to bring this current history about Jackson Barracks out. As a matter of fact, by this bill priority is given (and generally speaking there is no fault to find with that) to a department of the Federal Government to acquire such property, as mentioned in the bill to which I referred. Now, what happens? A coordinator in New Orleans, who should have known that general priority accorded to the Federal departments was subordinate to the preference expressly or impliedly given to the National Guard, was seized with a remarkable idea in reference to that property. Notwithstanding that Congress intended to give the State National Guard the right of preference he was seized with the extraordinarily fantastical idea that a department of the Federal Government should take possession, claim it, and devote it to what—the building of a quarantine station and marine hospital right next to where the slaughterhouses and stockyards of New Orleans are located. Why, it is a wonder he did not suggest that the Federal employees customhouse or a play ground be put in between.

Mr. MADDEN. Will the gentleman yield?

Mr. O'CONNOR of Louisiana. I will.

Mr. MADDEN. What is a coordinator?

Mr. O'CONNOR of Louisiana. I am inclined to give it up, but I will make a guess. I think he is a humbug.

Mr. MADDEN. What else?

Mr. O'CONNOR of Louisiana. Besides that, I do not know. I am willing to say a coordinator—

Mr. MADDEN. I am serious.

Mr. O'CONNOR of Louisiana. So am I.

Mr. MADDEN. What is his function?

Mr. O'CONNOR of Louisiana. The function apparently of a coordinator is to secure information relating to the coordinating of different activities of the Government and submitting it and his recommendation to the chief coordinator, who transmits them to the Bureau of the Budget.

Mr. MADDEN. Is he in the State Department, Commerce Department, or what?

Mr. O'CONNOR of Louisiana. I always thought he was, in a measure at least, a subordinate of the Bureau of the Budget.

Mr. MADDEN. Oh, no.

Mr. O'CONNOR of Louisiana. Oh, yes.

Mr. MADDEN. He is not in the Bureau of the Budget.

Mr. O'CONNOR of Louisiana. If the gentleman will take the Congressional Directory, as made up for several years following the creation of the coordinators, he will see that it was grouped with the Bureau of the Budget.

Mr. MADDEN. What department?

Mr. O'CONNOR of Louisiana. He is under the Bureau of the Budget.

Mr. MADDEN. General Smithers?

Mr. O'CONNOR of Louisiana. Yes. I am quite sure the coordinators were brought into existence to render some assistance, real or imaginary, to the Budget Bureau.

Mr. MADDEN. He is not a member of the Bureau of the Budget; he is in the Army.

Mr. O'CONNOR of Louisiana. Then the Congressional Directory as made up for several years was misleading, as well as the information I thought I had on the subject from the bureau itself.

Mr. MADDEN. Is he in the Army?

Mr. O'CONNOR of Louisiana. I imagine so. I think I know what is in the gentleman's mind. There are so many Army officers that something had to be found for them to do. But you have entirely thrown me out of the position that I have always assumed and which I still adhere to, and that is in assuming that the coordinators are a part of the Budget Bureau.

Mr. BEGG. In how long does the gentleman from Illinois expect to get through?

Mr. MADDEN. I was trying to give the gentleman from Louisiana some information.

Mr. O'CONNOR of Louisiana. For which I thank the gentleman from Illinois. I suppose he means the coordinators, to justify their existence, must deal in a lot of bunk. The idea of suggesting that a quarantine station should be located in a city near the Gulf of Mexico side by side with a marine hospital and next door to the slaughterhouses from which we get our meat supply is something that would not occur to me.

Mr. MADDEN. Was there serious objection to that?

Mr. O'CONNOR of Louisiana. Yes; almost a riotous one, or what threatened to be an enormous mass meeting, which was called off on the assurance of General Lord. I should imagine that the gentleman from Illinois, with his knowledge of a city like Chicago, with its hygienic and sanitary conditions and sociological problems arising from the stockyards and packing houses would understand the objection to a proposed coordination that would do violence to the pledge to the National Guard; and which for grotesque composition makes reasonable the weird confection of the three witches in Macbeth, around the caldron into which they threw hell broth, lizards' tails, and so forth.

Mr. MADDEN. I am asking for information. I knew the gentleman from Louisiana would have it. I knew there was no place else where I could get it so accurately as from the gentleman from Louisiana.

Mr. O'CONNOR of Louisiana. I thank the gentleman for the compliment; but I wonder if the gentleman from Illinois will not give expression in his characteristic way on some day when he is feeling fit, to his idea of coordinators. I hope I am present when he roars out "Bunk."

What I want to get to the House is the extraordinary suggestions of some coordinators and their plain disregard of the intent of Congress to give a preference to the National Guard of a State in reference to property which the Secretary of War is authorized to sell under certain circumstances.

Mr. MADDEN. I was ignorant of that fact.

Mr. O'CONNOR of Louisiana. Oh, the gentleman can not plead ignorance of any subject. He is the best informed man in the House, in my judgment. He knows coordinators and is just joshing. I am informed by an official high up in the health service that the recommendations of some of the coordinators would outdo in fancifulness any of the stories of de Maupassant or our own Edgar Allan Poe.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and empowered to acquire, by purchase, condemnation, or donation, a tract of land containing approximately 6,007 acres in the vicinity of and for use as a target range in connection with Fort Ethan Allen, Vt., and there is hereby authorized to be appropriated for such purpose a sum not to exceed \$200,000 out of any money in the Treasury not otherwise appropriated.

The SPEAKER. The question is on the third reading of the Senate bill.

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

A motion to reconsider the vote whereby the bill was passed was ordered to be laid on the table.

Mr. BRIGHAM. Mr. Speaker, I ask unanimous consent to extend in the RECORD my remarks on the rifle range at Fort Ethan Allen, Vt.

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

There was no objection.

Mr. BRIGHAM. Mr. Speaker, the need of this artillery range is unquestioned. Fort Ethan Allen is a Cavalry and Field Artillery post. The Regular Army forces stationed there require a range for practice firing. Furthermore, it is the policy of the War Department to train various branches of the Reserve Army at Regular Army posts garrisoned by troops of the same branches. Since all the Field Artillery of the First Corps Area is stationed at Fort Ethan Allen, this post must train all the Field Artillery training forces for the First Corps Area.

The provision now being made for a range for target practice is outlined in the report of Secretary of War Davis concerning this bill. He says:

It is necessary at present to rent a rather inadequate range at an annual expenditure of \$10,735, with the prospect of an advance in rentals next year when the options to purchase expire.

In addition to this we have been using, without cost to the Government (under license signed by the Governor of Vermont), 1,200 acres of State land. This privilege may be withdrawn at any time, which would entail the rental of additional privately owned areas at a considerably increased expenditure.

Now the situation is just this: The Government holds options on this property, and some additional property needed to make the range safe and adequate, with the privilege of purchase on or before January 1, 1927. All this property, as the Secretary of War points out, can be purchased at a price upon which the rental now paid for a part will pay 5.37 per cent of the interest. The Secretary states further:

If we add the rental to be expected if the State-owned land is withdrawn, it is apparent that the purchase would pay for itself in the matter of rental alone in a few years.

Senator GREENE shows in his statement the rental of the total area involved in this bill would cost the Government \$34,866 per annum.

Prompt action now in passing this bill will make possible saving of the rentals for the ensuing year, beginning June 1, and will insure the War Department at reasonable cost an adequate target range in the First Corps Area for training the regular and civilian components of the Army.

As the Secretary of War says, in conclusion:

It appears therefore that both from a military viewpoint and from a business viewpoint the acquisition of this tract is advisable.

ADJUSTMENT OF WATER-RIGHT CHARGES

The next business on the Consent Calendar was the bill (H. R. 10429) to adjust water-right charges, to grant certain other relief on the Federal irrigation projects, to amend subsections E and F of section 4, act approved December 5, 1924, and for other purposes.

The title of the bill was read.

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

Mr. SMITH. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice, and that it retain its place on the calendar.

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

There was no objection.

The SPEAKER. The Clerk will report the next bill.

RETIREMENT FOR NURSE CORPS OF ARMY AND NAVY

The next business on the Consent Calendar was the bill (H. R. 8953) to provide retirement for the nurse corps of the Army and Navy.

The title of the bill was read.

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

Mrs. KAHN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice and retain its place on the calendar.

The SPEAKER. Is there objection to the request of the lady from California?

There was no objection.

CASPER-ALCOVA RECLAMATION PROJECT

The next business on the Consent Calendar was the bill (H. R. 10356) to provide for the diversion of the waters of the North Platte River and construction of the Casper-Alcova reclamation project.

The title of the bill was read.

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

Mr. WINTER. Mr. Speaker, I ask unanimous consent to have this bill passed over without prejudice, and that it may retain its place on the calendar.

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

Mr. TAYLOR of Colorado. Mr. Speaker, reserving the right to object, two weeks ago when this bill was first called up I said to the author, Mr. WINTER, of Wyoming, that I would object to its consideration until I could confer with Mr. Carpenter, our Colorado River water commissioner, and see if we could not come to an understanding as to the respective rights of the two States in and to the waters of the North Platte River and its tributaries. With understanding, the gentleman

from Wyoming on the 5th instant asked that this bill be passed over without prejudice, and that was done.

The same bill passed the Senate without objection and is on this calendar now. I at once wired to our Colorado officials and Mr. Carpenter and our attorney general, Mr. Boardright, came on here from Colorado and they are here now and they and I are conferring with Mr. WINTER and Mr. Hopkins, and others are now endeavoring to come to an interstate agreement as to the fair division of the waters of that stream. Colorado and Wyoming have litigated over those waters for 12 years already, and we all hope that we may come to an amicable understanding and thereby obviate future litigations and controversy. So, if the gentleman from Wyoming will ask to pass the bill over again, I will not now object, and I trust before it comes up again we may reach an agreement between the two States.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the next bill.

BIRTHPLACE OF HENRY WADSWORTH LONGFELLOW

The next business on the Consent Calendar was the bill (H. R. 8267) to authorize the coinage of copper 1-cent pieces to aid in the preservation of the birthplace of the world's best-loved poet, Henry Wadsworth Longfellow.

The title of the bill was read.

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

Mr. THURSTON. Mr. Speaker, this measure was introduced by Mr. Thayer, of Massachusetts, late deceased, providing for the coinage of copper coins to aid in the preservation of the birthplace of Henry W. Longfellow. The Treasury Department has opposed the issuance of the coin, and the sponsors of the bill have suggested the substitution of a medal. I ask unanimous consent that the bill may be passed over without prejudice and retain its place on the calendar.

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

There was no objection.

The SPEAKER. The Clerk will report the next bill.

OVERLAND COMMUNICATIONS ON THE SEWARD PENINSULA, ALASKA

The next business on the Consent Calendar was the resolution (H. J. Res. 73) authorizing the improvement of the system of overland communications on the Seward Peninsula, Alaska.

The title of the resolution was read.

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

Mr. SUTHERLAND. Mr. Speaker, I ask unanimous consent that House Joint Resolution 73 be passed over without prejudice and retain its place on the calendar.

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

There was no objection.

The SPEAKER. The Clerk will report the next bill.

ARMY FIELD CLERKS

The next business on the Consent Calendar was the bill (H. R. 9512) to provide for appointing Army field clerks and field clerks, Quartermaster Corps, warrant officers, United States Army.

The title of the bill was read.

The SPEAKER. Is there objection?

There was no objection.

Mr. VINSON of Kentucky. Mr. Speaker, I ask unanimous consent that Senate bill 3283 be substituted for the House bill.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the Senate bill 3283 be substituted for the House bill. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That hereafter Army field clerks and field clerks, Quartermaster Corps, now in active service, shall have the rank, pay, allowances, retirement privileges, and benefits of warrant officers, other than those of the Army Mine Planter Service, and the Secretary of War is hereby authorized and directed to appoint them warrant officers of the Regular Army: *Provided,* That in determining length of service for longevity pay and retirement they shall be credited with and entitled to count the same military service as now authorized for warrant officers, including service as Army field clerks and field clerks, Quartermaster Corps, and all classified field service rendered as headquarters clerks and clerks of the Quartermaster Corps: *Provided further,* That the limitation in the act of June 30, 1922, on the number of warrant officers, United States Army, shall not apply to the appointees hereunder.

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

A motion to reconsider the vote whereby the bill was passed was laid on the table.

A similar House bill, 9512, was laid on the table.

ALASKA RAILROAD

The next business on the Consent Calendar was House Joint Resolution 96, to authorize the President to pay to surgeons employed on the Alaska Railroad such sums as may be due them under agreement with the Alaskan Engineering Commission or the Alaska Railroad.

The Clerk read the title of the resolution.

Mr. SUTHERLAND. Mr. Speaker, I ask unanimous consent that this resolution may be passed over without prejudice and retain its place on the calendar.

The SPEAKER. The gentleman from Alaska asks unanimous consent that House Joint Resolution No. 96 be passed over without prejudice and retain its place on the calendar. Is there objection?

There was no objection.

REVENUE ACT OF 1926

The next business on the Consent Calendar was the bill (H. R. 10501) to repeal section 806 of the revenue act of 1926.

The Clerk read the title of the bill.

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

Mr. BLANTON. Mr. Speaker, I reserve the right to object. What is the necessity for this bill?

Mr. HAWLEY. The necessity of distributing stamps among the post offices in the country has been done away with by the repeal of the various excise taxes, and all that are sold now are sold in the large centers.

Mr. BLANTON. This is a unanimous report from the gentleman's committee?

Mr. HAWLEY. So far as I know, it was a unanimous report.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 806 of the revenue act of 1926 be, and is hereby, repealed.

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

A motion to reconsider the vote whereby the bill was passed was laid on the table.

ARMY SUPPLY BASE, SOUTH BROOKLYN, N. Y.

The next business on the Consent Calendar was the bill (S. 1486) to authorize the Secretary of War to lease to the Bush Terminal Railroad Co. and to the Long Island Railroad use of railway tracks at Army supply base, South Brooklyn, N. Y.

The Clerk read the title of the bill.

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

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I have an amendment that would require the discontinuance of an action that is now pending in the courts by this company against the United States; and in order to make it clear that that is the intent of Congress, I want to insert an amendment on page 2, line 8. If that amendment is accepted, I shall not object.

The SPEAKER. This bill requires three objections. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and hereby is, authorized, in his discretion, to enter into and execute, upon such terms and conditions as he considers advisable, a lease or leases, joint or several, to the Bush Terminal Railroad Co. and the Long Island Railroad authorizing, for the interchange of freight between said railroads during the term thereof, such use of the tracks of any Government railroad as may be maintained within the limits of the Army supply base at South Brooklyn, N. Y., as will not interfere with the proper and necessary use of said tracks by the Government in the transaction and operation of its own business at said Army supply base: *Provided,* That any such lease to the Bush Terminal Railroad Co. shall become effective only upon waiver and surrender by the Bush Terminal Railroad Co. of any and all claims against the United States in any manner accruing from, connected with, or growing out of the use, occupation, or curtailment by the United States of the franchise rights of said railroad company and of any and all claims of any character whatsoever against the United States, except for any balance which may be due such railroad company for the physical value of track and overhead appropriated and retained by the United States. The term of any such lease shall be for such period as the

Secretary of War shall determine, not in excess of the unexpired portion of any franchise so appropriated or any renewal thereof.

Mr. LAGUARDIA. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 2, line 8, after the word "States," insert: "And the discontinuance, without cost, of any action now pending by the said company against the United States."

The amendment was agreed to.

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

A motion to reconsider the vote whereby the bill was passed was laid on the table.

EQUALIZATION OF PAY OF RETIRED OFFICERS

The next business on the Consent Calendar was the bill (H. R. 5840) to equalize the pay of retired officers of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service.

The Clerk read the title of the bill.

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

Mr. BLACK of Texas. Mr. Speaker, I object.

The SPEAKER. This bill requires three objections.

Mr. HILL of Alabama and Mr. MILLIGAN also objected.

ONE HUNDRED AND FIFTIETH ANNIVERSARIES OF THE INDEPENDENCE OF VERMONT AND THE BATTLE OF BENNINGTON

The next business on the Consent Calendar was House Joint Resolution No. 176, establishing a commission for the participation of the United States in the observance of the one hundred and fiftieth anniversaries of the independence of Vermont and the Battle of Bennington, and authorizing an appropriation to be utilized in connection with such observance.

The Clerk read the title of the resolution.

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

Mr. WELSH. Mr. Speaker, I ask unanimous consent that this resolution be passed over without prejudice and retain its place on the calendar.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that this resolution be passed over without prejudice and retain its place on the calendar. Is there objection?

There was no objection.

FISHERIES OF ALASKA

The next business on the Consent Calendar was the bill (H. R. 9210) to amend section 1 of the act of Congress of June 6, 1924, entitled "An act for the protection of the fisheries of Alaska, and for other purposes."

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act of Congress of June 6, 1924, entitled "An act for the protection of the fisheries of Alaska, and for other purposes," is amended so that it will read as follows:

"SECTION 1. That for the purpose of protecting and conserving the fisheries of the United States in all waters of Alaska the Secretary of Commerce from time to time may set apart and reserve fishing areas in any of the waters of Alaska over which the United States has jurisdiction, and within such areas may establish closed seasons during which fishing may be limited or prohibited as he may prescribe. Under this authority to limit fishing in any area so set apart and reserved the Secretary may (a) fix the size and character of nets, boats, traps, or other gear and appliances to be used therein; (b) limit the catch of fish to be taken from any area; (c) make such regulations as to time, means, methods, and extent of fishing as he may deem advisable. From and after the creation of any such fishing area and during the time fishing is prohibited therein it shall be unlawful to fish therein or to operate therein any boat, seine, trap, or other gear or apparatus for the purpose of taking fish; and from and after the creation of any such fishing area in which limited fishing is permitted such fishing shall be carried on only during the time, in the manner, to the extent, and in conformity with such rules and regulations as the Secretary prescribes under the authority herein given: *Provided,* That every such regulation made by the Secretary of Commerce shall be of general application within the particular area to which it applies, and that no exclusive or several right of fishery shall be granted therein, nor shall any citizen of the United States be denied the right to take, prepare, cure, or preserve fish or shellfish in any area of the waters of Alaska where fishing is permitted by the Secretary of Commerce. The right herein given to establish fishing

areas and to permit limited fishing therein shall not apply to any creek, stream, river, or other bodies of water in which fishing is prohibited by specific provisions of this act, but the Secretary of Commerce, through the creation of such areas and the establishment of closed seasons, may further extend the restrictions and limitations imposed upon fishing by specific provisions of this or any other act of Congress: *Provided further*, That the Secretary of Commerce is hereby authorized to permit the taking of fish or shellfish, for bait purposes only, at any or all seasons in any or all Alaskan Territorial waters.

"It shall be unlawful to import or bring into the Territory of Alaska, for purposes other than personal use and not for sale or barter, salmon from waters outside the jurisdiction of the United States taken during any closed period provided for by this act or regulations made thereunder."

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

A motion to reconsider the vote whereby the bill was passed was laid on the table.

DAM ACROSS THE POTEAU RIVER

The next business on the Consent Calendar was the bill (H. R. 4080) granting the consent of Congress to the city of Fort Smith, Sebastian County, Ark., and the Fort Smith waterworks district of said city to construct, maintain, and operate a dam across the Poteau River.

The Clerk read the title of the bill.

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

Mr. CARTER of Oklahoma, Mr. CRAMTON, and Mr. McCLINTIC objected.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 120. An act fixing the fees of jurors and witnesses in the United States courts, including the District Court of Hawaii, the District Court of Porto Rico, and the Supreme Court of the District of Columbia;

H. R. 5858. An act for the relief of Charles Ritzel;

H. R. 6874. An act for the relief of James Madison Brown; and

H. R. 8192. An act authorizing the designation of postmasters by the Postmaster General as disbursing officers for the payment of contractors, emergency carriers, and temporary carriers for performance of authorized service on power-boat and star routes in Alaska.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 10198) making appropriations for the government of the District of Columbia and other activities chargeable, in whole or in part, against the revenues of such District for the fiscal year ending June 30, 1927, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon and ordered that Mr. PHIPPS, Mr. JONES of Washington, Mr. CAPPER, Mr. GLASS, and Mr. KENDRICK be appointed as the conferees on the part of the Senate.

JUPITER, FLA.

The next business on the Consent Calendar was the bill (H. R. 8903) to donate to the town, municipality, or city of Jupiter, Fla., for park purposes, the abandoned tract or tracts of land formerly used as a life-saving station.

The Clerk read the title of the bill.

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

Mr. BEGG. Mr. Speaker, reserving the right to object, will the gentleman from Florida [Mr. SEARS] accept an amendment to sell this land en bloc instead of going into the retail real-estate business? If the gentleman will, I shall be glad to withdraw my objection.

Mr. SEARS of Florida. My friend, the gentleman from Ohio, knows the esteem in which I hold him, and will the gentleman permit an amendment to that providing that 5 acres be reserved for park purposes?

Mr. CRAMTON. Mr. Speaker, I want to join in the appeal of the gentleman from Florida. I think there ought to be some place down there where somebody can sit down for half an hour without paying rent.

Mr. LaGUARDIA. Or take a swim.

Mr. CRAMTON. I hope the gentleman from Ohio will accept the amendment from the gentleman from Florida.

Mr. BEGG. Let me hear the amendment of the gentleman.

Mr. SEARS of Florida. Provided that not less than 5 acres be reserved for park purposes.

Mr. BEGG. Five acres of ocean front?

Mr. SEARS of Florida. Yes.

Mr. BEGG. I do not object to that, although I do not accept it with any enthusiasm.

Mr. SEARS of Florida. I will say to my good friend from Ohio, in order that my record may be kept clear, that I have opposed the block sale in Florida for this reason: If you sell it in block only one man can bid on it. Therefore, you are not going to get as much for it as you would if you sold it in lots. In the sale of Chapman Field I protested, and the War Department has that protest on file. The Government will perhaps have to come here, and I will have to ask my good friend and colleague from Illinois [Mr. MADDEN] to make an appropriation of nearly as much as they got for the 600 acres for the purchase of 100 acres for a landing field. I did that in good faith because, as I have said, I want everybody to have a chance to bid on these lots. It is to be a public sale, and you can not buy for less than the appraised value. My friends, the gentleman from New York [Mr. LaGUARDIA] and the gentleman from Oregon [Mr. SINNOTT] and other members of the committee know this is not the bill I drew up; but I accept this bill because it is the best I can get, and I will accept the amendment of the gentleman from Ohio with my amendment because I realize the situation.

Mr. BEGG. I will say, and I think this ought to be said, inasmuch as the gentleman has made his statement, my reason for objecting to the Government going into the retail real-estate business is this: I think the net return to the Government from a block sale will be greater than if we go into the retail business. If we have 5 or 10 lots left or if anybody defaults on any of them, we have got to go through a suit of foreclosure and collection, and the amount of money spent by the Interior Department agents in running back and forth down there will eat up half the gross proceeds. I think if we want to sell it, we should sell it in block and get rid of it, and I will not object to the gentleman's amendment with respect to 5 acres, although I do not think that is necessary.

Mr. SINNOTT. Does the gentleman think that his amendment is a wise one?

Mr. BEGG. Yes; or I would not offer it.

Mr. SINNOTT. This property is worth \$10,000 an acre, and there are 80 acres of it. Only some one possessing \$700,000 or \$1,000,000 ready to invest it in this kind of property can buy it. It is only some real-estate speculator who would enter into a proposition of that kind who will buy it.

Mr. BEGG. Will the gentleman yield right there?

Mr. SINNOTT. In just a moment. Let the department divide the property up as the department contemplates doing and then you will have a number of bidders and will not practically turn it over to some wealthy individual who is the only person who can buy under your proposition. This matter has had very careful consideration by the Secretary of the Interior and also by the Public Lands Committee of the House.

Mr. BEGG. Will the gentleman yield now?

Mr. SINNOTT. Yes.

Mr. BEGG. In this property that the War Department was permitted to sell a few weeks ago, are they going to divide that up into small farms or lots or sell it en gros?

Mr. SINNOTT. I do not know what they are going to do, and I know nothing about that property; but I do know something about this situation.

Mr. BEGG. It seems to me it is entirely a wrong theory of governmental activity to put the Government into the allotment business in selling lots.

Mr. SINNOTT. They have frequently done that for years and years and have handled it successfully.

Mr. BEGG. And just a few weeks ago we had a bill up here to correct and clean up a sale of that kind in Alaska.

Mr. SINNOTT. And we have had hundreds of bills to clean up general-block sales?

Mr. CRAMTON. Will the gentleman yield?

Mr. BEGG. Yes.

Mr. CRAMTON. When the Interior Department sells land there is no large charge against it for expenses. The expense of the sale is a very small percentage, according to their way of doing business, because they do not go outside and get expensive auctioneers, and so forth.

Mr. BEGG. Will the gentleman yield for a question on that point?

Mr. CRAMTON. Yes.

Mr. BEGG. How are they going to sell this land in lots unless they have it surveyed and run off and everything of that kind?

Mr. SEARS of Florida. That does not cost much.

Mr. CRAMTON. We have our surveying service. I think there is a great deal of merit in what the gentleman from Oregon has said. The gentleman is very familiar with the

handling of public lands. In an \$800,000 proposition you limit the opportunity for the Government to get its fair value.

Mr. SEARS of Florida. If the gentleman will yield, it simply means one man can bid on this land, but the other way gives everybody a chance.

Mr. LAGUARDIA. What will happen is that some New York corporation or some other group of men will go down there, bid on it in block, and then they will cut it up into lots and sell it and make an enormous profit.

Mr. SEARS of Florida. To be frank with my friend, I know that is the case right now. There is one party prepared to bid on this land.

Mr. BEGG. My answer to that is if the Government sells it in one lump, I do not care whether there is 1 bidder or 10 bidders, the Government will have its money. If the Government goes into the allotment business, they probably will not get the money.

Mr. WOODRUFF. Will the gentleman yield?

Mr. BEGG. Yes.

Mr. WOODRUFF. Judging from what has been said about this particular land, it seems to me if your plan is followed we are simply turning this land over to a certain individual down there at his own price.

Mr. BEGG. Oh, no.

Mr. WOODRUFF. If there is to be only one bidder, what other answer can there be?

Mr. BEGG. This is to be a sale at public auction.

Mr. WOODRUFF. If there is only one man who can handle it, it will go at his own price.

Mr. BEGG. I think there will be more than one bidder.

Mr. WOODRUFF. If the gentleman from Ohio insists on his amendment, I shall object to the bill.

Mr. SINNOTT. I fear that the proposition of the gentleman from Ohio will just invite some wealthy syndicate or some syndicate to get together and handle that property.

Mr. BEGG. Well, let the matter go over until we can talk it over. I am thoroughly committed, I will say to the gentleman from Florida. Men came to me from this small town to get me to withdraw my objection. Before I was through they said that I was right and thanked me and did not want it allotted. Here is what will happen: Suppose the Government fails to sell five lots, or two lots, before they can improve a street they have to come and get permission of Congress—

Mr. MADDEN. Mr. Speaker, I call for the regular order.

Mr. BEGG. I shall object unless my amendment is adopted.

Mr. WOODRUFF. And I shall object to the bill if the amendment is agreed to.

The SPEAKER pro tempore. Is there objection?

Mr. HILL of Maryland, Mr. WELSH, and Mr. BEGG objected.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that the bill retain its place on the calendar.

Mr. BEGG. This bill has been objected to three times, and that takes the bill off the calendar.

The SPEAKER pro tempore. Objection is heard, and the clerk will report the next bill.

TO VALIDATE CERTAIN DECLARATIONS OF INTENTION

The next business on the Consent Calendar was the bill (H. R. 3859) to validate certain declarations of intentions.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That so much of the seventh subdivision of section 4 of the act entitled "An act to establish a Bureau of Immigration and Naturalization and to provide for a uniform rule for the naturalization of aliens throughout the United States," approved June 29, 1906, as amended, as reads as follows: "Provided, That it shall not be lawful to make a declaration of intention before the clerk of any court on election day or during the period of 30 days preceding the day of holding of any election within the jurisdiction of the court," is repealed.

SEC. 2. No declaration of intention heretofore filed in disregard of so much of such act of 1906 as is above repealed shall be held invalid for such cause.

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

A motion to reconsider the vote whereby the bill was passed was laid on the table.

ALLOTING WAR TROPHIES TO THE AMERICAN LEGION MUSEUM

The next business on the Consent Calendar was the joint resolution (H. J. Res. 114) directing the Secretary of War to allot war trophies to the American Legion Museum.

The SPEAKER pro tempore. Is there objection?

Mr. WAINWRIGHT. Mr. Speaker, reserving the right to object, I have just been informed that the Senate has passed this identical resolution. I ask unanimous consent that the Senate resolution may be substituted for the House resolution.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the Senate Joint Resolution 91, as follows:

Resolved, etc., That the Secretary of War be directed to allot and deliver without cost to the United States, to the National Museum of the American Legion at its national headquarters, a representative collection of captured and surrendered war devices and trophies of the World War, to be selected from those war devices and trophies not otherwise allotted and accepted for distribution in accordance with law: *Provided,* That acceptance, shipment, and delivery shall be made within a reasonable time and under the laws and regulations, except as herein provided, that are now applicable to acceptance, shipment, and delivery of war devices and trophies to the States, Territories, possessions of the United States, and the District of Columbia.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The joint resolution was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote whereby the bill was passed was laid on the table.

House Joint Resolution 114 was laid on the table.

DISTRIBUTION OF THE SUPREME COURT REPORTS

The next business on the Consent Calendar was the bill (H. R. 10701) to provide for the distribution of the Supreme Court reports and amending section 227 of the Judicial Code.

The SPEAKER pro tempore. Is there objection?

Mr. MADDEN. I object.

Mr. GRAHAM. What is the gentleman's objection?

Mr. MADDEN. There are not sufficient now to give all the district attorneys a copy of these reports, and until a sufficient number is provided I think we ought to confine the Army to a study of military tactics.

Mr. GRAHAM. It makes a difference of only 12 reports. This is to furnish the court-martials approved by the Attorney General and the Secretary of War and is approved by the Bureau of the Budget.

PURCHASE OF QUARANTINE STATIONS, TEX.

The next business on the Consent Calendar was the bill (H. R. 10782) relating to the purchase of quarantine stations from the State of Texas.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. BOX. Mr. Speaker, I ask unanimous consent to substitute for this bill a similar Senate bill (S. 3287) now on the Speaker's table.

Mr. BEGG. Mr. Speaker, is it the same bill?

Mr. BOX. It is identical.

The SPEAKER pro tempore. Is there objection to the substitution of the similar Senate bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the Senate bill.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the authority contained in the sundry civil act approved June 5, 1920 (41 Stats. p. 875), may be construed to permit of the purchase of the lands, and/or buildings, and/or equipment, or portions thereof, of the quarantine stations of the State of Texas to which good and sufficient title can be conveyed by the State of Texas to the United States without regard to the quarantine system or stations as a whole, appropriate deduction to be made from the appropriation therefor on account of such property to which good title can not be given by the State of Texas, using as a basis therefor the joint-appraisal report of representatives of the United States Government and the State of Texas, dated August 16, 1919.

SEC. 2. No buildings shall be purchasable under the authority of this act unless title can be given by the State of Texas to land on which situated, except in the case of those buildings of the quarantine station at Galveston, Tex., now situated on land owned by the United States Government, payment for which buildings is hereby authorized if good and sufficient title in the State of Texas can otherwise be shown to said buildings.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

The similar House bill (H. R. 10782) was ordered to lie on the table.

INSURANCE COMPANIES TO FILE BILLS OF INTERPLEADER

The next business on the Consent Calendar was the bill (S. 2296) authorizing insurance companies or associations or fraternal or beneficial societies to file bills of interpleader.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, this is the usual interpleader where there are two claimants to the same insurance?

Mr. GRAHAM. Yes.

Mr. LAGUARDIA. I have no objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the district courts of the United States shall have original jurisdiction to entertain and determine suits in equity begun by bills of interpleader duly verified, filed by any insurance company or association or fraternal or beneficial society, and averring that one or more persons who are bona fide claimants against such company, association, or society resides or reside within the territorial jurisdiction of said court; that such company, association, or society has issued a policy of insurance or certificate of membership providing for the payment of \$500 or more as insurance, indemnity, or benefits to a beneficiary, beneficiaries, or the heirs, next to kin, legal representatives, or assignee of the person insured or member; that two or more adverse claimants, citizens of different States, are claiming to be entitled to such insurance, indemnity, or benefits; that such company, association, or society has paid the amount thereof into the registry of the court, there to abide the judgment of the court.

SEC. 2. In all such cases if the policy or certificate is drawn payable to the estate of the insured and has not been assigned in accordance with the terms of the policy or certificate the district court of the district of the residence of the personal representative of the insured shall have jurisdiction of such suit. In case the policy or certificate has been assigned during the life of the insured in accordance with the terms of the policy or certificate, the district court of the district of the residence of the assignee or of his personal representative shall have jurisdiction. In case the policy or certificate is drawn payable to a beneficiary or beneficiaries and there has been no such assignment as aforesaid the jurisdiction shall be in the district court of the district in which the beneficiary or beneficiaries or their personal representatives reside. In case there are beneficiaries resident in more districts than one, then jurisdiction shall be in the district court in any district in which a beneficiary or the personal representative of a deceased beneficiary resides. Notwithstanding any provision of the Judicial Code to the contrary, said court shall have power to issue its process for all such claimants and to issue an order of injunction against each of them, enjoining them from instituting or prosecuting any suit or proceeding in any State court or in any other Federal court on such policy or certificate of membership until the further order of the court; which process and order of injunction shall be returnable at such time as the said court or a judge thereof shall determine and shall be addressed to and served by the United States marshals for the respective districts wherein said claimants reside or may be found.

SEC. 3. Said court shall hear and determine the cause and shall discharge the complainant from further liability; and shall make the injunction permanent and enter all such other orders and decrees as may be suitable and proper, and issue all such customary writs as may be necessary or convenient to carry out and enforce the same.

SEC. 4. Public Act No. 346, Sixty-fourth Congress, entitled "An act authorizing insurance companies and fraternal beneficiary societies to file bills of interpleader," approved February 22, 1917, and Public Act No. 465, Sixty-eighth Congress, entitled "An act to amend an act entitled 'An act authorizing insurance companies or associations and fraternal beneficiary societies to file bills of interpleader,' approved February 22, 1917," approved February 25, 1925, be and the same are hereby repealed. Said repeal shall not affect any act done or any right, accruing or accrued in any suit or proceeding had or commenced under said acts hereby repealed, prior to the passage of this act, but all such acts or rights, suits or proceedings shall continue and be valid and may be prosecuted and enforced in the same manner as if said acts had not been repealed hereby.

Mr. GRAHAM severally offered the following amendments, and they were severally agreed to:

Page 1, line 5, after the word "any," insert "casualty company, surety company."

Page 1, line 10, after the word "society," insert "has in its custody or possession money or property of the value of \$500 or more, or."

Page 1, line 11, after the word "issued," insert a bond or."

Page 1, line 12, after the word "more," insert "to the obligee or obligees in such bond or."

Page 2, line 5, after the word "to," insert "such money or property or the penalty of such bond, or to."

Page 2, line 6, after the word "has," insert "deposited such money or property or has."

Page 2, line 6, after the word "amount," insert the word "thereof."

Page 2, line 23, after the word "are," insert "claimants of such money or property, of in case there are."

Page 2, line 24, after the word "beneficiaries," insert "under any such bond or policy."

Page 3, line 1, after the word "or," insert "a claimant or."

Page 3, line 1, after the word "deceased," insert "claimant or."

Page 3, line 7, after the words "Federal Court," insert "on account of such money or property or on such bond or."

The bill as amended was ordered to be read a third time, was read a third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

AUTHORIZING INSURANCE COMPANIES TO FILE BILLS OF INTERPLEADER

Mr. HILL of Maryland. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record upon this bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HILL of Maryland. Mr. Speaker, the bill S. 2296 authorizes insurance companies or associations or fraternal or beneficial societies to file bills of interpleader. The House Judiciary Committee has favorably reported this bill as follows:

(Report to accompany S. 2296)

The Committee on the Judiciary, to whom was referred the bill S. 2296, after consideration, report the same favorably and recommend that the bill do pass.

The only change made in the present law by this bill is found in the last sentence of section 2 of the bill as follows:

"Notwithstanding any provision of the Judicial Code to the contrary, said court shall have power to issue its process for all such claimants and to issue an order of injunction against each of them, enjoining them from instituting or prosecuting any suit or proceeding in any State court or in any other Federal court on such policy or certificate of membership until the further order of the court, which process and order of injunction shall be returnable at such time as the said court or a judge thereof shall determine and shall be addressed to and served by the United States marshals for the respective districts wherein said claimants reside or may be found."

The amendment is necessary in order to make more adequate the power of the court in the handling and disposition of bills of interpleader in suits authorized by the act of February 25, 1925, which is reenacted by this bill.

Baltimore is the home city of the surety companies. The Fidelity & Deposit Co., the United States Fidelity & Guaranty Co., the Maryland Casualty Co., and various other great companies are deeply interested in the pending legislation. As the bill passed the Senate and has been reported to the House it did not contain certain amendments which should be included in order to take care of the surety companies. Senator BRUCE has gone over this whole matter with Senator PEPPER, who introduced S. 2296, and Senator PEPPER has no objection to casualty and surety companies being included. The gentleman from Pennsylvania [Mr. GRAHAM] has agreed to the desired amendments to the present bill, which are as follows:

AMENDMENTS TO SENATE BILL 2296

A bill (S. 2296) authorizing insurance companies or associations or fraternal or beneficial societies to file bills of interpleader

Amend page 1, line 5, by inserting at the end thereof, after the word "any," the words "casualty company, surety company."

Amend page 1, line 10, by inserting at the end thereof, after the word "society," the words "has in its custody or possession money or property of the value of \$500 or more, or."

Amend page 1, line 11, by inserting after the word "issued" the words "a bond or."

Amend page 1, line 12, by inserting after the word "more" the words "to the obligee or obligees in such bond or."

Amend page 2, line 5, by inserting after the word "to" the words "such money or property or the penalty of such bond, or to."

Amend page 2, line 6, by inserting after the word "has" the words "deposited such money or property or has."

Amend page 2, line 6, by striking out the word "thereof" and inserting the words "of such bond or policy."

Amend page 2, line 23, by inserting at the end thereof, after the word "are," the words "claimants of such money or property or in case there are."

Amend page 2, line 24, by inserting after the word "beneficiaries" the words "under any such bond or policy."

Amend page 3, line 1, by inserting at the beginning, before the word "a," the words "a claimant or."

Amend page 3, line 1, by inserting at the end of the line, after the word "deceased," the words "claimant or."

Amend page 3, line 7, by inserting after the words "Federal court" the words "on account of such money or property or on such bond or."

In reference to this bill, I am advised by the Fidelity & Deposit Co. as follows:

The statute which is sought to be amended was passed some eight or nine years ago after an insurance company had been put in the unfortunate position of having a suit instituted against it in one State by one set of alleged heirs of a man and a similar suit in another State by another set, the result being that they were held liable in both suits, and therefore paid the amount of the policy twice. Senator PEPPER's amendment is, as I understand it, only intended to straighten out some of the procedure in order to accomplish the result originally intended. Our amendment is intended to bring casualty and surety companies within the provisions of the statute, so as to give us similar protection. While casualty and surety companies are for many purposes treated by the Government as insurance companies, the original wording of the bill and Senator PEPPER's amendment is not broad enough to bring casualty and surety companies within its provisions, as the language used contemplates an insurance policy only. The necessity for such protection to surety and casualty companies is illustrated by a recent experience we had. Under a bond given to protect all the shippers of grain to a certain elevator in Minnesota our principal defaulted, and we were ready and willing to pay the penalty of our bond, but there was no one to whom we could pay, as the claims exceeded the amount of the bond, and some of the shippers lived in Minnesota, some in Iowa, and some in the Dakotas. The result was that we had not only to pay the penalty of our bond but over \$6,000 interest and several thousand dollars in attorney's fees and expenses, all of which would have been obviated if we could have filed a bill of interpleader and paid the money into court. While, unfortunately, such cases are not frequent occurrences, they are becoming more frequent as time goes by, and, as you well know, business does not regard State lines, which do, however, fix the limits of the jurisdiction of the courts.

The pending bill is an important one, and the amendments materially extend the usefulness of the legislation here enacted.

COINAGE OF COPPER 1-CENT PIECES

Mr. THURSTON. Mr. Speaker, I ask unanimous consent to return to Calendar No. 289 (H. R. 8267) to authorize the coinage of copper 1-cent pieces to aid in the preservation of the birthplace of the world's best loved poet, Henry Wadsworth Longfellow.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Is that the Thayer bill?

Mr. THURSTON. Yes; but we have a substitute which we desire to offer.

Mr. BLANTON. But we want to see the substitute first. The gentleman ought to wait until the next day the calendar is called. We do not know what the substitute is. I hope the gentleman will not ask for that now. We are going to have another consent day.

Mr. CRAMTON. It is very short.

Mr. BLANTON. Mr. Speaker, for the present I object.

The SPEAKER pro tempore. Objection is heard.

AMENDING THE IMMIGRATION ACT OF 1924

The next business on the Consent Calendar was the bill (H. R. 10661) to amend the immigration act of 1924.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That subdivision (d) of section 4 of the immigration act of 1924 is amended by adding at the end thereof the following: "an immigrant who is the wife, or the unmarried child under 18 years of age, of an alien resident of the United States who entered the United States prior to July 1, 1924, and who continuously for at least two years immediately preceding the time of his admission to the United States solely for the purpose of carrying on the vocation of minister of any religious denomination or professor of a college, academy, seminary, or university, if such immigrant is following to join such alien; or"

SEC. 2. Despite the provisions of the immigration act of 1924, the Secretary of Labor is authorized to admit to the United States for permanent residence any otherwise admissible alien who (1) is the wife or the unmarried child under 18 years of age of an alien resident of the United States who entered the United States prior to July 1, 1924, and who continuously for at least two years immediately preceding the

time of his admission to the United States for permanent residence was, and who entered the United States solely for the purpose of, carrying on the vocation of minister of any religious denomination or professor of a college, academy, seminary, or university, and (2) who arrived at a United States port of entry between May 26, 1924, and July 1, 1924, and were thereafter temporarily admitted.

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

DISPOSITION OF MONEYS OF LEGALLY ADJUDGED INSANE OF ALASKA

The next business on the Consent Calendar was the bill (S. 3213) to provide for the disposition of moneys of the legally adjudged insane of Alaska who have been cared for by the Secretary of the Interior.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. LA GUARDIA. Mr. Speaker, reserving the right to object, is not the five-year period provided for in the bill too short a time to hold this money and convert it into the Treasury?

Mr. DRIVER. Five years after paid in, and five years in which to make payment, and the five-year limit is predicated upon the theory of the investigation that is required by the Interior Department to ascertain the location of the—

Mr. LA GUARDIA. Is the proof required to recover when it is converted into the Treasury any greater than if made in five years when in the custody of the Department of the Interior?

Mr. DRIVER. Not at all.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That hereafter all moneys belonging to persons legally adjudged insane in the Territory of Alaska and deposited by them with the person, firm, corporation, or institution under contract with the Department of the Interior for the care of the Alaskan insane who have died in such institution, or under the care of such person, firm, or corporation, been discharged therefrom, or who have eloped and whose whereabouts is unknown, shall, if unclaimed by said person or their legal heirs within the period of five years from the time of death of the person or the date of the leaving of the institution, or the care of such person, firm, or corporation, be covered into the Treasury by the Secretary of the Interior: *Provided, however,* That the unclaimed moneys belonging to those who have heretofore died or left the institution, or the care of such person, firm, or corporation, prior to the date of this act, shall, at the end of five years from the passage of this act, also be deposited in the Treasury, subject, however, to reclamation by such persons or their legal heirs within five years from the date of this act.

SEC. 2. The Secretary of the Interior is authorized and directed, under such regulations as he may prescribe, to make or cause diligent inquiry to be made, in every instance after the death, discharge, or elopement of any legally adjudged insane person of Alaska, to ascertain his whereabouts, or that of his or her legal heirs, and thereafter turn over to the proper party any moneys in the hands of the institution, person, firm, or corporation, etc., to the credit of such person. Claims may be presented to the Secretary of the Interior hereunder at any time, and when established by competent proof in any case more than five years after the death, discharge, or elopement of such legally adjudged insane person of Alaska, shall be certified to Congress for consideration.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

ROCKY MOUNTAIN NATIONAL PARK

The next business on the Consent Calendar was the bill (H. R. 9390) to eliminate certain privately owned lands from the Rocky Mountain National Park and to transfer certain other lands from the Rocky Mountain National Park to the Colorado National Forest, Colo.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That portions of the north and east boundary of the Rocky Mountain National Park are hereby revised as follows:

North boundary, beginning at the northwest corner of the northeast quarter of the northeast quarter of section 33, township 7 north, range 74 west, being a point on the present north boundary line of the Rocky Mountain National Park; thence southerly to the southwest corner of the northeast quarter of the northeast quarter of said section; thence westerly to the southeast corner of the northwest quarter of the northwest quarter of said section; thence northerly to the north-

east corner of the northwest quarter of the northwest quarter of said section, being a point on the present north boundary line of the Rocky Mountain National Park and the end of the above-described change of said boundary; and

East boundary, beginning at the northeast corner of section 3, township 3 north, range 73 west of the sixth principal meridian, Colorado, being a point on the present east boundary line of Rocky Mountain National Park; thence westerly along the township line to the northwest corner of said section; thence northerly along section line to the southwest corner of the northwest quarter of section 34, township 4 north, range 73 west; thence easterly to the southeast corner of the southwest quarter of the northwest quarter of said section; thence northerly to the northeast corner of the northwest quarter of the northwest quarter of said section; thence westerly to the northwest corner of said section; thence northerly along section lines to the southwest corner of the northwest quarter of the southwest quarter of section 22, said township; thence easterly to the southeast corner of the northeast quarter of the southwest quarter of said section; thence northerly to the southwest corner of the northwest quarter of the northeast quarter of said section; thence easterly to the southeast corner of the northeast quarter of the northeast quarter of said section; thence northerly along section lines to the northeast corner of the southeast quarter of the southeast quarter of section 15, said township; thence westerly to the northwest corner of the southwest quarter of southeast quarter of said section; thence northerly, passing through the northeast corner of the northwest quarter of said section, to the northeast corner of the southeast quarter of the southwest quarter of section 10, said township; thence westerly to the northwest corner of the southeast quarter of the southwest quarter of said section; thence northerly to the northeast corner of the northwest quarter of the southwest quarter of said section; thence westerly, passing through the northwest corner of the southwest quarter of said section, to the northwest corner of the northeast quarter of the southwest quarter of section 9, said township; thence southerly to the northeast corner of the southwest quarter of the southwest quarter of said section; thence westerly to the northwest corner of the southwest quarter of the southwest quarter of said section; thence northerly along section lines to the northeast corner of the southeast quarter of the southeast quarter of section 5, said township; thence westerly to the northwest corner of the southeast quarter of the southeast quarter of said section; thence southerly to the southwest corner of the southeast quarter of the southeast quarter of said section; thence westerly along section line to the southeast corner of the southwest quarter of said section; thence northerly to the northeast corner of the southwest quarter of said section; thence westerly to the northwest corner of the southwest quarter of said section; thence northerly along section line to the northeast corner of section 6, said township; thence easterly along the first correction line north to the southeast corner of the southwest quarter of section 32, township 5 north, range 73 west; thence northerly to the northeast corner of the northwest quarter of said section; thence westerly along section line to the northwest corner of said section; thence northerly along section lines to the southwest corner of the northwest quarter of the southwest quarter of section 20, said township; thence easterly to the northwest corner of the southeast quarter of the southeast quarter of said section; thence southerly, passing through the southwest corner of the southeast quarter of the southeast quarter of said section, to the southwest corner of the northeast quarter of the northeast quarter of section 29, said township; thence easterly to the southeast corner of the northeast quarter of the northeast quarter of said section; thence southerly to the southwest corner of the northwest quarter of section 28, said township; thence easterly to the southeast corner of the southwest quarter of the northwest quarter of said section; thence northerly to the northeast corner of the southwest quarter of the northwest quarter of said section; thence easterly, passing through the southeast corner of the northeast quarter of the northeast quarter of said section, to the southeast corner of the northeast quarter of the northeast quarter of section 27, said township; thence northerly along section line to the northeast corner of said section; thence westerly along section line to the southeast corner of the southwest quarter of the southwest quarter of section 22, said township; thence northerly to the northeast corner of the northwest quarter of the northwest quarter of said section; thence westerly along section lines to the southeast corner of the southwest quarter of section 16, said township; thence northerly to the northeast corner of the southeast quarter of the southwest quarter of said section; thence westerly to the northwest corner of the southwest quarter of the southwest quarter of said section; thence northerly along section line to the center line of the north branch of Fall River; thence northwesterly along the center line of the north branch of Fall River to the west line of the east half of the east half of section 17, said township; thence southerly to the northeast corner of the southwest quarter of the southeast quarter of said section; thence westerly to the northwest corner of the southwest quarter of the southeast quarter of said section; thence southerly to the southwest corner of the southeast quarter of said section; thence westerly along section line to the southeast corner of

section 18, said township; thence northerly along section line to the northeast corner of said section; thence easterly along section line to the northwest corner of section 16, said township; thence southerly along section line to the southwest corner of the northwest quarter of the northwest quarter of said section; thence easterly to the northwest corner of the southwest quarter of the northeast quarter of said section; thence southerly to the southwest corner of the northeast quarter of said section; thence easterly, passing through the southeast corner of the northeast quarter of said section, to the northwest corner of the northeast quarter of the southwest quarter of section 15, said township; thence southerly to the southwest corner of the northeast quarter of the southwest quarter of said section; thence easterly to the southeast corner of the northeast quarter of the southwest quarter of said section; thence northerly to the southwest corner of the northeast quarter of the southwest quarter of said section; thence easterly on mid-section lines to the southeast corner of the northwest quarter of section 18, township 5 north, range 72 west; thence northerly to the southwest corner of the northwest quarter of the northeast quarter of said section; thence easterly to the southeast corner of the northeast quarter of the northeast quarter of said section; thence northerly along section lines to the northeast corner of section 7, said township; thence westerly along section line to the southeast corner of the southwest quarter of section 6, said township; thence northerly to the northeast corner of the southeast quarter of the southwest quarter of said section; thence westerly to the northwest corner of the southwest quarter of the southwest quarter of said section; thence northerly to the northwest corner of said section, being a point on the present east boundary line of Rocky Mountain National Park and the end of the change of said boundary: *Provided, however*, That the following lands shall remain and be a part of the Rocky Mountain National Park: The northwest quarter of the northeast quarter and the east half of the northeast quarter of the northwest quarter of section 34, township 5 north, range 73 west; all of that portion of the following-described lands located in township 4 north, range 73 west, lying west of the hydrographic divide that forms the eastern boundary of the watershed of Cow Creek and of Aspen Brook; the east half of the northeast quarter of section 35; the east half of the southeast quarter and the southeast quarter of the northeast quarter of section 26; section 24; section 25; the east half of section 23: *Provided further*, That those portions of the following-described lands that are hereby excluded from the Rocky Mountain National Park are hereby transferred to and made a part of the Colorado National Forest, subject to all laws and regulations applicable to national forests: The northwest quarter of the northeast quarter and northeast quarter of the northwest quarter, section 33, township 7 north, range 74 west; section 6, township 5 north, range 72 west; the southeast quarter of the southeast quarter of section 34, township 5 north, range 73 west; sections 3, 10, and 15, township 4 north, range 73 west.

SEC. 2. The Secretary of the Interior is hereby authorized, in his discretion, to permit, by license, lease, or other authorization, the use of necessary land in the Rocky Mountain National Park for the maintenance and operation in its present height and capacity of the Arbutle No. 2 reservoir.

SEC. 3. That the provisions of the act of January 26, 1915, entitled "An act to establish the Rocky Mountain National Park in the State of Colorado, and for other purposes," and act of August 25, 1916, entitled "An act to establish a national-park service, and for other purposes," and all acts supplementary to and amendatory of said acts are made applicable to and extended over the lands hereby added to the park: *Provided*, That the provisions of the act of June 10, 1920, entitled "An act to create a Federal power commission, to provide for the improvement of navigation, the development of water power, the use of the public lands in relation thereto, and to repeal section 18 of the river and harbor appropriation act, approved August 8, 1917, and for other purposes," shall not apply to or extend over such lands.

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

DISPOSITION OF CERTAIN LANDS IN FLORIDA

Mr. SEARS of Florida. Mr. Speaker, I ask unanimous consent to return to Calendar No. 305 and consider the same.

The SPEAKER pro tempore. The gentleman from Florida asks unanimous consent to return to Calendar No. 305. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the title of the bill:

A bill (H. R. 8903) to donate to the town, municipality, or city of Jupiter, Fla., for park purposes, the abandoned tract or tracts of land formerly used as a life-saving station.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. Without objection, the Clerk will read the amendment and not the matter stricken out.

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That lots 4 and 5, section 5, township 41 south, range 43 east, Florida, containing 8.25 acres, formerly used as a life-saving station but having been abandoned for that purpose, are hereby placed under the control of the Secretary of the Interior for disposition as hereinafter provided.

SEC. 2. That the Secretary of the Interior may cause the said lands to be subdivided into town lots, blocks, streets, and alleys of such dimensions as he may deem advisable, reserving not more than 5 acres for park, school, and other public purposes. Except as to the reservations mentioned he shall cause the said town lots so surveyed and subdivided, and each tract thereof, to be appraised by three competent and disinterested men to be appointed by him. When the appraisement has been approved by him he shall cause the said lots to be sold at public auction to the highest bidder on such terms as he may prescribe, at not less than the appraised value thereof, first having given not less than 60 days' public notice of the time, place, and terms of sale immediately prior to such sale by publication in at least one newspaper having a general circulation in the section of the country in which the lands are situated and in such other newspapers as he may deem advisable; that any lots remaining unsold may be reoffered for sale at any subsequent time in the same manner at the discretion of the Secretary of the Interior; and if not sold at such second offering for want of bidders then the Secretary of the Interior shall sell the same at private sale for cash at not less than the appraised value.

SEC. 3. That when a town is organized as a municipality embracing the lands in question the Secretary of the Interior is authorized to issue patent to the said municipality for all reservations, for parks, schools, and other public purposes, to be maintained for such purposes only.

Mr. LAGUARDIA. Mr. Speaker, I have an amendment to the amendment. Page 2, line 25, after the word "acres" insert "on the ocean front." That is to give to the town of Jupiter this park on the ocean front.

The SPEAKER pro tempore. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 2, line 25, after the word "acres" insert "on the ocean front."

Mr. BEGG. Mr. Speaker, I move to strike out the last word. The SPEAKER pro tempore. That is an amendment in the third degree, but without objection the gentleman from Ohio is recognized.

There was no objection.

Mr. BEGG. Mr. Speaker, I merely want to make a statement that I was persuaded to withdraw my objection to this bill after considerable argument on the statement by the gentleman from Florida that it might be interpreted in his country as a reflection on him if he was unable to get this bill passed. I do not care to do that against anybody. I do not think it is a good policy for the Government to go into the real estate business in a retail way. Not having changed my views a bit, but in order to prevent doing an unfairness to a colleague, I agreed to withdraw my objection, and I wanted that in the RECORD. I think again that this is the poorest kind of governmental business, and to embark upon it is a mistake.

Mr. HILL of Maryland. Mr. Speaker, I was one of the objectors and I withdrew my objection because of the amendment offered by the gentleman from New York placing in the bill the words "on the ocean front."

Mr. SEARS of Florida. Mr. Speaker, I want to thank my friend and colleague from Ohio. This is not the bill that I wanted, as the members of the committee will state, but it is the best that I can get.

Mr. MADDEN. I will say I am going to object if anybody is going to make any more speeches.

The SPEAKER pro tempore. The question is on the amendment to the amendment offered by the gentleman from New York.

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

Mr. LAGUARDIA. Mr. Speaker, I move to strike out section 3, because the town of Jupiter has been incorporated. I think it is surplus at this time. I move to strike out section 3.

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

The Clerk read as follows:

Page 3, beginning in line 18, strike out all of section 3.

The question was taken, and the amendment was agreed to. Mr. SEARS of Florida. I ask that the title be amended.

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

The title was amended.

A motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER pro tempore. The Clerk will report the next bill.

ADDITIONAL BUILDINGS AT CERTAIN NAVAL HOSPITALS

The next business on the Consent Calendar was the bill (H. R. 10732) to authorize the construction of necessary additional buildings at certain naval hospitals, and for other purposes.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. BLANTON. I object, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Texas objects.

Mr. VINSON of Georgia. Mr. Speaker, will the gentleman withhold his objection for a moment?

Mr. BLANTON. Yes.

Mr. BUTLER rose.

Mr. BLANTON. Is the gentleman from Pennsylvania satisfied with his blanket bill, passed the other day?

Mr. BUTLER. Not altogether, but it is the best that can be done.

Mr. BLANTON. Mr. Speaker, the gentleman from Pennsylvania wants to be heard on this, I will reserve my objection.

Mr. WOODRUFF. Mr. Speaker, the bill (H. R. 10732) provides an authorization for funds for the construction of certain facilities at different naval hospitals in the United States and Territories.

Mr. BLANTON. Mr. Speaker, being overwhelmed here, I will withdraw my reservation.

Mr. WOODRUFF. I thank the very generous gentleman from Texas and will discontinue my remarks.

The SPEAKER pro tempore. Is there objection?

There was no objection.

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

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized to construct necessary additional buildings at the naval hospitals at Pearl Harbor, Hawaii, laboratory and mortuary building, \$35,000; Great Lakes, Ill., boiler plant and connecting line, \$200,000; Puget Sound, Wash., extension to mess hall and galley, \$32,000; Guam, mess hall and galley, \$18,000; San Diego, Calif., officers' ward building, 50 beds, \$150,000; which expenditure for the purposes aforesaid shall be made from the naval hospital fund.

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

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

A motion to reconsider the vote whereby the bill was passed was ordered to be laid on the table.

The SPEAKER pro tempore. The Clerk will report the next bill.

SESQUICENTENNIAL OF AMERICAN INDEPENDENCE AND THE THOMAS JEFFERSON CENTENNIAL COMMISSION OF THE UNITED STATES

The next business on the Consent Calendar was the resolution (S. J. Res. 30) authorizing the establishment of a commission to be known as the Sesquicentennial of American Independence and the Thomas Jefferson Centennial Commission of the United States, in commemoration of the one hundred and fiftieth anniversary of the signing of the Declaration of Independence and the one hundredth anniversary of the death of Thomas Jefferson, the author of that immortal document.

The title of the resolution was read.

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

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I would like to get some information. I notice that the resolution says no appropriation shall be made by Congress to carry out its purposes. Have they devised some way of carrying on the celebration? When they have devised the plan, will that plan provide an appropriation of several million dollars?

Mr. BACON. If the consent of Congress is required in that plan, Congress will be appealed to.

Mr. CRAMTON. I understood it would be worked out without an appropriation by Congress.

Mr. BACON. That is my understanding.

Mr. CRAMTON. If it were the idea that it was going to lead to a plan costing several million dollars, it would be a good plan to stop it now; but with the statement of the gentleman from New York, I shall have no objection.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the resolution, omitting the matter stricken out.

The Clerk read as follows:

Resolved, etc., That there is hereby established a commission, to be known as the Sesqui-Centennial of American Independence and the Thomas Jefferson Centennial Commission of the United States, in commemoration of the one hundred and fiftieth anniversary of the signing of the Declaration of Independence and the one hundredth anniversary of the death of Thomas Jefferson, the author of that immortal document (hereinafter referred to as the commission), and to be composed of 19 commissioners, as follows:

The President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, ex officio; eight persons to be appointed by the President of the United States; four Senators by the Vice President; and four Representatives by the Speaker of the House of Representatives.

SEC. 2. The commissioners shall serve without compensation, and shall select a chairman from among their number, and no appropriation shall be made by Congress to carry out the purposes of this act.

SEC. 3. It shall be the duty of the commissioners to promulgate to the American people an address relating to the reason of the creation of the commission and of its purposes and to prepare a plan or plans for a program in cooperation with the officers and board of governors of the Thomas Jefferson Memorial Foundation, and the other National, State, city, civic, and patriotic committees, and other Jefferson centennial committees appointed throughout the country for the purpose of properly commemorating those signal events which have brought this commission into being; and to give due and proper consideration to any plan or plans which may be submitted to them; and to take such steps as may be necessary in the coordination and correlation of the various plans which may be submitted to the commission; and if the participation of other nations be deemed advisable, to communicate with the governments of such nations.

SEC. 4. When the commission shall have approved of a plan of celebration, then it shall submit for their consideration and approval such plan or plans, in so far as it or they may relate to the fine arts, to the Commission of Fine Arts, in Washington, for their approval, and in accordance with statutory requirements.

SEC. 5. That the commission hereby created shall expire within two years after the expiration of the celebration, December 31, 1926.

SEC. 6. This joint resolution shall take effect immediately.

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

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the third reading of the Senate joint resolution.

The Senate resolution was ordered to be read a third time, was read the third time, and passed.

The SPEAKER pro tempore. Without objection, the title will be amended so as to read: "Authorizing the establishment of a commission to be known as the Sesquicentennial of American Independence and the Thomas Jefferson Centennial Commission of the United States, in commemoration of the one hundred and fiftieth anniversary of the signing of the Declaration of Independence."

There was no objection.

A motion to reconsider the vote whereby the bill was passed was ordered to be laid on the table.

The SPEAKER pro tempore. The Clerk will report the next bill.

USE OF PUBLIC LANDS FOR RECREATIONAL PURPOSES

The next business on the Consent Calendar was the bill (H. R. 10773) to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOODRUFF. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman from Oregon [Mr. SISKIYOU], if he is present, a question about this bill.

Mr. CRAMTON. The gentleman from Oregon has been called out to attend an important conference of Members from the West interested in reclamation matters, and he asked me, so far as I was able, to answer any questions. I do not know whether I can answer the gentleman's question, but I shall be glad to if I can.

Mr. WOODRUFF. To what extent are the national forests to be used for recreational purposes?

Mr. CRAMTON. They can not be so used at all under this act, because this act has only to do with public lands under the Interior Department.

Mr. BLANTON. Is the gentleman from Michigan in favor of this bill?

Mr. CRAMTON. Very much so.

Mr. BLANTON. Since when?

Mr. CRAMTON. Since I learned there was such a bill. I have been in favor of the purposes of such a bill for a long time. It grew out of the recreational conference organized by the President, representing the different departments. They had a rather impressive program, but this is a small part of it.

Mr. BLANTON. It does not call for an enlarged program?

Mr. CRAMTON. No. It authorizes certain exchanges.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

There was no objection.

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

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized, in his discretion, to withhold from all forms of appropriation unreserved nonmineral public lands, which have been classified by him as chiefly valuable for recreational purposes and are not desired for Federal administration, and to accept title on behalf of the United States from any States in and to lands granted by Congress to such State, and in exchange therefor to patent to such State an equal quantity or value of surveyed land so withheld and classified, any patent so issued to contain a reservation to the United States of all mineral deposits in the land conveyed and of the right to mine and remove same, under regulations to be established by the Secretary, and a provision for reversion of title to the United States upon a finding by the Secretary of the Interior that for a period of five consecutive years such land has not been used by the State for park or recreational purposes, or that such land or any part thereof is being devoted to other use: *Provided*, That lands so withheld and classified may, in the discretion of the Secretary of the Interior, be also held subject to purchase and may be purchased by the State or county in which the lands are situated, or by an adjacent municipality in the same State, at a price to be fixed by the Secretary of the Interior, through appraisal or otherwise, subject to the same reservation of mineral deposits and the same provision for reversion of title as are prescribed for conveyances to the States in consummation of exchanges hereby authorized, or be held subject to lease and may be leased to such States, counties, or municipalities for recreational use at a reasonable annual rental for a period of 20 years, with privilege of renewal for a like period. And the Secretary of the Interior is hereby authorized to make all necessary rules and regulations for the purpose of carrying the provisions of this act into effect.

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

A motion to reconsider the vote whereby the bill was passed was laid on the table.

McLENNAN COUNTY, TEX.

The next business on the Consent Calendar was the bill (H. R. 9212) authorizing and directing the Secretary of the Treasury to pay to McLennan County, in the State of Texas, the sum of \$20,020.60 compensation for the appropriation and destruction of an improved public road passing through the military camp at Waco, Tex., in said county, by the Government of the United States.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BEGG. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Texas a question. Is the gentleman from Texas willing to say to this House that when they sought to locate this camp and aviation field at Waco they did not at least imply that they were doing this for the Government without cost?

Mr. CONNALLY of Texas. Well, I will ask the gentleman what he means by "doing that without cost"?

Mr. BEGG. Locating this aviation field there.

Mr. CONNALLY of Texas. I will explain the situation.

Mr. BEGG. If there was an understanding, implied or expressed, that the Government was to pay for the damage they did then I think we owe this debt, but if, on the other hand, the city of Waco—and among all cities within any reasonable radius of these camps there was a rivalry to get them located there—implied that if the Government would locate there they would furnish this land, I do not think they have a leg to stand on, so to speak, in asking compensation for damages. If the gentleman from Texas will state, on his word, that there was no such implication from the city of Waco, I shall not object.

Mr. CONNALLY of Texas. I will say to the gentleman that the gentleman from Texas is not going to state on his word anything he does not know. The gentleman from Texas was not there and he does not personally know about what the gentleman is asking, but the gentleman from Texas can briefly explain the circumstances surrounding this matter as they appear to be.

Mr. BEGG. That is not an answer so far as the gentleman from Ohio is concerned, because I think I know all of the facts.

Mr. CONNALLY of Texas. All of the land within this field except the public roads was leased by the Government and it paid rent for it. There was no gratis matter about that at all. There was a public highway that went through the field—

Mr. BEGG. May I interrupt the gentleman right there to ask him a question?

Mr. CONNALLY of Texas. Yes.

Mr. BEGG. Did the Government just go in and practically coerce the holders of this land to lease it or did the city of Waco tender the Government this land with a road on it?

Mr. CONNALLY of Texas. No; I will say to the gentleman that neither one of his assumptions is correct.

Mr. BEGG. I would like to have the gentleman explain the circumstances.

Mr. CONNALLY of Texas. The War Department, early in the war, decided that these aviation camps—and for that matter all training camps—should be located somewhere in the country where the weather would give the opportunity of all-year flying, so the result was that most of them were located in the South.

Of course, Waco wanted these camps, like every other city wanted them, but as a matter of fact that chamber of commerce at Waco went out and leased from the owners the lands which the Government thought were desirable for aviation purposes; then the chamber of commerce in turn leased those lands to the Government and the Government paid rent each year on every acre that was in the field. Within this aviation field there were several tracts. Here was one tract, there was another tract, and over there was another tract, and they leased all of those tracts. This improved highway passed through what was afterwards the field. Now, the chamber of commerce at Waco agreed with the Government that it would have those roads closed and the county voluntarily closed them to travel. The county received no compensation or rent. It closed the roads to accommodate the Government. After they were closed to travel the Government came along and plowed up part of the road, dynamited a concrete bridge on the road, filled up the ditches and leveled them. Now, the contract between the chamber of commerce, who had leased the lands from the private owners, and the Government contained provisions about damage to lands and fixed the rights of the parties. But the county had no contract and received no rent.

Mr. BEGG. That is just exactly the information I wanted.

Mr. CONNALLY of Texas. But the county was not a party to that contract.

Mr. BEGG. That does not make any difference.

Mr. CONNALLY of Texas. And consequently the owners, who had their contract with the Government, could present their claims to the War Department, but the county, having no contract, must come to Congress.

Mr. BEGG. As far as I am concerned, the gentleman has satisfied me. When he states there was a contract, either express or implied, that they would compensate for damages, the gentleman has given me the information I desired.

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, has the amount of \$9,403.42 been computed or is that the maximum, as the bill now stands, which could be appropriated?

Mr. CONNALLY of Texas. There is a committee amendment which I will offer.

Mr. LAGUARDIA. That is for \$20,020.60?

Mr. CONNALLY of Texas. No; the amount is \$9,403.42.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay to McLennan County in the State of Texas, or to the proper fiscal officers of such county, out of any money in the Treasury not otherwise appropriated, the sum of \$20,020.60 to compensate the said county for the value of an improved public highway in said county and which passed through a military camp at Waco, Tex., and which said improved highway was appropriated by the United States Government and was closed to public use and was destroyed by the Government in order to make said military camp available as an aviation field, and to compensate said county for the expense of constructing temporary roads in lieu of such road to accommodate travel during the use of said road by the United States.

Amend the title so as to read: "A bill authorizing and directing the Secretary of the Treasury to pay to McLennan County, in the State of Texas, the sum of \$9,403.42 compensation for the appropriation and destruction of an improved public road pass-

ing through the military camp at Waco, Tex., in said county, by the Government of the United States."

With the following committee amendments:

Page 1, line 7, strike out the figures "\$20,020.60" and insert in lieu thereof the figures "\$9,403.42."

On page 2, line 6, after the word "field," strike out the comma and the language "and to compensate said county for the expense of constructing temporary roads in lieu of such road to accommodate travel during the use of said road by the United States."

The committee amendments were agreed to.

Mr. CONNALLY of Texas. Mr. Speaker, I offer an amendment to the bill, after the figures "\$9,403.42," insert the words "which sum is hereby appropriated."

Mr. BEGG. Mr. Speaker, we can not do that in this bill. The best we can do is to authorize it to be appropriated.

Mr. CONNALLY of Texas. All right; I offer an amendment to insert "is hereby authorized to be appropriated."

The SPEAKER pro tempore. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CONNALLY of Texas: Page 1, line 7, after the figures "\$9,403.42," insert "which sum is hereby authorized to be appropriated."

Mr. LAGUARDIA. Mr. Speaker, I would like to ask the gentleman what is the purpose of that amendment? On the first line of the bill you have the language "the Secretary of the Treasury is hereby authorized and directed to pay," and so forth.

Mr. CONNALLY of Texas. I took it up with the parliamentary clerk, and there seems to be some doubt about it.

Mr. LAGUARDIA. Very well.

The amendment was agreed to.

Mr. LAGUARDIA. Mr. Speaker, I offer the following amendment:

Page 1, line 6, after the word "appropriated," insert the words "not to exceed."

Mr. CONNALLY of Texas. Mr. Speaker, there is no need of that amendment. We are appropriating a particular sum.

Mr. LAGUARDIA. I asked the gentleman from Texas if all the damages had been computed.

Mr. CONNALLY of Texas. I will say they have been. The Committee on Military Affairs has passed on the damages and has estimated them.

Mr. LAGUARDIA. If the damages have been computed in that amount, of course, my amendment is not necessary. If they have not been, I do not see any use of appropriating a fixed sum when the final sum may be less.

Mr. CONNALLY of Texas. The damages have been computed.

Mr. LAGUARDIA. Then I ask permission to withdraw the amendment.

The SPEAKER pro tempore. Without objection, the amendment is withdrawn.

There was no objection.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended to read as follows: "A bill authorizing and directing the Secretary of the Treasury to pay to McLennan County, in the State of Texas, the sum of \$9,403.42 compensation for the appropriation and destruction of an improved public road passing through the military camp at Waco, Tex., in said county, by the Government of the United States."

SENATE CONCURRENT RESOLUTION 14 REFERRED

Senate Concurrent Resolution 14, authorizing change in enrollment of the bill H. R. 8132, to the Committee on Enrolled Bills.

BIRTHPLACE OF HENRY WADSWORTH LONGFELLOW

Mr. THURSTON. Mr. Speaker, I ask unanimous consent to return to Calendar No. 289 (H. R. 8267) a bill referred to a moment ago.

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I want to ask the gentleman if he can assure the House that this society is a historical or a literary society of standing, or is it just a proposition of one man or just a few men who want these coins or medals for the purpose of selling them for their own purposes? If the gentleman can assure this House this society stands as a literary society or as a historical society of merit, of course, I shall not object.

Mr. THURSTON. I will make this reply to the gentleman from New York: This matter was thoroughly and fully pre-

sented to the Committee on Coinage, Weights, and Measures by the secretary of the International Longfellow Society. I understand, and it was so stated before the committee, this organization owns the home in Portland, Me., where Henry Wadsworth Longfellow was born, and that the property is becoming dilapidated and needs funds for additional repairs. The idea is to sell these medals for the purpose of obtaining funds to help to maintain and keep this building in good repair.

Mr. LAGUARDIA. I understand the purpose of it, and, of course, there can be no objection to the purpose if back of it there is a society of standing, either literary or historical; but if it is just a sort of exhibition proposition I do not see why we should pass an act of Congress to permit these people to coin medals or anything else.

Mr. STEPHENS. Will there be any expense on the Government?

Mr. LAGUARDIA. No.

Mr. LOWREY. Will the gentleman yield?

Mr. LAGUARDIA. I yield to the gentleman from Mississippi.

Mr. LOWREY. This was first a proposition to coin 1,000,000 copper-cent pieces to be sold at 5 and 10 cents in the schools of America for school children to provide the money to restore and perpetuate the Longfellow home as a memorial. The Treasury Department sent a man before our Committee on Coinage, Weights, and Measures, protesting against the passage of any more of these coin bills, and I will say frankly I had been voting against them before the Treasury sent this man before the committee; but the Treasury stated that with the payment of the full value by the society, they would be glad to coin a medal, which was not to be legal tender and was not to interfere with our coinage system.

Mr. LAGUARDIA. Exactly; but as the gentleman says, you are coining a 1-cent piece or a medal, and some private organization is going to sell it for 4 or 5 cents as the case may be. If there is a worthy cause back of it, no one, of course, is going to object. If it is a literary or historical society of standing, of course, there is no objection, but if it is a private association, I should think this House would want to know more about it before we put into circulation these medals or these coins, and I therefore would ask the gentleman to withdraw his request and let this go over for a week, so that we may look up the standing of this society.

Mr. BEGG. Will the gentleman yield?

Mr. THURSTON. Surely.

Mr. TILLMAN. Mr. Speaker, I demand the regular order.

Mr. BEGG. Is this home open to inspection by the public or is it a private proposition where you pay an admission fee?

Mr. THURSTON. It is open to the public.

The SPEAKER pro tempore. The gentleman from Arkansas demands the regular order. The regular order is, is there objection to returning to the bill (H. R. 8267), No. 289 on the calendar?

Mr. LAGUARDIA. Mr. Speaker, I object.

EAGLE LAKE

The next business on the Consent Calendar was the bill (H. R. 9724) declaring Eagle Lake, which lies partly within the limits of the State of Mississippi in Warren County and partly within the limits of the State of Louisiana in Madison Parish, to be a nonnavigable stream.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. BEGG. Reserving the right to object, I would like to ask a question.

Mr. SANDLIN. The gentleman from Mississippi [Mr. COLLIER], who is the author of this bill, is not present.

Mr. BEGG. My question is why is this request?

Mr. SANDLIN. I am not familiar with it.

Mr. BEGG. I ask that the bill be passed over without prejudice.

The SPEAKER pro tempore (Mr. TILSON). Is there objection?

There was no objection.

BRIDGE ACROSS THE DELAWARE RIVER NEAR BURLINGTON, N. J.

The next business on the Consent Calendar was the bill (H. R. 10001) authorizing the construction of a bridge across the Delaware River at or near Burlington, N. J.

The Clerk read the title to the bill.

Mr. BRUMM. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

AMENDING THE JUDICIAL CODE

The next business on the Consent Calendar was the bill (H. R. 3745) to amend section 96, chapter 5, of the act of Congress of March 3, 1911, entitled "Judicial Code."

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 96, chapter 5, of the act of Congress approved March 3, 1911, and therein designated "The Judicial Code," be amended so that the same shall read as follows:

"Sec. 96. The State of New Jersey shall constitute one judicial district, to be known as the district of New Jersey. Terms of the district court shall be held at Newark on the first Tuesday in April and the first Tuesday in November, at Trenton on the third Tuesday in January and the second Tuesday in September, of each year, and at Camden at least once in each year at such time as the court may from time to time, by rule, designate. The clerk of the court for the district of New Jersey shall maintain an office, in charge of himself or a deputy, at Newark and at Trenton, each of which offices shall be kept open at all times for the transaction of the business of the court, and shall maintain an office at Camden, in charge of himself or a deputy, which office shall be kept open for the transaction of the business of the court for such times as the court may, by rule, direct, and the marshal shall also maintain an office, in charge of himself or a deputy, at Newark and at Trenton, each of which offices shall be kept open at all times for the transaction of the business of the court, and shall also maintain an office, in charge of himself or a deputy, at Camden, for such times as the court may, by rule, direct."

With the following committee amendment:

On page 2, lines 1, 2, and 3, strike out the words "at least once in each year at such time as the court may from time to time, by rule, designate" and insert in lieu thereof the words "on the first Tuesday in December."

The committee amendment was agreed to.

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

A motion to reconsider the vote whereby the bill was passed was laid on the table.

EXCHANGE OF UNSERVICEABLE AMMUNITION

The next business on the Consent Calendar was the bill (H. R. 9218) to authorize the Secretary of War to exchange deteriorated and unserviceable ammunition and components, and for other purposes.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. MADDEN. I object.

OIL AND GAS MINING LEASES ON UNALLOTTED LANDS, INDIAN RESERVATION

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. SCHAFER. I object.

RETURN OF SILVER SERVICE PRESENTED TO BATTLESHIP NORTH DAKOTA

The next business on the Consent Calendar was the bill (H. R. 10394) authorizing the Secretary of the Navy in his discretion to deliver to the custody of the State Historical Society of North Dakota the silver service which was presented to the battleship *North Dakota* by the citizens of that State.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. COYLE. Reserving the right to object, there are some committee amendments and the title is to be corrected by striking out the words "historical society" and returning the custody to the State authorities.

The SPEAKER pro tempore. Is there objection?

Mr. SINCLAIR. Mr. Speaker, I ask unanimous consent that a similar Senate bill be substituted for the House bill.

The SPEAKER pro tempore. The gentleman from North Dakota asks unanimous consent to substitute the Senate bill for the House bill. Is there objection?

Mr. BLANTON. Reserving the right to object, is the State of North Dakota what we call an Indian giver?

Mr. COYLE. This ship has been stricken off from the Navy list.

Mr. SINCLAIR. The ship is out of commission. The silver service was donated by the school children of North Dakota. We want it delivered to the historical society.

Mr. BLANTON. But the gentleman from Pennsylvania says that there is an amendment to deliver it to the State authorities. Why not deliver it to the historical society, and not take a

chance on what the governor may do? I know of some governors that you can not tell what they are going to do. [Laughter.]

Mr. SINCLAIR. The Secretary of the Navy believes that it would be more in keeping to give it to the State authorities.

Mr. BLANTON. If the gentleman wants it to go back to the historical society, I would have no objection, but I do not think it ought to go to any political organization.

Mr. SINCLAIR. It will eventually go to the historical society.

Mr. BLANTON. How does the gentleman know?

Mr. SINCLAIR. I have assurances that it will.

Mr. WOODRUFF. These silver services are always returned to the States. That is the invariable custom of the Congress.

Mr. BLANTON. But why not let this go to the historical society?

Mr. COYLE. The State authorities have approved the request of the historical society already. Therefore, if we pass it through the hands of the State authorities, the Federal Government is relieved from any claim on the part of anybody else within that State who might come here hereafter and make some claim in respect to it.

Mr. BLANTON. Let me state to the gentleman what I have in mind. This is a complete set of silver. When you deliver it back to the Governor of North Dakota, if he wanted to, why could he not put it in the governor's mansion and let it stay there?

Mr. SINCLAIR. I do not believe the governor could use this sort of silver. If the gentleman would read the list, he would see that.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. I shall not object to it, but I think it ought to go to the historical society.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. Is there objection to the substitution of the Senate bill?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is authorized, in his discretion, to deliver to the custody of the State of North Dakota, for preservation and exhibition, the silver service which was presented to the battleship *North Dakota* by the citizens of that State: *Provided,* That no expense shall be incurred by the United States for the delivery of such silver service.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

The similar House bill was ordered to lie on the table.

The title was amended to read as follows: "A bill authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the State of North Dakota the silver service which was presented to the battleship *North Dakota* by the citizens of that State."

DECLARING EAGLE LAKE TO BE NONNAVIGABLE

Mr. COLLIER. Mr. Speaker, I ask unanimous consent to return to Calendar 320 (H. R. 9724), declaring Eagle Lake, which lies partly within the limits of the State of Mississippi, in Warren County, and partly within the limits of the State of Louisiana, in Madison Parish, to be a nonnavigable stream.

The SPEAKER pro tempore. Is there objection?

Mr. BEGG. Mr. Speaker, reserving the right to object, why is it necessary to remove this lake from the navigable-water list?

Mr. COLLIER. Eagle Lake has been a navigable stream. It is the old bed of the Mississippi River prior to the building of the levee between the lake and the river. The only way that a boat from the Mississippi River can now be taken into Eagle Lake would be to take it over the levee. All boats on Eagle Lake will now have to be built on Eagle Lake. It is an inland stream altogether.

Mr. BEGG. How large a lake is it?

Mr. COLLIER. About 18 miles long and about half a mile wide. At one time it was the bed of the Mississippi River.

Mr. BEGG. What is the advantage, and who is going to be the beneficiary if this is done?

Mr. COLLIER. The idea is to have this lake under the jurisdiction of Warren County, in Mississippi, and Madison Parish, in Louisiana, for the purpose of stopping some very indiscriminate seining that has been going on, with seines of several hundred yards in length. As long as the Mississippi

River fed the lake with fish it could stand it. I have written down there, and I find that there are going to be no restrictions in respect to fishermen who use a hook and line, either from Warren County or any other county. The lake will be subject to the general laws of Warren County and Madison Parish, represented by my colleague, Mr. WILSON of Louisiana.

The SPEAKER pro tempore. Is there objection to returning to this bill?

There was no objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That Eagle Lake, which lies partly within the limits of the State of Mississippi, in Warren County, and partly within the limits of the State of Louisiana, in Madison Parish, be, and the same is hereby, declared to be a nonnavigable stream.

With the following committee amendment:

Page 1, line 6, after the word "stream," insert "within the meaning of the Constitution and laws of the United States."

Page 1, line 9, add a new section, as follows:

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

The committee amendments were agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

SILVER SERVICE OF BATTLESHIP "MINNESOTA"

The next business on the Consent Calendar was the bill (H. R. 10539) authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Department of Minnesota, the American Legion, the silver service set in use on the battleship *Minnesota*.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is authorized, in his discretion, to deliver to the custody of the Department of Minnesota, the American Legion, for preservation and exhibition, the silver service which was in use on the battleship *Minnesota*: *Provided,* That no expense shall be incurred by the United States for the delivery of such silver service.

With the following committee amendments:

Line 4, strike out "the department of."

Line 5, strike out the comma after the word "Minnesota" and the words "the American Legion."

The committee amendments were agreed to.

Mr. BLACK of Texas. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BLACK of Texas: Page 1, line 4, after the word "custody of" insert the words "the state of."

The amendment was agreed to.

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

The title was amended to conform to the text.

A motion to reconsider the vote by which the bill was passed was laid on the table.

EXCHANGE OF CERTAIN LANDS IN HAWAII

The next business on the Consent Calendar was the bill (H. R. 10399) to extend the time for the exchange of Government-owned lands for privately owned lands in the Territory of Hawaii.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. There is an identical Senate bill on the Speaker's table.

Mr. CURRY. Mr. Speaker, I ask unanimous consent to substitute the Senate bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the provisions of the act of Congress approved January 31, 1922, authorizing the President to exchange certain Government-owned lands in the Territory of Hawaii, or any interest therein, for privately owned lands or lands owned by the

Territory of Hawaii, which were extended by the act of Congress approved March 3, 1925, are hereby further extended to January 31, 1929.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

A similar House bill (H. R. 10399) was ordered to lie on the table.

LITERACY TEST FOR VOTERS IN THE TERRITORY OF ALASKA

The next business on the Consent Calendar was the bill (H. R. 9211) to prescribe certain of the qualifications of voters in the Territory of Alaska, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object—

Mr. CARTER of Oklahoma. Mr. Speaker, reserving the right to object, I would like to get some information about this bill if any one here can give it. I want to know what purpose is expected to be subserved?

Mr. CURRY. Mr. Speaker, in 1924 Congress made Indians, Eskimos, and Aleuts citizens of the United States. In the Territory of Alaska there is no qualification for an electorate other than a residence of one year in the Territory and three months in the precinct. There is no registration of an elector. There is no way of knowing next year who voted last year legally. In Alaska there are about 58,000 people of which about 20,000 are white people and 38,000 are Indians, Eskimos, and Aleuts. Nearly all the white people up there can read and write. Probably three or four thousand Indians and Eskimos can read and write. The balance can not read and write. This bill is to require all persons who vote in Alaska to be able to read and write.

Mr. CARTER of Oklahoma. The purpose then is to disfranchise a certain class of Indians who can not read and write in the English language?

Mr. CURRY. No; it does not disfranchise anyone; Indians, whites, or anyone else. There are a number of whites who can not read and write, and a number of Indians who can not read and write. I do not think any person ought to vote, whether white or Indian, who can not read and write. If they wish to vote, they can learn.

Mr. CARTER of Oklahoma. Mr. Speaker, the gentleman who called my attention to this bill said the purpose was to disfranchise a certain class of the Indians—

Mr. CURRY. That is not true.

Mr. CARTER of Oklahoma. And since we have just passed an act granting citizenship to all Indians, I thought it was rather a step backwards, so I was somewhat opposed to the bill, but the other day I had a letter from a prominent Republican citizen in Alaska, which kind of shook me in my faith in my objections. This good Republican wrote me that the purpose of this bill was to wreck the Republican Party and defeat a lot of honest Republicans. Of course, I was in full sympathy with the first proposition; that is, the wreck of the Republican Party, but I thought if there were any honest Republicans they must be peculiarly indigenous to the climate of Alaska. Furthermore, I felt very strongly that that particular breed of this political faith ought to be preserved. [Laughter.]

Mr. CURRY. Every Chamber of Commerce of Alaska, the Democratic, and Republican Committee, the city trustees and mayors of cities up there, have asked for the passage of this bill.

Mr. SUTHERLAND. I want to state that there has been no solicitation by the Republican Party of Alaska. I happen to represent that party. I want to protest against such a statement.

Mr. CARTER of Oklahoma. Oh, the gentleman misunderstood me. This Republican who wrote me was protesting most vigorously against the bill.

Mr. SUTHERLAND. I protest against the statement of the gentleman from California.

Mr. CURRY. I will put in the RECORD all of these resolutions sent to me when the bill is considered. It is not to stop the Indians from voting.

Mr. CARTER of Oklahoma. Well, Mr. Speaker, under the circumstances I think we should find out something more about this measure before taking action on it, and I ask unanimous consent that this bill go over without prejudice.

The SPEAKER pro tempore. Is there objection to the request?

Mr. WOODRUFF. Mr. Speaker, reserving the right to object, the gentleman from Alaska is here to-day and I would like to have his impression of this bill and what he thinks about it.

Mr. SUTHERLAND. If I may have time to explain. The Legislature of the Territory of Alaska passed this literacy test and put in a provision protecting the voters, just as the State of Maine, from which the gentleman who introduced this bill comes. They brought down this bill to eliminate that, and the purpose is to disfranchise every illiterate in the Territory of Alaska.

Mr. WOODRUFF. I object.

Mr. CURRY. If this goes over without prejudice we can straighten this thing out. I do not want to eliminate any person who has a right to vote, and I would like to have it go over.

The SPEAKER pro tempore. Is there objection to the bill going over without prejudice?

Mr. WOODRUFF. Mr. Speaker, I will not object to the bill going over without prejudice, but I object to its being considered.

The SPEAKER pro tempore. Is there objection to its going over? [After a pause.] The Chair hears none.

The Clerk will report the next bill.

CREATION OF A NATIONAL MILITARY PARK AT COWPENS BATTLE GROUND

The next business on the Consent Calendar was the bill (H. R. 4532) to create a national military park at Cowpens battle ground.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BEGG. I object.

Mr. STEVENSON. Mr. Speaker, will the gentleman reserve his objection?

Mr. BEGG. Yes.

Mr. STEVENSON. I do not know that we need as much authorization here on this proposition as we need an appropriation. This was one of the crucial battles in the South during the War of the Revolution. By Bancroft and other eminent historians it is stated to be one of the crucial battles and one of the most remarkable that have been fought in the South. The Washington Light Infantry 40 years ago built a monument there on a small area of land. We want 10 acres more of land, and they have it so designated that it will not go into the plowed-up fields of that country.

Mr. BEGG. I will say to the gentleman that if I do not object there will be half a dozen others that will.

Mr. STEVENSON. If you are bound to object, of course we will have to fight it out at some other time.

Mr. BEGG. That is what you ought to do. There ought to be some debate on it. A majority of the House is for it, and I am for it. But I do not think it ought to be passed by unanimous consent.

Mr. McSWAIN. Mr. Speaker, for the benefit of the half dozen who might object, I wish to state that in my humble judgment not nearly so much as \$25,000 is necessary in order to accomplish what it is thought to be desirable to do by the Daughters of the American Revolution.

Mr. BEGG. If that land in South Carolina is worth \$25,000, it is but another instance where we have to pay like thunder when we buy land.

Mr. McSWAIN. I will say to the gentleman that one lady has donated 5 acres of land, and others are going to give some land. All we need is to get \$5,000.

Mr. BEGG. If you cut it down to \$2,000 I will vote for it.

Mr. McSWAIN. Two thousand dollars will buy all the necessary land, and another \$3,000 should be given to build roads so as to enable visitors to drive through it, so that these points of interest can be visited. The Daughters of the American Revolution will take care of it, as they have bound themselves to do. Let us have \$5,000 anyhow.

Mr. STEVENSON. Mr. Speaker, I move to strike out "\$25,000" and insert "\$2,000."

Mr. BEGG. With the understanding of that amendment to be offered by the gentleman from South Carolina, I shall not object.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The gentleman from South Carolina offers an amendment. But first the Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That in order to preserve that part of the Cowpens battle grounds near Ezell, Cherokee County, S. C., where Gen. Daniel Morgan, commanding, participated in the Battle of Cowpens on the 17th day of January, 1781, the Secretary of War be, and he is hereby, authorized and directed to acquire, by purchase or otherwise, as much as 10 acres of land for the preservation of said battle field, to the end that it may be declared to be a national military park.

Sec. 2. To enable the Secretary of War to carry out the provisions of this act, purchase of the necessary lands, surveys, maps, marking boundaries, opening, constructing, or repairing necessary roads and streets, salaries for labor and services, traveling expenses, supplies and materials, the sum of \$25,000, or so much thereof as may be necessary, is hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated, to remain available until expended, and the disbursements under this act shall be reported by the Secretary of War to Congress.

With committee amendments, as follows:

Page 1, line 8, after the word "purchase" insert the words "gift, condemnation."

Page 1, line 9, strike out the words "as much as" and insert the words "not less than."

Page 1, line 9, after the word "ten" insert "nor more than twenty-one."

Page 2, line 4, after the word "act" insert the word "to," and after the word "purchase" insert the word "of."

Page 2, line 5, insert at the beginning of the line "to make necessary," and after the word "maps" insert the words "markers, pointers, or signs."

Page 2, line 6, after the word "boundaries" insert the word "for."

Page 2, line 7, after the word "streets" insert the word "for."

Page 2, line 8, at the beginning of the line, insert the word "for."

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

Mr. STEVENSON. Mr. Speaker, I offer the following amendment.

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

The Clerk read as follows:

Amendment by Mr. STEVENSON: Page 2, line 9, strike out "\$25,000" and insert in lieu thereof "\$2,000."

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from South Carolina.

The amendment was agreed to.

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

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

A motion to reconsider the vote whereby the bill was passed was ordered to be laid on the table.

The SPEAKER pro tempore. The Clerk will report the next bill.

SALE OF MARINE HOSPITAL AT DETROIT, MICH.

The next business on the Consent Calendar was the bill (H. R. 9875) to amend an act entitled "An act authorizing the Secretary of the Treasury to sell the United States marine hospital reservation and improvements thereon at Detroit, Mich., and to acquire a suitable site in the same locality and to erect thereon a modern hospital for the treatment of the beneficiaries of the United States Public Health Service, and for other purposes," approved June 7, 1924.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. BEGG. Reserving the right to object, Mr. Speaker, I would like to have a little information.

The SPEAKER pro tempore. The gentleman from Ohio reserves the right to object.

Mr. BEGG. Which bill are we considering? Is it Consent Calendar 342 or 343?

The SPEAKER pro tempore. It is No. 341.

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

The SPEAKER pro tempore. The gentleman from Texas reserves the right to object.

Mr. BLANTON. I want to ask the gentleman from Ohio what are we going to do with all the hospitals in five years from now?

Mr. BEGG. What is the matter?

Mr. BLANTON. I am asking the gentleman a question, because the gentleman from Ohio is presumed to be over there watching over the Treasury.

If the gentleman allows the Public Health Service to tear down the building that is there now—

Mr. BEGG. This bill, I think, is all right.

Mr. BLANTON. And another new hospital is built, what are we going to do with all of them in five years from now? We have vacant beds now in every single one of them that we can not use.

Mr. BEGG. I will say that if we do not stop making more people eligible to use the hospitals free of charge we shall have

to build twice as many, but I think this proposition is all right. I have gone into this, and I think it is all right.

Mr. ELLIOTT. Will the gentleman from Texas yield to me?

Mr. BLANTON. Certainly.

Mr. ELLIOTT. In 1924 this Congress passed an act authorizing the sale of the marine hospital at Detroit, Mich., and authorized them to acquire a new site and to use the money to build a new hospital. Now, what this bill is proposing to do is this: To authorize the Secretary of the Treasury to transfer to the Department of Commerce a small piece of land at Detroit, Mich., for lighthouse purposes; another one at Key West, Fla., for lighthouse purposes; and the Department of Commerce is authorized to transfer a piece of land at Detroit, Mich., upon which this hospital can be built.

Mr. BLANTON. And is to build a new hospital?

Mr. ELLIOTT. That is already taken care of in the act we passed in 1924.

Mr. BLANTON. But they have never built it yet?

Mr. ELLIOTT. No.

Mr. BLANTON. What is standing in the way?

Mr. ELLIOTT. Well, they are trying to get a suitable site, and they can get this site on Government-owned land by making this transfer.

Mr. BLANTON. And the gentleman knows that when we pass this bill, then the next knock will be at the door of the Appropriations Committee for a deficiency appropriation to build this hospital.

Mr. ELLIOTT. Well, I do not think so; but if they did, it would be all right, because they need a marine hospital in Detroit and have had one there for many years.

Mr. BLANTON. Does the gentleman know we need one there?

Mr. ELLIOTT. All I know about it is that the Secretary of the Treasury and the Surgeon General of the United States have recommended this.

Mr. BLANTON. If I could stop the bill by one objection, I would do so; but, as I understand it, it requires three objections.

The SPEAKER pro tempore. It does.

Mr. BLANTON. And realizing that I can not get two other objections, I am not going to take up any more time.

Mr. LAGUARDIA. I will be one of three.

Mr. SCHAFFER. So will I. Mr. Speaker, I ask unanimous consent that the bill be passed over without objection.

Mr. ELLIOTT. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard. Is there objection?

Mr. SCHAFFER, Mr. BLANTON, and Mr. LAGUARDIA objected.

CONSTRUCTION AT MILITARY POSTS

The next business on the Consent Calendar was the bill (H. R. 10275) authorizing appropriations for construction at military posts, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BEGG. Mr. Speaker, I object.

The SPEAKER pro tempore. Three objections are required.

Mr. LAGUARDIA and Mr. BLACK of Texas also objected.

GOVERNMENT WHARF AT JUNEAU, ALASKA

The next business on the Consent Calendar was House joint resolution (H. J. Res. 139) authorizing the construction of a Government dock or wharf at Juneau, Alaska.

The Clerk read the title of the resolution.

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

There was no objection.

The Clerk read the resolution, as follows:

Resolved, etc., That the following work of improvement is hereby adopted and authorized to be prosecuted under the direction of the Board of Road Commissioners for Alaska, in accordance with the plans recommended in the report hereinafter designated:

Dock or wharf at Juneau, Alaska, in accordance with the report submitted in House Document No. 561, Sixty-eighth Congress, second session, and subject to the conditions set forth in said document: *Provided,* That the sum authorized to be so expended shall not exceed the sum of \$22,500.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

LAND FOR PARK PURPOSES IN HENNESSEY, OKLA.

The next business on the Consent Calendar was the bill (H. R. 9496) authorizing the Secretary of the Interior to con-

vey certain lands reserved for park purposes in the town of Hennessey, Okla., to said town of Hennessey, Okla.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BEGG. Mr. Speaker, I would like some information or else I shall object, and I may object anyway.

Mr. CARTER of Oklahoma. I do not know anything at all about this bill, but I see it is introduced by Mr. THOMAS, of Oklahoma.

Mr. BEGG. I know it is, and I hate to object in his absence.

Mr. CARTER of Oklahoma. He has been called to Oklahoma on some business, and, therefore, Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. The gentleman from Oklahoma asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

AMENDMENT OF SECTION 103 OF THE JUDICIAL CODE

Mr. GRAHAM. Mr. Speaker, I wish to call the attention of the House for a moment to No. 383 on the calendar (S. 2763). This House passed a bill granting permission to hold court at Lewisburg, in my State. The Senate two days before had passed a Senate bill of the same nature. I tried to have the House bill passed in the Senate, but it will not be reached there for some time, and this is a matter of immediate and great concern to the sitting judge. An additional judge was asked for in that district under his predecessor, who is now dead. The present judge said he could get along and do the work without an additional judge, but that he needs this accommodation at his home town. The House passed the bill; the Senate passed another bill; and in order to clarify the situation, I simply ask unanimous consent that the House now pass the Senate bill. They are exactly the same, and this will relieve us from a sort of legislative confusion.

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

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the fifth and sixth sentences of section 103 of the Judicial Code, as amended, are amended to read as follows:

"Terms of the district court shall be held at Scranton on the second Monday in March and the third Monday in October; at Harrisburg on the first Mondays in May and December; at Lewisburg on the third Monday in January; and at Williamsport on the first Monday in June. The clerk of the court for the middle district shall maintain an office, in charge of himself or a deputy, at Lewisburg; the civil suits instituted at that place shall be tried there, if either party resides nearest that place of holding court, unless by consent of parties they are removed to another place for trial."

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

CODIFICATION OF GENERAL AND PERMANENT LAWS OF THE UNITED STATES

Mr. ROY G. FITZGERALD. Mr. Speaker, I move to suspend the rules and pass, without reading except by title, the bill (H. R. 10000) to consolidate, codify, and reenact the general and permanent laws of the United States in force December 7, 1925.

The SPEAKER. The gentleman from Ohio moves to suspend rules and pass without reading the bill H. R. 10000, which the Clerk will report by title.

The Clerk read the title of the bill.

The SPEAKER. Is a second demanded?

Mr. GARRETT of Tennessee. Mr. Speaker, I ask for a second.

Mr. ROY G. FITZGERALD. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Ohio is recognized for 20 minutes and the gentleman from Tennessee for 20 minutes.

Mr. GARRETT of Tennessee. Mr. Speaker, I will say to the gentleman from Ohio that I asked for this second in order that the gentleman might give the House a brief statement, as I am sure he will be glad to do, showing just what additions have been made to the bill since we passed it before.

Mr. ROY G. FITZGERALD. I understood that that was the course of procedure which had been adopted heretofore.

Mr. Speaker, with this bill which we have before us (H. R. 10000) we are approaching, I hope, the culmination of the efforts of more than 30 years to codify the laws of the United States.

This bill embodies the work of our late Member, Col. Edward C. Little, former Congressman from Kansas, who devoted his time unsparingly both day and night, until many of us feel that his life was shortened and that he gave it to this great work.

Unfortunately in the preparation of a work of this kind there can be no changes made in the law. This committee of the House must come before you and give assurance that there is no change made. There are many portions of the law that are obsolete; there are many portions of the law that are contradictory; there are many portions of the law that I think we could unanimately agree to change if attention were directed to them; but if this committee attempted to present a code embodying changes, it would open the matter to discussion; the Members would certainly want to know what the changes were and why they were made; differences of opinion would arise; and if a reading of this bill were insisted upon, requiring a month or more of time, it could not pass. Consequently, with all the humility which I can assume, I must ask the House to take this bill on trust, as they have done former bills in the Sixty-sixth, Sixty-seventh, and Sixty-eighth Congresses.

Let me now tell you something of what has been done. In the preparation of H. R. 12, as we knew the bill in the Sixty-seventh Congress, and also in the Sixty-eighth Congress, there were efforts made by different departments of the Government to change the law. They had placed certain interpretations on the law under which they were working, and I do not blame them for wanting it changed, because there were really very good reasons why that should be done; but Colonel Little could not consent to it and did not consent. Then when the matter got to the Senate there was an accumulation of criticisms about the bill, some of them because of the very fidelity with which the former chairman of this committee had acted.

I could illustrate, but it would take considerable time. The Senate committee was impressed by the criticisms and would not act favorably on the bill. So after this House had unanimously passed the bill in the Sixty-sixth Congress and the Sixty-seventh Congress and the Sixty-eighth Congress, failure being repeatedly encountered in the Senate, it became necessary to proceed along somewhat different lines. Joint meetings and conferences were held by the Senate committee and the House committee, and at first we thought we could proceed along the lines that Colonel Little had pursued and employ experts or specialists to perfect, as the Senate put it, some of the imperfections in the code and bring it down to date. The course or stream of legislation is passing continually along. We must stop somewhere. This bill (H. R. 10000) stops at the beginning of this Congress. We have already enacted a great many laws of a permanent nature since then, and some of great importance, such as the revenue act. At the time of Colonel Little's bill we had enacted a great tariff act as well as a revenue act, and the Senators objected for the reason the Little code was not up to date.

Under an agreement which I believe has paved the way for the successful handling of this bill through the Senate, if the House approves, we submitted a proposition to the two great law publishing concerns of the country, the West Publishing Co. and the Edward Thompson Co.; and, historically, I may say it was rumored at least that some 20 years ago it was the opposition of not one of these companies but one of our law publishing concerns that caused the work on which hundreds of thousands of dollars had been spent to be wasted and come to nought.

Senator PEPPER, of the Senate committee, conferred with Mr. Homer P. Clark, the president of the West Publishing Co., of St. Paul, when we found the experts that we wanted to work on the bill were so immersed in duties at the Columbia University and elsewhere that we could not secure the kind of men we wanted. Senator PEPPER having spoken to President Clark, of the West Publishing Co., suggested that perhaps the publishing concerns were opposed to the publication because naturally both concerns had got out great annotated codes of their own and had many thousands of dollars invested in them. Mr. Clark said that they would not take any such attitude; that they thought it was very unfortunate for the United States and the courts that they had no authoritative statement of the law.

Mr. MADDEN. Will the gentleman yield? It has been suggested that it might be advisable to read the bill. Has the gentleman any objection to that this afternoon? [Laughter.]

Mr. ROY G. FITZGERALD. I will agree to read it to anybody that will agree to listen to it. [Laughter.]

Mr. MADDEN. I think it would be something of a job. I am sure the gentleman is competent to tell us all the iniquities involved in the bill without reading it.

Mr. MOORE of Virginia. May I ask the gentleman one or two questions?

Mr. ROY G. FITZGERALD. After I have finished this thought. The Senate passed an appropriation of \$10,000, and when they found the West Publishing Co., headed by Mr. Clark, of St. Paul, did not take the sort of selfish attitude that had been anticipated, the matter was brought before a conference of the two committees on the question of getting the two great law publishing concerns with their splendid staffs of specialists to take the Little bill, H. R. 12, as it was known in the former Congresses, and go through it and bring it up to date and made a modern code out of it.

These two concerns were called into conference. The presidents came here to Washington. Mr. M. B. Wailes, of the Edward Thompson Co., and Mr. Clark, of the West Publishing Co., and as a result of the conference, they undertook the work under a \$10,000 appropriation of the Senate. Nine months of work have gone into this bill, with the Little code as its base. They have spent not only the \$10,000 but have become so interested in it that it has cost the two concerns over \$20,000 in excess of the appropriation. They came to Washington, maintained from 10 to 15 experts and had this code checked all through the departments. I have a splendid letter here in the report from the Secretary of the Navy, approving the code. This was the department so hostile to H. R. 12 in the preceding Congresses. Now, I will yield to the gentleman from Virginia.

Mr. MOORE of Virginia. I will take the liberty of asking the gentleman a few questions, because I happen to have been on the Committee for the Revision of the Laws when Mr. Little was chairman, when the bill was brought here in the Sixty-sixth, Sixty-seventh, and Sixty-eighth Congresses and passed by the House. The gentleman knows I am in full sympathy with the general purpose he has in view.

I would like to ask the gentleman this: He stated that representatives of two great publishing companies have done this work. Has Professor Carpenter examined the work carefully so as to satisfy himself that it is properly done?

Mr. ROY G. FITZGERALD. I do not know as to Professor Carpenter, but in order that there might be an independent check made on the work we employed Joseph Chamberlain, of the research department of Columbia University, to make a cross-section test of the accuracy and completeness of the work. That is also set forth in the report.

Mr. MOORE of Virginia. I really had in mind Professor Chamberlain instead of Professor Carpenter. Of course, the gentleman himself has not had any opportunity to examine it.

Mr. ROY G. FITZGERALD. I can not quite say that, although mine has been a humble contribution compared with that of those who have worked on it. I have gone through, line by line, many parts of this work.

Now, I would also like to direct the attention of the House to quite a different provision in the bill from that which the House has been content to pass in connection with the three former bills for codification of the laws. Formerly there was a repealing clause which was more or less complete. I regret to say that the repealing clause in this bill is not of the character of the former bills. On page 1 is the important part of the bill. That contains the various enacting and repealing sections and all saving clauses. I say I regret it, because it was due to the Senate rather than ourselves that the extra saving clause was put in. In other words, if there is any mistake or omission in the code it has no effect at all because of the way the repealing clauses have been worked out by the two committees.

Wherever the law is "substantially identical" this code supersedes the old law; that is, the great mass of law as it existed on the 7th of December, 1925, but wherever there is any substantial difference the old law will still prevail and will control until the 1st day of July, 1927; the idea being that so many hundreds of thousands of dollars having been spent already on this work in order to insure, if possible, its passage through the Senate and allay apprehension of the great dangers that would flow from some error or omission or mistake to leave by this repealing clause a sort of interregnum during which errors, if found, can be corrected. It is my purpose to follow this bill with a bill for the publication which will provide that there will be inserted in every copy that goes out an explanation of these repealing clauses, together with requests for the scrutiny of the code by all of the different departments and bureaus, with the intention of passing amendatory laws or a series of amendatory laws to correct any errors disclosed.

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

Mr. ROY G. FITZGERALD. Yes.

Mr. BLANTON. This is the so-called Fitzgerald bill?

Mr. ROY G. FITZGERALD. It bears my name because Colonel Little is dead, but it is really the colonel's great work.

Mr. BLANTON. It is not supposed to contain any change of any existing law?

Mr. ROY G. FITZGERALD. None at all.

Mr. BLANTON. And is a mere codification of existing law?

Mr. ROY G. FITZGERALD. Yes.

Mr. BLANTON. That being the case, for one I am willing to accept it on trust, but I might add this, that not knowing a single thing in any one of these numerous pages, and the bill is a foot thick, I know it could not be half as dangerous as another Fitzgerald bill which I know of which would seek to put this Government into the business of insurance, and I would rather have this one than the other.

Mr. ROY G. FITZGERALD. I am giving the gentleman a choice this afternoon.

Mr. MOORE of Virginia. Mr. Speaker, will the gentleman yield?

Mr. ROY G. FITZGERALD. Yes.

Mr. MOORE of Virginia. I know nothing more about the contents of the bill than any other Member of the House, and must take it, of course, on trust, but I wish the gentleman would explain section 3 of the bill with reference to the distribution of the code after it is printed.

Mr. ROY G. FITZGERALD. That is the bill that I shall call up immediately after this passes this House this afternoon.

Mr. MOORE of Virginia. We might consider the whole matter at one time.

Mr. ROY G. FITZGERALD. Section 3 is a portion of the bill relating to the publication, which recites what the committee hopes to add to the bare code itself, in order to make it usable. There is set forth the preface, the table of contents, four sets of parallel reference tables, and then the four great institutions of the country—the Declaration of Independence, the Articles of Confederation, the Ordinance of 1787, and the Constitution of the United States with amendments—together with an appendix, in which we will endeavor to codify, but not distribute through the work, the general and permanent law of this first session of Congress, so that when this is published it will be right down to the minute, so far as it is humanly possible to have it. We will then submit the whole thing for the scrutiny and constructive criticism of the departments and others during this interim until the 1st of July, 1927. Then, most important of all, is the index. That will take some three or four months to prepare. Of course, it is very difficult to use any work without an index. There is a provision in an appropriation bill that passed the House a couple of weeks ago for \$5,000, which will be the cost of preparing this index. Nothing has been done to add to the expense of this measure, nor will anything be done until it has passed the House and the Senate.

The index alone will cost \$5,000. This bill has only been printed as you see it here, on one side of the paper. When the code is completed, even with the index, preface, and so forth, it will be less than half the thickness of the bill as you see it now. If this committee had proceeded in the ordinary way to have this bill introduced and printed, as ordinary bills are introduced and printed, it would have been plated, and would have cost \$186,584.36. As it stands now, the Public Printer's work on it amounts to \$16,627.25. There is a difference of about \$170,000 in the expense which would be entailed between the presentation of this bill as we have it here and the way an ordinary bill is presented. This saving of about \$170,000 is made possible by Public Resolution 24 of the Sixty-sixth Congress. It operates until the original bill, H. R. 9389 of the Sixty-sixth Congress, or some successor of that bill shall have passed the House and the Senate and become a law.

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

Mr. ROY G. FITZGERALD. Yes.

Mr. WINGO. What is estimated will be the cost that each lawyer will have to pay in order to get a copy of this?

Mr. ROY G. FITZGERALD. The estimate received from the Public Printer this afternoon is \$5.

Mr. WINGO. Will the Public Printer have the exclusive sale of it?

Mr. ROY G. FITZGERALD. So far as I know there will be no one else from whom this can be obtained. That is less than half of what a similar work would cost if published privately.

Mr. WINGO. What number is contemplated to be printed in the first printing?

Mr. ROY G. FITZGERALD. That I can not say. I suggest the gentleman from Arkansas get a copy of the bill H. R. 11318. I want to take that up immediately after this bill

passes. This bill, H. R. 11318, provides for the elimination of the slip print and that there shall be printed in a pamphlet form only such number of copies of the code, until the index is ready, as may be requisitioned. The idea is not to distribute any more copies of the bare code without the index than are actually necessary to be used by those who need it, and as soon as the index is prepared the rest of the distribution will be made in accordance with the general statutes.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. GARRETT of Tennessee. Mr. Speaker, I asked for a second because the gentleman from New York [Mr. BLACK] did not happen to be in the Chamber at the time. I ask that the control of the time be transferred to him.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. ROY G. FITZGERALD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and also have granted the same privilege to the gentleman from Virginia [Mr. PEERY], a member of the committee, who has been suddenly called away by sickness.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD, and also that the same privilege be granted to the gentleman from Virginia [Mr. PEERY]. Is there objection?

There was no objection.

Mr. PEERY. Mr. Speaker, this bill comes to the Congress with a unanimous report from the Committee on Revision of Laws favoring its passage. The object of the bill is to present to the country a compilation of the laws of the United States of a general and permanent nature that were in force on the opening day of this session of the Congress. The official name assigned to the work is "The Code of the Laws of the United States of America."

The last official code of laws was enacted in 1874. Unfortunately, supplements to that code have not been enacted from time to time. Volumes of laws have been enacted since that date, but there has been no compilation of the same into an official volume from which official and definite information as to what the law is may be definitely and readily obtained. In order to ascertain the law it has been necessary to search the various volumes of the United States Statutes at Large that contain the laws enacted since that date. The situation has been met and helped to some extent by the publication of codes by the various publishing concerns; but the need for an official code, compiling and bringing the laws down to date in one volume, has been recognized by the legal profession, judges of the court, and the country in general. It is important that the judges of the land, lawyers, and those charged with the administration of the law may have access to an official compilation of the Federal laws in order that they may promptly ascertain the law and state the same.

This bill is intended to meet this demand. The bill represents the consummation of long and laborious work by those to whom this responsibility has been given. For some 30 years work has been going on to attain this end. Bills similar to this were reported to the Sixty-sixth, Sixty-seventh, and Sixty-eighth Congresses, and all of them were passed by the Lower House, but none of them passed the Senate, and so the work has continued. The bill passed by the Lower House in the Sixty-eighth Congress encountered some criticism and opposition in the Senate. The effort has been made in each succeeding Congress to meet all criticism that was justifiable and to perfect the work. The present bill represents a consummation of all these labors.

The bill that came to the Sixty-eighth Congress was the result of the splendid work of the late Col. E. C. Little, a Representative from Kansas, who made it the outstanding work of his service. Associated with him in the work were experts of high standing and distinction. I am sure that it is a matter of regret on the part of the membership of this House that Colonel Little could not live to see his work crowned by enactment into law, and our distinguished chairman, the gentleman from Ohio, Mr. ROY G. FITZGERALD, who has likewise rendered signal and distinguished service in connection with the present bill, pays to Colonel Little beautiful and unselfish tribute when he says that although the present bill bears his name, "It is really the Colonel's great work." The work of Colonel Little and his committee was taken as a basis for the present work and the two great publishing concerns of the country, the West Publishing Co. and the Edward Thompson Co., furnished a large staff of the very best trained experts for the completion of this work.

We feel that the work has been well done and the committee presents it to the Congress with faith in the correctness and

integrity of the work. The one outstanding instruction guiding all of the experts, who have collaborated in this great work, was that there should be no basic change in the law. It was felt that if any basic changes were made in the law it would defeat the passage of the bill, and so the statement of the law comes to the Congress with all its inconsistencies and its contradictions. The staff of experts who are skilled in the compilation of codes have arranged and classified the law into appropriate titles and statement of contents, which of themselves are no part of the law but which are so essential in any volume containing the law.

This arrangement comprises 50 titles, the first 6 of which cover the establishment of the Government and the various departments thereof. The remaining 44 titles are arranged in convenient and alphabetical order. In addition to the alphabetical arrangement of titles there are cross references from which any desired enactment of Congress may be readily located. The numbering system that has been followed will allow the insertion of new titles in the future without disturbing the number of existing titles. This is an important feature as it furnishes a scientific scheme for future supplements of the code. The work has been carefully compared, checked, and verified.

In addition to checking by the experts charged with the preparation of the work and by the experts in the various governmental departments and commissions to whom various sections of the work were referred, an independent test for accuracy was made for the committee by Prof. Joseph P. Chamberlain, one of the trustees of the legislative drafting research fund of Columbia University, of New York, who has given special attention to work of this character for the past 15 years. We would not dare to say that the work is void of error, but we do say that the most painstaking care and effort has been made to avoid error and that we believe that the work will prove itself as free from error as any work of a similar nature in our history.

Under clause 2, chapter 1, the sections of this code shall be in force in lieu of corresponding provisions contained in statutes enacted prior to December, 1925, which, where substantially identical, are repealed. The repeal of all acts of a general or permanent nature shall not become effective until July 1, 1927. Under clause 3 accrued rights are reserved. Clause 6 also contains a saving clause on the question of the code as evidence. Until July 1, 1927, in case of any inconsistencies between the provisions of any section of the code and the corresponding portions of legislation passed prior to that date, effect shall be given for all purposes whatsoever to earlier enactments. After July 1, 1927, the code, with any subsequent amendments, shall be conclusive as evidence. It is felt that this clause will give opportunity for ascertaining and correcting any possible error, if any, that may have crept in. It is hoped that this work will stand up before the careful scrutiny and criticism of the legal profession and that it will meet the approval of the profession and the country in general.

Mr. BLACK of New York. May I ask the chairman of the committee if he wants to use any time? Now I have only—

Mr. ROY G. FITZGERALD. Several Members have asked me to secure a little more time in order to answer questions, and I am pleased to do so.

Mr. BLACK of New York. I have some requests on this side from Members who wish to criticize the bill. The gentleman may have Members who want to support the bill. I can let the gentleman have more time in support of the bill.

Mr. ROY G. FITZGERALD. I would be very glad to have time to answer questions.

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

Mr. CARSS. Mr. Speaker, it has been brought to my attention there have been some changes made in the law. I want to know in regard to the locomotive inspection laws. A statement has been prepared by an attorney that gives the original law and the codified version. Will the gentleman please explain the situation in regard to that?

Mr. ROY G. FITZGERALD. Mr. Speaker, I desire first to say to the gentleman from Minnesota that when the code was prepared in 1874 it was not perfect, and no code ever will be, and if we attempt perfection we will never get a code. The original code was followed by one bill after another amending defects. Now, in reference to what the gentleman asks me specifically. This morning the representatives of the inspection of locomotives of the United States called at my office with two Members of Congress and the matter was gone into at considerable length. One gentleman has prepared an analysis of what he thought were differences. I think the difference centered on three objections. Before we left the discussion there was possibly only one difference. This is argumentative.

I can not say to you that there might not be such an interpretation placed on the law, as one of these gentlemen, who is an expert on this, says there would be. In 1911 the first law was passed, and in that law there was provision for certain things to be done in three months; that is, certain rules, and so forth, were to be adopted. There was no provision for the inspection of anything except the boilers of locomotives. Now, some years went by and an amendment was made to the law—and right here I wish to say that the hope of this committee is to evolve a system hereafter whereby there may be a sort of continuous codification or some machinery set up so these troubles will not come.

When this amendment was passed there was an extension of the scope of all this work, an extension of inspection in regard to the locomotives and to appurtenances and to the tenders of the locomotives and there are changes going on in equipment all the time. A question arose when these gentlemen came to deal with the Interstate Commerce Commission. If the railroads neglected to make inspection rules for new equipment, and so forth, would the three months' provision for them to make such rules continue to govern? This amendment under the law did not specifically state as clearly as I would like to have it state, that it extended the time for inspection rules and modification indefinitely beyond the three months' time, making it a continuous affair for all time. Yet I believe that that is what the House in its enactment would have done if anybody had asked them to do it. When we came to study the law we did not dare to extend it. We never thought to do that. I myself have given the most rigid instructions to these revisioners, and they have also had the same instruction from the Senate, that no matter how foolish it may seem, we must regard the law as Congress made it and not try to change it even to improve it.

Mr. BLACK of New York. Has the gentleman finished?

Mr. ROY G. FITZGERALD. In a moment. I believe that most of the complaint on the part of these men is they are fearful of a restatement of the two laws. That not being contrasted as two separate laws they may not be construed one with the other and desire to have both titles stated as an additional safeguard. I go further and say that if they will present the Committee on the Revision of the Laws, at any time in the interim, before July 1, 1927, or afterwards, a restatement of this law which they have worked out, and which I believed everyone would agree to, that it could be cared for in a series of amendatory bills which can be presented to this House. For historical purposes, I add the following data:

The first Code of Federal Laws entitled the Revised Statutes was passed in 1874. It embraced volumes 1 to 17 inclusive of the Statutes at Large. The cost of preparation for printing was \$100,000. The bill passed the House without the repealing clauses having been printed. The bill passed the Senate in 40 minutes May 26, 1874. There were about 250 errors corrected by subsequent bills.

A commission to codify the laws was appointed under the act of June 4, 1897. About \$300,000 was expended and nothing came of the work. Col. Edwin C. Little, when he became chairman of the Committee on the Revision of the Laws, undertook the stupendous task and wore himself out with his indefatigable efforts.

His bill H. R. 9389, 1,262 pages, codifying the laws to March 4, 1919, passed the House unanimously December 20, 1920, in the Sixty-sixth Congress.

Again his bill H. R. 12 unanimously passed the House May 16, 1921, in the Sixty-seventh Congress, and again his bill H. R. 12 with supplement, index, cross-reference tables, and so forth, 1,627 pages, passed the House unanimously January 7, 1924, in the Sixty-eighth Congress.

This bill H. R. 10000 has 1,705 pages. The law is arranged in 50 titles. The first six are general and the remainder are arranged in alphabetical order, beginning with agriculture and ending with war.

Mr. CARSS. I thank the gentleman for his explanation.

Mr. LAGUARDIA rose.

Mr. BLACK of New York. Does the gentleman from New York desire time?

Mr. LAGUARDIA. Yes.

Mr. BLACK of New York. Very well. I first yield three minutes to the gentleman from Wisconsin [Mr. SCHAFER].

The SPEAKER. The gentleman from Wisconsin is recognized for three minutes.

Mr. SCHAFER. Mr. Speaker and Members of the House, I realize the importance of a codification of the law, but I can not vote for this codification which materially changes existing law enacted for the purpose of compelling common carriers engaged in interstate commerce to equip their locomotives with

safe and suitable boilers and appurtenances thereto. The present section 5 of the existing law is made section 28 of the codification and as codified the existing law would practically be nullified.

THE CODIFICATION

Section 5 of the present law reads in part:

That each carrier subject to this act shall file its rules and instructions for the inspection of locomotive boilers with the chief inspector within three months after the approval of this act, and after hearing and approval by the Interstate Commerce Commission such rules and instructions, with such modifications as the commission requires, shall become obligatory upon such carrier.

Therefore it is very clear that the words—

with such modifications as the commission requires—

give the Interstate Commerce Commission authority to amend the rules and instructions when it shall become necessary. Without this authority the act would be ineffective, as new equipment and new conditions require amended rules. It is very clear that the words—

with such modifications as the commission requires—

were incorporated in the present law in order to make it effective. Without granting the commission authority to amend rules and instructions, old, obsolete, impractical rules would be continued indefinitely, and the commission would be precluded from requiring changes or amendments.

Section 28 of the codification, which is to displace section 5 of the original law, reads as follows:

Sec. 28. Rules and instructions for the inspection of locomotive boilers which have been made by a carrier subject to this chapter and approved by the Interstate Commerce Commission are obligatory on such carrier until changed in the manner hereafter provided, and a violation thereof shall be punished as provided in section 34. A carrier may from time to time change such rules and instructions, but such change shall not take effect and the new rules and instructions be in force until the same shall have been filed with and approved by the Interstate Commerce Commission. The chief inspector shall also make all needful rules, regulations, and instructions not inconsistent herewith for the conduct of his office and for the government of the district inspectors: *Provided, however,* That all such rules and instructions shall be approved by the Interstate Commerce Commission before they take effect.

It may be stated without any contradiction that section 28 of the codification prohibits the Interstate Commerce Commission from requiring amendment to rules and instructions in effect. Amendments or changes in rules and instructions can be made, but only the carrier, under the codification, may from time to time change rules and instructions, with the approval of the Interstate Commerce Commission. Therefore, section 28 of the codification, codifying section 5 of the existing law, takes from the Interstate Commerce Commission the authority to compel common carriers to amend rules and instructions, even though such amendments be absolutely necessary for the safe operation of locomotives.

It is well known that equipment on locomotives continually changes and that it is necessary that rules and instructions be amended to meet new conditions. The original law should not be emasculated, as the codification would accomplish, thereby placing the Interstate Commerce Commission at the mercy of the railroad corporations whom they are to regulate, as no amendments could be made unless initiated by said railroad corporations.

The enactment of this codification will practically repeal and nullify the existing law, which was enacted to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto. [Applause.]

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. SCHAFER. I wish I had more time to discuss this important matter. I ask unanimous consent, Mr. Speaker, to revise and extend my remarks.

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

There was no objection.

Mr. SCHAFER. I incorporate the following statement under the permission given me by the House to extend my remarks:

CODIFICATION OF LOCOMOTIVE INSPECTION LAW

A perusal of the codification of the locomotive inspection law, commonly known as the locomotive boiler inspection law (36 Stat. L. 913), as amended (38 Stat. L. 1192 and 43 Stat. L. 659), which has for its purpose the promotion of the safety

of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto, indicates that the codifiers handled the subject without due regard to the retention of the provisions of existing law.

It was generally understood that the object of the codification was to remove obsolete provisions of the laws which had been superseded by subsequent amendments, delete unnecessary words and classify and consolidate the various acts. It is universally conceded by those informed on the subject that a codification can not properly be used as a vehicle to introduce changes or ambiguities in existing laws, and certainly should not be used for the purpose of rendering present laws ineffective.

Section 24 of the codification of the locomotive inspection law clearly nullifies portions of the requirements of section 3, for which it is a substitute, in so far as the duties of the chief inspector and assistant chief inspectors are concerned.

Section 3 of the law contains the requirement, among other things, that the chief inspector and assistant chief inspectors shall see that the requirements of this act and the rules, regulations, and instructions made or given hereunder are observed by common carriers subject hereto. The codified version substitutes the word "inspection" for "act," and thereby limits the scope to inspection, whereas the act itself is much broader in scope. If the codification stands as now written, there will be no authority charged with the duty of seeing that the carriers "equip their locomotives with safe and suitable boilers and appurtenances thereto," that the locomotive, boiler, and appurtenances thereof "are in proper condition and safe to operate," no authority to see that the locomotives, boilers, and appurtenances are able "to withstand such test or tests as may be prescribed," no authority to require the carriers to "repair the defects which such inspections disclose," no authority to see that the locomotives are properly maintained. In short, the act requires such construction as will insure safety, the equipment of locomotives with safe and suitable boilers and appurtenances, the ability to withstand certain tests, proper maintenance in order that safe operation may be obtained, and requires that defects be repaired. None of these requirements are covered by the word "inspection," and a perpetuation of the present wording of section 24 would remove any possibility of these requirements being enforced.

The codifiers' section 28, which is a substitute for section 5 of the law, would unquestionably change the provisions of existing law. The proposed codification does not authorize the chief inspector to prepare rules and instructions to be observed by carriers in the absence of carriers filing their rules, nor does it authorize the commission to make any change in the present rules or any rules filed by any carrier, even though they might be ever so inadequate; neither does it require any carrier to file rules, it only permits them to do so. Therefore, it is apparent that the structure of the law in this respect is seriously weakened. The present rules and instructions were prepared by the chief inspector and agreed to by and between the representatives of the carriers and other interested parties. Such authority is not given if the proposed codification is accepted.

The proposed codification is—

Rules and instructions for the inspection of locomotive boilers which have been made by a carrier subject to this chapter and approved by the Interstate Commerce Commission are obligatory on such carrier until changed in the manner hereinafter provided * * * a carrier may from time to time change such rules and instructions, but such change shall not take effect and the new rules and instructions be in force until the same shall have been filed with and approved by the Interstate Commerce Commission. * * *

It will also be noted from this that the section provides only for rules covering the locomotive boiler, whereas the law covers the entire locomotive, its boiler, tender, and all parts and appurtenances thereof.

Ambiguities exist in other sections; viz:

Section 22 of the proposed codification, which is a substitute for section 1 of the law, is designated "Inspection of locomotives and appurtenances"; definitions, whereas nothing is defined in this section other than the terms "carrier," "common carrier," "railroad," and "employees." Inasmuch as no mention is made in this section of locomotives and appurtenances the designation of the section is incorrect and unquestionably changes the existing law. The existing law reads in part:

That when used in this act, the terms "carrier" and "common carrier" mean a common carrier by railroad * * *, etc.

The definitions in the original act are clearly applicable to all portions of the act and not only the inspection of locomotives and appurtenances, as the title of section 22 of the codification would indicate.

The designation of section 23 of the proposed codification, which is a substitute for section 2 of the law reads: "Use of unsafe locomotives and appurtenances unlawful; inspection and tests." This designation is somewhat ambiguous as the law requires "proper condition and safe to operate," etc., and does not employ the words "unsafe locomotives." The designation may well be changed to "Use of locomotives and appurtenances thereto not in proper condition and safe to operate without unnecessary peril to life or limb; unlawful," in order to more clearly express the purpose of the codified section and conform to the existing law.

The latter part of section 23 refers to "rules and regulations hereinafter provided for," but there are 23 additional sections in this chapter, and it would be inferred from the expression "hereinafter provided for" that any or all of the following 23 sections would have reference to the "rules and regulations hereinafter provided for," whereas, as a matter of fact, only 11 following sections refer to the locomotive inspection law. The section which provides for rules and regulations should be specified, otherwise the reference is misleading.

That the Congress recognized the importance of the law and its proper enforcement is evident when it is taken into consideration that it required that the chief inspector and the assistant chief inspectors be appointed by the President, by and with the advice and consent of the Senate, specified in detail exacting qualifications required of the chief inspector, the assistant chief inspectors, and the district inspectors, and specifically set out the duties of each.

On the other hand, the codifiers treated the matter very superficially, as is evidenced by the foregoing and by their action in combining the locomotive inspection law into a chapter along with numerous other laws which have no relation thereto other than that they come under the general heading of "railroads." It would appear that the combining of various unrelated laws into one chapter would lead only to confusion and misunderstanding. There is no apparent reason why the locomotive inspection law should not be set up in a separate chapter, as has been done with various other acts, such as the liability act, the hours of service act, the care of animals in transit act, the mediation act, and so forth.

The present law seems so well understood by those concerned that any change in language or method of expression may seriously affect its understanding. However, if it is necessary to change the language for the purpose of codification, the existing requirements, including its purpose and the methods for accomplishing the purpose, should by all means be fully retained.

A codification which makes worthless an act of such importance as the locomotive inspection law is indeed regrettable. The employees and their friends labored for years to accomplish the passage of this law. It appears to be fulfilling its intended purpose admirably, is apparently entirely satisfactory to both the employees and the carriers, and is a distinct protection to the employees and the traveling public. It will be difficult for the hundreds of thousands of individuals affected by its change to understand why the House could seriously consider the approval of a codification which would rob them of the protection afforded by the law as it now stands.

Mr. BLACK of New York. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has 11 minutes remaining.

Mr. BLACK of New York. I yield four minutes to the gentleman from Wisconsin [Mr. VOIGT].

The SPEAKER. The gentleman from Wisconsin is recognized for four minutes.

Mr. VOIGT. Mr. Speaker, there has been no compilation or revision of the laws of the United States for about 50 years. The last revision was made in 1874, and a supplementary revision was made in 1878. Since then there have been published about 25 volumes containing the statutes passed by as many Congresses, and in order to find out what the law of the United States is the inquirer must, in many cases, wade through all these volumes. The difficulty is increased when it is considered that legislation is sometimes found in so-called appropriation bills, wherein one does not expect to find permanent law made or modified. This condition for all these years would have been wholly intolerable if private enterprise had not stepped in and published unofficial compilations of the statutes. That was done by the West Publishing Co., The Edward Thompson Co., the Barnes Publishing Co., and perhaps others. Nevertheless, during all these years we have had no

authoritative and official compilation which was entitled to judicial notice.

For the past 30 years efforts have been made in and by Congress to provide an official compilation, but such attempts, for one reason or another, have met with failure. The Government during this time has spent several hundred thousand dollars for compilations and revisions, and when these at different times were ready for adoption they failed of passage in either or both Houses of Congress. The chief difficulty in the past has been that Members of Congress feared that the offered compilation or revision failed to state the existing law correctly, and there is some such fear on the bill offered here to-day. It must be frankly admitted that such a fear is not groundless when we know that in the revision of 1874 about 250 errors were discovered, which had to be rectified by subsequent legislation.

A commission to codify the laws was created by act of June 4, 1897. That commission consisted of three members, each drawing \$5,000 a year. The commission labored, I am informed, about 10 years, and it cost the Government for their salaries and moneys expended under their supervision about \$300,000. It is stated that this commission did prepare a revision—I mean a real revision as distinguished from a compilation—but Congress refused to adopt it, actuated by the fear that the law was not accurately restated.

The later attempts to codify the laws were made by Col. Edward Little, as chairman of the Committee on Revision of the Laws of this House. Colonel Little did much of the work personally. He took the work seriously and for a number of years overtaxed his strength, and there is no doubt that the tremendous work done by him contributed to his untimely death. The code prepared by him, which we speak of as the Little Code, passed the House of Representatives in 1920, in 1921, and again in 1924, but each time failed of approval in the Senate.

The work now presented to you, embodied in H. R. 10000, is based on the Little Code, with what the committee believes are improvements. This bill contains 1,705 pages and is probably the largest bill ever presented to any legislative body in the world.

The members of the Committees in Senate and House on Revision of the Laws, with all their other duties, and the fact that they are not expert revisers, can not perform the stupendous task of revising or compiling the laws of the United States. By a very fortunate arrangement the chairmen of the two committees were able to interest the two great law publishing houses of this country, the West Publishing Co. and the Edward Thompson Co., in the work of getting up the present codification. The work thus far has been done under a Senate appropriation of \$10,000, for which these two firms agreed to do it, but we are informed that they have already invested \$20,000 of their own money in addition to this sum. These two firms have done this work from patriotic motives and are entitled to great credit. Increased reputation is what they will get for their pains and expenditure. This work, then, represents the efforts of the trained staffs of these two firms, and I am sure that the work has been done by the best talent obtainable in the United States. The work has been checked and rechecked by these experts, many of whom are lawyers and have had years of experience at it; and in addition to this, the various titles have been submitted for scrutiny to the Cabinet officers, various boards, commissions, and officers of the Government.

In the Little Code the sections ran consecutively through the whole volume. In the present work each title is separately numbered and each title has its own section numbers. In this way each title becomes a unit, and this method permits of additional sections without disturbing the numbering of other titles and also permits the insertion of additional titles.

The first six titles of the present work are concerned with what might be termed the set-up of the Government of the United States, as follows: 1. General and repeal provisions; 2. The Congress; 3. The President; 4. Flag and seal, seat of Government, the States; 5. Executive departments and Government officers and employes; 6. Official and personal bonds. The rest of the titles are arranged alphabetically, and run from number 7, Agriculture, to number 50, War.

This code now offered contains all general and permanent laws of the United States in force December 7, 1925, that is, up to the beginning of the present Congress. In addition to this bill, an additional bill has been reported from our committee, providing that if and when bill H. R. 10000 becomes a law—that is, when bill H. R. 10000 has passed House and Senate and has been approved by the President—it shall be known as "The Code of the Laws of the United States," and may be cited as "Code L. U. S." This further bill also pro-

vides that when and if H. R. 10000 becomes law, there shall be added a preface, table of contents, parallel reference tables to the Revised Statutes, and so forth, the Declaration of Independence, articles of Confederation, the Ordinance of 1787, Constitution of the United States, Appendix of laws passed by first session of the Sixty-ninth Congress, and an index. If the code now offered becomes law, the completed volume, with the additions stated, should be ready about three months after this session of Congress adjourns. It is contemplated that the volume shall be for sale by the Public Printer for about \$5.

The code now offered by the committee has the usual saving clauses in it so as not to disturb acquired right, pending criminal and civil cases, statutes of limitation, and so forth. It provides for the repeal of existing law, but at the same time provides for a continuity of the law. It is evident that if the new volume is to have the force of law that it must repeal prior law and it must speak from some definite date. The committee has given very careful consideration to the so-called repealing clauses, and the clauses which you will find on the first page, in addition to the so-called saving clauses, provide that where the prior enactment is substantially contained in the present code, that as to it the code takes effect as of December 7, 1925, and as of that date the prior enactment is repealed. If any question should arise as to this, it would be for a court or official or any interested party to determine what is meant by the word substantial. I take it to mean in this connection a full restatement of the intent and meaning of the prior law. It is further provided that if any prior law is not so substantially restated that as to it the repeal does not take effect until July 1, 1927. The two provisions may fairly be stated to mean that this code, if it becomes law, is presumptive evidence until July 1, 1927, and thereafter it becomes absolute. We have therefore arranged to give the code this probationary period, and any errors which may be found can be corrected in the second session of this Congress. Any errors of consequence will doubtlessly be found before the second session, as thousands of judges, lawyers, Government officials, and employes are constantly referring to the statutes and may be relied upon to detect any errors.

Perhaps it may be well to say a word here in reference to the terms "code," "revision," and "compilation." I think the most apt name for the present work is "code," as a code is a systematic statement of the law, which is what has been attempted. A revision of law contemplates a rewriting of the law and even contemplates changes in the law. This has not been the object of the committee. We have religiously endeavored to leave the law as it is, but we have attempted to arrange an orderly statement. A compilation of laws does not contemplate much more than an orderly collection. The present work goes a little beyond that, because the various titles of laws have been omitted; laws which are manifestly obsolete by reason of expiration by their own terms have been omitted. Also laws found in appropriation laws have been placed in proper titles. It should be understood that the present work is not a revision of the United States statutes. If this work should become law there will still be plenty of work to do for the Committees on Revision of the Laws in future Congresses, as it is desirable that a real work of revision should later be undertaken. The present work will lay the foundation for such a revision; it will much facilitate such a revision, because the committees can devote their attention to one or more titles, as may be feasible in a particular session of Congress.

It is probable that there are some errors in the code now offered. A thousand expert revisers could probably not make it error proof. I feel safe in saying that it is as free from error as it can be made, because it has been prepared by the best talent available and has been severely scrutinized and checked by independent investigators. The possibility of error should be no objection to its passage. The question is, Is it the best to be had? If we allow more time to elapse we shall create more possibility for error. The work has been too long neglected already, and I sincerely hope that this code may become law at this session. [Applause.]

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. VOIGT. May I have a minute more?

Mr. ROY G. FITZGERALD. I am sorry, but I can not yield more time.

Mr. BLACK of New York. Mr. Speaker, I yield two minutes to the gentleman from Virginia [Mr. MOORE].

The SPEAKER. The gentleman from Virginia is recognized for two minutes.

Mr. MOORE of Virginia. Mr. Speaker, I do not think there will be any serious objection to the codification, which is covered by the bill H. R. 10000. But this bill is to be followed by another bill providing for the distribution of the

code when printed. I would like to have the attention of the gentleman from Ohio [Mr. ROY G. FITZGERALD]. When the second bill (H. R. 11318) comes along I would like my friend to explain as fully as he can section 3, which has reference to the matter of distributing the code after it is printed. That section provides that:

In addition to quotas already provided by law.

And so forth. I would like a specific reference to the law which is now assumed to provide the quotas. Then the section proceeds and says that the code when bound in buckram shall be distributed in the manner stated to the Members of Congress.

That is all right, but I would like to know whether there is anything in this second bill that would specifically require that the Government Printing Office should continue the printing of this code and put it on the market so it may be bought by anyone who wishes to purchase it at a price not exceeding the cost of printing and delivery.

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. BLACK of New York. Mr. Speaker, I yield two minutes to the gentleman from Georgia [Mr. Cox.]

Mr. COX. Mr. Speaker, this is no effort to revise the laws. It is simply an effort to codify them. If there was excuse for the enactment of the Little code, then there is abundant reason for the enactment of this code. It attempts to bring the Federal statutes together in one work and makes it possible for the profession to know what the law is and where to find it.

The Committee on Revision of the Laws was unanimous in its support of this measure. I want to say to you that the chairman of that committee has given of himself most liberally in the preparation of this work. It is the Little code improved upon, of course, by the work of the chairman, the work of the committee, aided by the experts of these great law-publishing houses of the country, to whom reference has been made.

You gentlemen, of course, realize that this committee, in the time it has had to prepare this bill, could have accomplished nothing of any consequence except that it had been aided by the experts of the country whose business it is to codify the laws. We had these experts at our service by reason of the efforts of the chairman.

Mr. STEVENSON. Will the gentleman yield?

Mr. COX. I will.

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. BLACK of New York. Mr. Speaker, I yield the gentleman from Georgia one additional minute.

Mr. STEVENSON. I want to ask this: In case there is a difference between the text of this and the text of any statute—

Mr. COX. The statute prevails up to July 1, 1927, when the law as stated in this code would prevail.

Mr. STEVENSON. In other words, if we pass this just as it is and there is no legislation making it the only general law and a conflict arises between the text of this and the original statute and the original statute prevails, then that will not help very much, will it?

Mr. COX. Of course, it would be almost impossible to prepare a work that would satisfy the demands of the profession except there be some effort at a revision of the laws. This work is burdened with a great many obsolete laws, because in codifying the laws there has been no effort made to rewrite them.

The SPEAKER. The time of the gentleman from Georgia has again expired.

Mr. BLACK of New York. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER. The gentleman from New York is recognized for two minutes.

Mr. BLACK of New York. Mr. Speaker, the only thing I can tell the House about this bill is that the general plan and the scope of this compilation follows the New York Consolidated Laws, which have proven very satisfactory to all the working lawyers of the State of New York and to everybody who has had to use the statutes of the State of New York.

You will find the law very readily in this work. You have your titles arranged alphabetically, and you have your laws set forth in the proper sections, one after another, where they belong, just as in the New York system.

As to the personnel which worked on this revision, I know the men from the Thompson Law Co. very intimately. Mr. Eldridge, who has had charge of this work, is a most painstaking, careful, and conscientious man. I know that, as far as that company is concerned, from my intimate knowledge of it everything has been done that could be done to insure care

in this compilation. I will warrant that that bill is as perfect as any compilation could be, knowing so well that Mr. Eldridge himself is so scrupulous in everything he undertakes in connection with law publications. He is an experienced law writer, and he is largely responsible for the most used annotations to the New York Consolidated Laws, which annotations have proven of such working value to all New York lawyers.

Mr. ROY G. FITZGERALD. Mr. Speaker, I ask unanimous consent to proceed for two minutes, in order to answer my friend from South Carolina [Mr. STEVENSON].

The SPEAKER. The gentleman from Ohio asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. ROY G. FITZGERALD. The first page of this code the gentleman from South Carolina [Mr. STEVENSON] will find accurately covers the whole situation. All statutes of limitation are saved, all matters pending in the courts are saved, and then, after the specific saving clauses, the gentleman will find that if this code differs from the present law the prior law must prevail until the 1st of July, 1927. Personally I do not like this delay, but the Senators have prevailed upon both committees to make this concession of leaving this period open, because they think that such a provision will be necessary in order to pass the bill in the Senate.

Mr. STEVENSON. Then, as I understand it, the answer of the gentleman from Georgia [Mr. Cox] that the original statute prevails and not the provision in this bill, where they differ really means that the original statute prevails only up to July 1, 1927.

Mr. ROY G. FITZGERALD. Only up to that time, and then this code is final and conclusive.

Mr. LaGUARDIA. How would you correct errors? For instance, my attention has been called to the fact that in the original law there is provided a salary of \$3,600 for a certain officer, and in the proposed code here the salary is \$1,800. That clearly is an error. How is that going to be corrected—by an act of Congress prior to July 1, 1927?

Mr. ROY G. FITZGERALD. If that is an error, as the gentleman has stated, the original law must prevail up until the 1st of July 1927.

Mr. LaGUARDIA. And we will have to correct it before that?

Mr. ROY G. FITZGERALD. We can correct it before that time, because we have an entire session of Congress in which to do it.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. ROY G. FITZGERALD. I yield to the gentleman.

Mr. CHINDBLOM. I would like to ask the gentleman as the chairman of the committee, for the purposes of the Record, whether the bill now in the possession of the reading clerk of the House is the measure which he has moved to suspend the rules and pass.

Mr. ROY G. FITZGERALD. To the best of my knowledge and belief.

Mr. CHINDBLOM. Well, is it?

Mr. ROY G. FITZGERALD. I can not tell unless I look at it. Apparently it is.

Mr. CHINDBLOM. We had this same situation some years ago, and Mr. Mann wanted that made clear.

The SPEAKER. The time of the gentleman from Ohio has expired.

The question is on the motion of the gentleman from Ohio to suspend the rules and pass the bill.

Mr. SCHAFER. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Wisconsin demands the yeas and nays. As many as are in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Two gentlemen have risen; evidently not a sufficient number.

So the yeas and nays were refused.

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

PUBLICATION OF THE CODE OF THE LAWS OF THE UNITED STATES

Mr. ROY G. FITZGERALD. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 11318) to provide for the publication of the Code of the Laws of the United States, with index, reference tables, appendix, and so forth, with amendments.

The Clerk read the bill, as follows:

Be it enacted, etc., That when and if H. R. 10000, a bill to consolidate, codify, and reenact the general and permanent laws of the United States in force December 7, 1925, shall become a law in the Sixty-ninth Congress, it shall be known as "The Code of the Laws of the United States" and shall be so entitled and labeled and may be cited as

"Code L. U. S."; that such act shall be plated from the type in which H. R. 10000 was printed when it shall have passed the House of Representatives and shall be printed in the same style and form; that the general provisions of the code for the printing and distribution of laws are hereby modified with respect to such code as follows:

1. No slip copies as provided in section 191, of Title 44, of the Code of Laws of the United States, need be printed or distributed.

2. In lieu of distributing the code in pamphlet form as provided by section 195 of Title 44, the Public Printer is hereby authorized and directed to print a sufficient number of copies without the index, reference tables, and other ancillaries provided for in section 2 hereof, to supply the requisitions therefor, and to furnish one copy each to Members of the Sixty-ninth Congress and others who are entitled by sections 191 and 195 of Title 44 to copies of laws in slip or pamphlet form.

Sec. 2. That the Committee on the Revision of the Laws of the House of Representatives is hereby authorized to have prepared for said code to be published with it in a single volume, and the Public Printer is authorized to print as ancillaries thereto—

1. Preface.
2. Table of Contents.
3. Parallel Reference Tables to the Revised Statutes of the United States.
4. Parallel Reference Tables to the Statutes at Large of the United States.
5. Parallel Reference Tables to the United States Compiled Statutes, Annotated.
6. Parallel Reference Tables to the Federal Statutes, Annotated.
7. The Declaration of Independence.
8. The Articles of Confederation.
9. The Ordinance of 1787.
10. The Constitution of the United States and amendments.
11. Appendix with the general and permanent laws of the first session of the Sixty-ninth Congress.
12. Index.

Sec. 3. That in addition to quotas already provided by law, except as modified by section 1 hereof, there shall be printed, published, and distributed of said code with the said ancillaries all bound in one volume in law buckram 10 copies for each Member of the Senate and House of Representatives of the Sixty-ninth Congress for his use and distribution, and in addition for the Committees on the Revision of the Laws of the Senate and House of Representatives a number of bound copies equal to ten times the number of members of the respective committees.

Sec. 4. That the Committee on the Revision of the Laws of the House of Representatives is hereby authorized to prepare, and the Public Printer to print, in slip form and furnish with each copy of the code distributed before July 1, 1927, a statement calling attention to the repeal provisions of the code, sections 2 and 6, inviting scrutiny of the work and encouraging constructive criticism.

Sec. 5. That this code shall be published as Part I of volume 44 of the Statutes at Large.

Mr. LUCE and Mr. BLACK of New York demanded a second.
Mr. LUCE. Mr. Speaker, a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. LUCE. Is the gentleman from New York [Mr. BLACK] opposed to the bill?

The SPEAKER. The gentleman from New York [Mr. BLACK] is a member of the committee.

Mr. BLACK of New York. Mr. Speaker, I withdraw the demand for a second.

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

Mr. MOORE of Virginia. I demand a second, Mr. Speaker.

The SPEAKER. Is the gentleman from Virginia a member of the committee?

Mr. MOORE of Virginia. No; I am not, Mr. Speaker.

The SPEAKER. The gentleman from Massachusetts rose first, and the Chair recognizes the gentleman from Massachusetts to demand a second.

Mr. LUCE. I am opposed to the bill, Mr. Speaker.

Mr. ROY G. FITZGERALD. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

Mr. ROY G. FITZGERALD. Mr. Speaker and gentlemen of the House, this bill provides for a different sort of printing than would ordinarily take place. In the first place, this code as presented to you this afternoon is printed on only one side of the paper. It is the linotype work of the Government Printing Office. It has not been plated and not prepared for publication beyond that point which is necessary to fix its identity. This bill—H. R. 11318—provides for the code being printed from the plates prepared from this set-up in the type we have before us. The slip laws are done away with and the pamphlet laws are to be distributed on requisition to

those who need them until the index and other aids in the use of the work are prepared. When the whole work is completed it will be distributed as other laws of the United States.

Answering my friend the gentleman from Virginia [Mr. MOORE], the general law which will operate upon the code in accordance with the terms of this bill may be found in title 44 of the proposed code. I do not know that I can recall the sections in Barnes's code, but they are in title 44 of this code and are sections 191, 194, and 195 of title 44.

There is a general provision that all public documents, including this code, are to be printed and sold by the Superintendent of Documents at cost. I got the estimate on the cost as late as to-day. The code complete with index and other features can be sold by the Superintendent of Documents in any number and throughout the United States at \$5 a volume. I also investigated to find out what other codes cost, and I understand the cheapest code is \$12.

Mr. BLANTON. Will the gentleman yield?

Mr. ROY G. FITZGERALD. Yes.

Mr. BLANTON. How many copies will be distributed through the folding room?

Mr. ROY G. FITZGERALD. I could not say offhand.

Mr. BLANTON. There will be at least one copy to each Member?

Mr. ROY G. FITZGERALD. Oh, yes; you will get 10 bound copies as soon as it is completed and you will get one copy long before it is completed.

Mr. BLANTON. There will be 10 bound copies distributed through the folding room for each Member?

Mr. ROY G. FITZGERALD. As soon as possible after it has passed the Senate and before indexing, every Member will have a copy.

Mr. CRAMTON. What does the gentleman estimate will be the cost of the 10 bound copies to be furnished each Member?

Mr. ROY G. FITZGERALD. I think \$5 leaves a little profit—\$4.50 or \$4 probably.

Mr. CRAMTON. About twenty or twenty-five thousand dollars?

Mr. ROY G. FITZGERALD. Yes. We have wasted now more than a half million dollars in attempting to pass this bill.

Mr. BLANTON. If there is anybody on earth that ought to know what the laws of the United States are and have access to them, it is Members of Congress.

Mr. CRAMTON. Yes; but does every Member of Congress need 10 copies?

Mr. BLANTON. Oh, we can get 10 for about the price that we get one.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. ROY G. FITZGERALD. Yes.

Mr. MOORE of Virginia. The gentleman will understand that I am not criticizing or antagonizing the bill; I want to get some information. I understand that if we print the code, it will be distributed not only to Members of Congress as specified and provided under existing law, but there is a distribution to all departments and agencies of the Government and Federal courts.

Mr. ROY G. FITZGERALD. As provided by law.

Mr. MOORE of Virginia. As provided by existing law.

Mr. ROY G. FITZGERALD. That is true.

Mr. MOORE of Virginia. And when that is done the Government Printing Office will continue to print the code, so that it will be on the market at a price not exceeding the cost of printing and the cost of delivery?

Mr. ROY G. FITZGERALD. Yes; through the Superintendent of Documents.

Mr. MOORE of Virginia. So that we have guarded against the code falling into the hands of private printers, who might sell it at a profit?

Mr. ROY G. FITZGERALD. There is no opportunity for exploitation.

Mr. TREADWAY. Will the gentleman yield?

Mr. ROY G. FITZGERALD. I will.

Mr. TREADWAY. Is not the inquiry of the gentleman from Texas answered on page 4, line 3? The gentleman from Texas asked how many copies each Member would have, and, as I read it, each Member of the House and Senate will have 10 copies.

Mr. ROY G. FITZGERALD. That is the intent to have it bound with all the accompanying features—there are 12 different features, the appendix, the cross reference to the Revised Statutes, the Constitution, and the others enumerated.

Mr. TREADWAY. Are these 10 copies that go to the Members of the House and Senate to be bound in buckram?

Mr. ROY G. FITZGERALD. Yes; but they can requisition other copies if necessary.

Mr. BARBOUR. Will the gentleman yield?

Mr. ROY G. FITZGERALD. Yes.

Mr. BARBOUR. Are these bound volumes to go to the folding room, and will each Member get 10 volumes, or will they be distributed to anybody?

Mr. ROY G. FITZGERALD. As carefully as I could draw the provision, each individual Member will have 10 copies to his credit.

Mr. BARBOUR. I have found in other cases that the documents in the folding room have been distributed to others.

Mr. ROY G. FITZGERALD. This provides that each Member will get 10 copies.

Mr. TREADWAY. Does not that mean that the 10 copies will be listed to each Member in the folding room and put to his credit, and nobody else can go in and demand a copy belonging to the gentleman from California.

Mr. ROY G. FITZGERALD. It means that there shall be 10 copies for each individual Member of this Congress.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. ROY G. FITZGERALD. Certainly.

Mr. NEWTON of Minnesota. In connection with the indexing, I take it that the representatives of both of these book companies will be in charge of the indexing.

Mr. ROY G. FITZGERALD. We have no written contract but the presidents have indicated that they will undertake to do this work. The Declaration of Independence and Constitution of course will be furnished by the Secretary of State, but these concerns are willing to furnish the cross reference tables, which are another feature, to their own annotated works. The other cross reference tables I have to have made with the help of the legislative index division of the Congressional Library under an appropriation already given to this committee.

Mr. NEWTON of Minnesota. The index is such an important part of any code, and especially one that is new, that it seems to me it is quite essential that both of these concerns lend their assistance to indexing as well as to the other work.

Mr. ROY G. FITZGERALD. They have agreed to give it to the Public Printer for \$5,000.

Mr. COX. Will the gentleman yield?

Mr. ROY G. FITZGERALD. Yes.

Mr. COX. In order that the publishers of this may realize the benefit of whatever may grow out of the labors they have put into the work, having superintended the preparation of this bill, would it not be necessary for them to proceed to the completion of the work by the preparation of an index?

Mr. ROY G. FITZGERALD. Yes; and this country will be under great obligations to these two concerns if they will finish that job as they promised me they will. They have expended more than \$20,000 out of their funds on the work already done.

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

Mr. ROY G. FITZGERALD. Yes.

Mr. BRIGGS. Does the gentleman leave it in the air as to whether or not this volume is to be indexed with a comprehensive index? Does the gentleman not think it ought to be fixed by law?

Mr. ROY G. FITZGERALD. I have to anticipate as well as I can. I secured from this House an appropriation of \$5,000 to do this. This is the estimate that I have had prepared by these companies, but I can not employ them to do it until the bill passes the Senate.

Mr. BRIGGS. The gentleman does not anticipate that the Congress will object to providing an adequate amount to prepare a comprehensive accurate index?

Mr. ROY G. FITZGERALD. Oh, no.

Mr. BRIGGS. What does the gentleman estimate will be the price of this volume when it is prepared and ready for the public?

Mr. ROY G. FITZGERALD. If it were to be sold by a private concern it would be \$12 or \$15, but as coming from the Public Printer it will not exceed \$5, and it might be a little less. I might add that we have had here in Washington as the headquarters the staffs of these two great law-publishing concerns. The presidents of both of the companies, Mr. Homer P. Clark, of St. Paul, and Mr. M. B. Wailes, of New York, have been here personally on the job. The editor in chief, Mr. Harold N. Eldridge, who has been so properly praised on the floor here to-day by the gentleman from New York, has been here and personally has superintended the work. We have had 11 of the most expert lawyers from the staffs of these two companies, and over 40 expert clerical persons on the work here continuously for weeks and weeks.

Mr. LUCE. Mr. Speaker, of course, I want this published, and I have not the slightest desire to use 20 minutes, but I did

want to make sure that I would have a chance to call the attention of the House to what seems to me an unfortunate provision in this bill. Paragraph 2 of section 1 calls for the publication and circulation of what I should say from a hasty glance at the law will be between three and four thousand copies, evidently intended for immediate use, until the bound volume is accessible.

Section 2 prevents even the insertion of a table of contents in this temporary volume. A book of this sort without a table of contents and an index is of small worth. Those of you who have had the volume we refer to as the "Little Code"—we have had it on our bookshelves now for two or three years—must have shared in my own annoyance in trying to find things in it without the help of an index. A book like this without an index is a pest and a plague; it is a nuisance. It wastes a very great amount of time and an additional amount of temper.

Mr. BLACK of New York. Mr. Speaker, will the gentleman yield?

Mr. LUCE. Yes.

Mr. BLACK of New York. If the gentleman will look at the code, he will notice that it is alphabetically arranged under main titles, under which main titles there are subtitles, and in looking for a law one would go to the general, wholesale title, and under it then would find what he wanted in a subtitle. It is practically a table of contents for each section of the law.

Mr. LUCE. While the gentleman from Ohio [Mr. Roy G. FITZGERALD] was talking I had occasion to look to find out whether the sections relating to the library had been attended to, as I understood they were to be attended to. I am glad to find that they have been, but I stood there, it seems to me, an interminable time trying to find out where the provisions were.

Mr. BLACK of Texas. Can the gentleman give us any information as to how much it will cost to print these approximately 1,000 volumes in that particular form?

Mr. LUCE. I am not a member of the committee. The gentleman will have to ask some member of the committee for that information.

Mr. BLACK of Texas. Will the gentleman yield to see if we can get that information from some one?

Mr. LUCE. Certainly.

Mr. ROY G. FITZGERALD. Mr. Speaker, if I understand the question correctly, I might state that this bill as we have it before us cost in the Printing Office alone for the work \$16,627.25. If the bill had been printed as an ordinary bill is printed, and they had plated it and gone through with it, it would have cost \$186,584.36. They estimate at the Printing Office that they can finish this with the index and all these other appurtenances and put it out and sell it to the public at \$5.

Mr. BLACK of Texas. The gentleman is not giving the information that I desire. I want information as to the cost of printing the copies covered by paragraph 2; that is to say, the copies of the bill which would be distributed, one to each Member, and to departments of the Government before the index and preface, and so on, are prepared.

Mr. ROY G. FITZGERALD. I have no definite information about what the bare code itself would cost, but you would have to divide \$160,000, the cost of plating and printing this work, and apportion it among the different volumes, depending upon the number that we printed. That is best way that you can arrive at it.

Mr. Speaker, in this connection I ask unanimous consent to have printed in the Record a letter I received from the Public Printer to-day, which analyzes the cost and also the savings which have been alluded to here.

The SPEAKER. The gentleman from Ohio asks unanimous consent to have printed the letter referred to. Is there objection?

There was no objection.

The letter referred to is as follows:

GOVERNMENT PRINTING OFFICE,
OFFICE OF THE PUBLIC PRINTER,
Washington, D. C., April 19, 1926.

MY DEAR MR. FITZGERALD: Now that the code bill has been put in type and it is ready for consideration by Congress, I want to take this occasion to thank you and your committee for its cordial cooperation in the printing of this monumental work. We also deeply appreciate the excellent service of the representatives of the West and Thompson publishing companies in connection with the preparation of copy and revision of thousands of proofs of the code. I am sure that everyone concerned in this great undertaking has reason to feel proud of the accomplishment.

I also want to compliment you and the committees of the House and the Senate on the economies that have been effected in the printing

of the code. If the code had been printed in the usual bill form as introduced, reported, and passed, it would have made 13,720 pages and have cost \$186,584.36. By printing the code in the form adopted by your committee, its size was reduced to approximately 1,700 pages, at a cost to date of only \$16,627.05. The net saving in the printing of the bill for consideration by Congress is thus \$169,957.31.

By eliminating the duplicate distribution of the code in the slip and pamphlet forms, as proposed by H. R. 11318, an additional economy of \$16,363.86 will be effected. To this saving should be added \$7,927.86, which would be the extra cost of separate prints of the code in its present form if the regular bill number had been printed as introduced, reported, and passed in the House and the Senate.

From this statement you will see that the total saving in the method of printing the code, as approved by your committee, will be approximately \$200,000.

If the code shall receive the approval of Congress at this session, I can assure you that this office will put forth every effort to expedite its publication.

Again congratulating you upon the splendid service that you and your committee have rendered the country in this great work, I beg to remain.

Respectfully yours,

GEORGE H. CARTER,
Public Printer.

Hon. ROY G. FITZGERALD,
Chairman House Committee on Revision of the Laws,
House of Representatives, United States,
Washington, D. C.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman from Massachusetts yield?

Mr. LUCE. Certainly.

Mr. GARRETT of Tennessee. I understood the gentleman to state just now that section 2 provides for the distribution to supply the Members of the Sixty-ninth Congress and others that are entitled to them with copies of this law in pamphlet form, but without any index whatever. If the gentleman will yield, I would like to ask the gentleman from Ohio [Mr. ROY G. FITZGERALD] to state why we would not better wait and let the Members have an indexed volume?

Mr. ROY G. FITZGERALD. The purpose is to save money as much as we can. It will take from three to four months to prepare the index and cross-reference tables and to compile the law of this session of Congress, including the revenue law. In the meantime there are a great many people who will demand copies of the code. It is the best and most compact statement of the Federal laws in existence, and it would be intolerable to withhold it three months or more from the public, awaiting the index and other features. This bill has been worded and reworded a great many times. The gentleman will notice it has been amended by the committee because the Public Printer felt it would be wiser to put it in the present form and thereby permit greater economy.

As originally drawn I cut out all the strip laws and cut in two the pamphlet copies. The Public Printer feels that he ought to be authorized to print just so many as may be demanded.

Mr. GARRETT of Tennessee. It does seem to me there ought at least to be printed a table of contents, making an index from the various titles and making it possible to ascertain the contents.

Mr. ROY G. FITZGERALD. There is no reason why that can not be done. This only permits the Public Printer to print the code bare of the index and other features to meet necessary requirement during the three or four months that the index is in preparation. He is willing to put in a table of contents, and I am willing personally to have it prepared. But this bill simply permits the printing in this form to meet the demands of those who must have it before the index can be completed.

Mr. GARRETT of Tennessee. The bill says they are to be printed without the index.

Mr. ROY G. FITZGERALD. This is permission to the printer to print enough to meet the demands.

Mr. GARRETT of Tennessee. But this permission provides that he does not put in any index.

Mr. ROY G. FITZGERALD. That is not the intention.

Mr. GARRETT of Tennessee. I have read it over carefully.

Mr. ROY G. FITZGERALD. He has already got permission to print.

Mr. TILSON. If the gentleman will yield, what is the use of printing these ponderous tomes until the index is ready? It is specifically stated that the law as contained in the publications heretofore issued shall be construed to be the law until 1927. Surely we can go on for the three or four months necessary to complete the index just as we have been going

on for 50 years. Why not let it go until the index is completed? Why lumber up the shelves in our offices with one copy each of this volume while it is without an index or table of contents?

Mr. ROY G. FITZGERALD. We give the Public Printer permission to do this if it is demanded of him. I do not think with a code of this kind in existence that we should be put in such a position that Members of Congress could not have a single copy of it. This book ought to be made available as soon as it becomes a law in order that errors may be ascertained, if there are any.

Mr. CHINDBLOM. I call the attention of the gentleman from Ohio to the fact that in paragraph 2 the Public Printer is not authorized but directed to print a sufficient number of copies without index, and so forth, and if you try to print an index after passing this law, you are in great danger that some accounting officer might say you did it without authority.

Mr. ROY G. FITZGERALD. There is no danger of printing the index, because it can not be prepared until the law passes.

Mr. CHINDBLOM. If you try to print a table of contents without authority you may have difficulty.

Mr. ROY G. FITZGERALD. This is intended simply to meet the demand of those who are entitled to a copy or feel they ought to have a copy of the bare code without a delay of months. This bill is calculated to save thousands and thousands of dollars.

Mr. BLACK of New York. Is it not a fact that under each title there is practically a complete index?

Mr. ROY G. FITZGERALD. Yes; the first six titles relate to the form of government, and after that it is in alphabetical order, with more than 500 cross references.

Mr. LUCE. Will the gentleman explain what would be the effect if we should not adopt his committee amendment, but would let the text stand here as originally drawn?

Mr. ROY G. FITZGERALD. The Public Printer sent up a protest against that. We would save something like \$7,000 by letting it stand in that way. In this way it would save something like \$14,000 or \$15,000, if too many copies are not demanded. It seems, if this bill passes the Senate and becomes a law, it will take three months to make the cross-reference tables and index. In the interim we should not be shut off from reference to the code, and therefore he has been directed to print a sufficient number to meet a reasonable demand. That, I think, is the best way to handle it, but I am not wedded to one way or other. My sole idea is simply to produce the law as stated here in its bare form and available in case of necessity, and to provide against the waste and loss which would be entailed by the general printing.

Mr. LUCE. Of course the gentleman understands that I have no desire to prevent the publication of the book. My question has been raised largely in the hope that inasmuch as the bill can not be amended here, somewhere else permission may be given to print a table of contents and index in even the first batch of copies.

Mr. GARRETT of Tennessee. Of course it can not be amended here under the rules except by unanimous consent. I would like to ask the gentleman from Ohio if he would not be willing, by unanimous consent, to insert in line 21, after the word "ancillary," the words "except a table of contents."

Mr. ROY G. FITZGERALD. Certainly, I would be very glad to.

Mr. GARRETT of Tennessee. That would improve it very much.

Mr. LUCE. That would help.

Mr. CHINDBLOM. It should not come before the word "Provided." It should come in after the word "hereof."

Mr. ROY G. FITZGERALD. Mr. Speaker, I ask unanimous consent to offer the amendment as follows: Page 2, line 21, after the word "ancillaries" add "except a table of contents."

Mr. GARRETT of Tennessee. Yes.

The SPEAKER. The gentleman from Ohio asks unanimous consent to offer an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 21, after the word "ancillaries" add the words "except a table of contents."

Mr. CHINDBLOM. Mr. Speaker, that had better come after the word "hereof."

Mr. ROY G. FITZGERALD. I agree that that is so. If there is no objection, Mr. Speaker, I ask unanimous consent that the amending words follow the word "hereof."

The SPEAKER. Without objection, the Clerk will report the modified amendment.

The Clerk read as follows:

On page 2, line 21, after the word "hereof" insert "except a table of contents."

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

Mr. LUCE. Mr. Speaker, I yield back the remainder of my time.

The SPEAKER. Is further time desired? If not, the Chair will put the question. The question is on accepting the motion of the gentleman from Ohio [Mr. ROY G. FITZGERALD] and suspending the rules and passing the bill.

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

APPROPRIATIONS FOR CONSTRUCTION AT MILITARY POSTS

Mr. JAMES. Mr. Speaker, I move that the House suspend the rules and pass the bill (H. R. 10275) authorizing appropriations for construction at military posts, and for other purposes, with the amendments which I have sent to the Clerk's desk.

The SPEAKER. The gentleman from Michigan [Mr. JAMES] moves to suspend the rules and pass the bill H. R. 10275, with committee amendments.

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

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated not to exceed \$5,770,000 from the net proceeds derived from the sales of surplus War Department real property, including the sale of surplus buildings, deposited in the Treasury, as authorized by the act approved March 12, 1926 (Public, No. 45, 69th Cong.), said sum to be expended for the construction and installation at military posts of such buildings and utilities and appurtenances thereto as, in the judgment of the Secretary of War, may be necessary, as follows:

Fort Benning, Ga., continuing of barracks construction, \$725,000; Fort Monmouth, N. J., barracks for enlisted personnel, \$555,000; Fort Monmouth, N. J., hospital, \$100,000; Camp Lewis, Wash., beginning construction of post hospital, \$125,000; Fort Sam Houston, Tex., barracks, \$500,000; Selfridge Field, Mich., barracks, \$570,000; Selfridge Field, Mich., noncommissioned officers' quarters, \$180,000; Camp Meade, Md., barracks, \$410,000; Fort Bragg, N. C., barracks, \$360,000; Fort Humphreys, Va., barracks, \$500,000; Camp Devens, Mass., barracks, \$500,000; Erie Proving Ground, Ohio, barracks, \$47,000; Edgewood Arsenal, Md., officers' quarters, \$90,000; United States Disciplinary Barracks, Fort Leavenworth, Kans., hospital, \$125,000; Mitchel Field, N. Y., barracks, \$287,000; France Field, Panama, officers' quarters and noncommissioned officers' quarters, \$139,000; Schofield Barracks, Hawaii, noncommissioned officers' quarters, \$72,000; Fort Wadsworth, N. Y., barracks, \$285,000; Maxwell Field, Montgomery, Ala., barracks, \$130,000; noncommissioned officers' quarters, \$70,000: *Provided*, That any unexpended balances or combined unexpended balances of any of the above amounts shall be available interchangeably for appropriation on any of the hospitals or barracks herein authorized.

Mr. BLANTON. Mr. Speaker, this kind of a bill ought not to be called up here at this time of day and passed under suspension. I make the point of order that we have no quorum. This is an important bill.

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

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

A call of the House was ordered.

The SPEAKER. The Clerk will call the roll.

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

[Roll No. 77]

Aldrich	Curry	Hawley	Nelson, Me.
Andrew	Darrow	Hayden	Nelson, Wis.
Anthony	Davenport	Hersey	Newton, Mo.
Appleby	Dempsey	Holaday	O'Connell, R. I.
Auf der Heide	Denison	Hull, Tenn.	O'Connor, N. Y.
Ayers	Douglass	Irwin	Parker
Barkley	Doyle	Jacobstein	Parks
Beck	Drane	Jeffers	Peavey
Beedy	Eaton	Johnson, Ill.	Peery
Bixler	Esterly	Johnson, Ky.	Perlman
Bland	Fairchild	Keller	Phillips
Boies	Fenn	Kelly	Pou
Boylan	Flaherty	Kendall	Prall
Brand, Ga.	Fort	Kerr	Purnell
Britten	Frear	Kiess	Quayle
Browne	Fredericks	Kindred	Ransley
Bulwinkle	Freeman	Kunz	Rayburn
Burtness	Fuller	Lee, Ga.	Reece
Butler	Funk	Lindsay	Reed, N. Y.
Campbell	Gallivan	Lineberger	Rowbottom
Carew	Gifford	McClintic	Sabath
Carpenter	Golder	McLaughlin, Nebr.	Sanders, N. Y.
Celler	Goldsborough	Magee, Pa.	Schneider
Cleary	Graham	Martin, La.	Scott
Cole	Green, Iowa	Mead	Seger
Connery	Greenwood	Michaelson	Shreve
Connolly, Pa.	Hale	Montague	Spearing
Cooper, Ohio	Harrison	Morgan	Stedman
Cullen	Hawes	Morin	Sullivan

Swartz	Thompson	Vincent, Mich.	Wood
Sweet	Tucker	Vinson, Ga.	Woodrum
Taylor, N. J.	Tydings	Walters	Wyant
Taylor, Tenn.	Udike	Watson	Yates
Temple	Upshaw	Weller	Zibelman
Thomas	Vare	Welsh	

The SPEAKER. Two hundred and ninety-three Members have answered to their names, a quorum.

Mr. TILSON. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

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

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

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

There was no objection.

Mr. JAMES. Mr. Speaker and gentlemen of the House, on page 2 we have stricken out Schofield Barracks, Hawaii, \$450,000, for hospital construction, and the item for barracks at Camp Lewis, Wash., \$800,000, for the reason that both of these items are contained in the Army appropriation bill.

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

Mr. JAMES. Yes.

Mr. McKEOWN. What is the purpose of providing that certain sections of the Revised Statutes—sections 1136 and 3734—shall not apply?

Mr. JAMES. That language has been stricken out.

Mr. McKEOWN. It has been stricken out of the bill?

Mr. JAMES. Yes.

Mr. WINGO. Will the gentleman yield?

Mr. JAMES. Yes.

Mr. WINGO. My understanding is that the item for Schofield Barracks is carried in the current Army appropriation bill, and is specifically appropriated for.

Mr. JAMES. The hospital; yes.

Mr. WINGO. And I suppose this language in the bill does not hurt that proposition?

Mr. JAMES. No.

Mr. WINGO. It does not affect the status of it?

Mr. JAMES. As I stated, it has been stricken out, and it was stricken out because the matter has already been taken care of in the Army appropriation bill.

Mr. WINGO. Then, as I understand it, the item for Schofield Barracks is stricken out of this bill?

Mr. JAMES. Yes.

Mr. WINGO. And that is because it is already appropriated for in the current Army appropriation bill?

Mr. JAMES. Yes.

Mr. WINGO. All I want to be sure of is that that hospital be finished.

Mr. WAINWRIGHT. We know you are interested in it.

Mr. JAMES. On March 1 of this year the House passed a bill (S. 1129) which authorized the sale of surplus War Department real estate in order to provide funds from which to build barracks and quarters. This act approved March 12, 1926 (Public Law No. 45) provided for the establishment of a fund known as the military post construction fund, and further provided that estimates of the moneys to be expended from that fund, including a statement of the specific construction projects embraced in such estimates, shall be submitted annually to Congress.

H. R. 10275 comprises the first of such annual estimates and includes a list of construction which can be accomplished this year from funds now on hand from the sale of real estate.

These funds now amount to practically \$7,000,000, and by July 1 will have had added considerable sums from sales now under negotiation.

The bill as introduced by the War Department originally called for construction items totaling \$6,820,000. This amount has been revised by your Committee on Military Affairs, and as revised authorizes the expenditure of \$5,770,000.

It was deemed advisable to strike out two items—one for the continuing of hospital construction in Hawaii, \$450,000, and one for the construction of barracks at Camp Lewis, Wash., \$800,000, for the reason that these items are already included in the Army appropriation bill. It was also deemed advisable for the reasons giving in our committee's report (Rept. No. 616) on this legislation, to add an item of \$200,000 to provide for new construction at Maxwell Field, Ala., to replace war-time cantonment buildings.

These amendments, as I have stated before, bring the total amount authorized by this bill down to \$5,770,000, which will provide hospital accommodations and permanent shelter for over 6,000 men and officers who are now living in war-time shacks and barracks.

As has been brought out many times in hearings on this subject, there are now living in war-time frame buildings over 40,000 officers and men of the Regular Army out of a total of 118,000; the buildings were designed and built with the idea of using them for not more than five years. It has now been nearly nine years since they were built—nearly twice their estimated life—and most of them have deteriorated to an extent where it is extremely uneconomical to try to keep them in repair; underpinnings rotted out, roofs and sills sagging, and windows and doors warped.

To compel our Regular Army to live much longer under conditions so detrimental to morale and discipline should not be countenanced by Congress.

It was brought out in the hearings before our committee that the same unsatisfactory conditions obtain at every post and station where troops of the Regular Army are occupying these cantonment buildings, and the greatest problem the War Department had in making up this year's construction list was to determine what could best be left out, rather than deciding on what should be built.

It will be noted that all the items included in this bill are either to replace war-time buildings or to furnish shelter where none now exists.

Taking up the items as they appear in H. R. 10275, I will run over briefly the reasons why these items were selected:

1. Fort Benning, Ga.: Continuing of barrack construction, \$725,000. There are stationed at this post two Infantry regiments, the Twenty-fourth and Twenty-ninth, who have been living in tents for more than six years. Last year Congress appropriated \$386,000 to commence permanent barracks for this appropriation, and there has been completed accommodations for about 360 men. It is desired to continue this construction this year to the extent of building three more sections of the barracks, which when completed will house an additional 685 men. The winters are cold in this part of Georgia, and these troops in tents have been subjected at times to great hardships.

2. Fort Monmouth, N. J., barracks for enlisted personnel, \$555,000.

The Signal Corps battalion and special troops numbering about 600 men stationed at this post are quartered in temporary frame war-time buildings, which offer little protection against the cold winters of northern New Jersey; the buildings have deteriorated to a point where it is cheaper to build new quarters than attempt to keep the old ones in repair.

3. Fort Monmouth, N. J., hospital, \$100,000.

The same remarks apply to the hospital building as to the barracks; the present hospital is a wooden shed, absolutely unfit for further use for hospital purposes. It is proposed with this sum to erect a 27-bed hospital in order that the sick may be suitably cared for.

4. Camp Lewis, Wash., beginning construction of post hospital, \$125,000.

The hospital at Camp Lewis is located in a frame war-time structure unsuited for further occupancy as a hospital. The Army appropriation act contains provisions for beginning barracks at this post, and it is desired to furnish at least two permanent wards at this time as a part of the permanent garrison construction.

5. Fort Sam Houston, Tex., barracks, \$500,000.

There is stationed at this post the Second Infantry Division, which for the greater part is quartered in war-time cantonment buildings, the condition of which has already been explained. It is desired with the amount specified to construct barracks for one of the Infantry regiments less two battalions, about 600 men, and for a brigade headquarters company, about 30 men. The completed barracks will require about \$600,000 more, which will be included in future lists.

6. Selfridge Field, Mich., barracks, \$570,000.

All of the Air Service stations except two were built during the war and are of the light frame construction which was deemed adequate for the duration of the war. All these posts must be rebuilt, and Selfridge Field was placed first on the list on account of the cold climate of northern Michigan.

7. Selfridge Field, Mich., noncommissioned officers' quarters, \$180,000.

This amount will provide for the construction of 30 sets of noncommissioned officers' quarters. At the present time there are no noncommissioned officers' quarters at this field, and the men are living in improvised shacks or are on a rental status in the near-by town of Mount Clemens.

8. Camp Meade, Md., barracks, \$410,000.

The Seventeenth Tank Battalion, comprising a total of about 512 men, are living at present in cantonment buildings which are about ready to fall down. The necessity for replacing these structures is evident, as has been stated before. This appropriation will provide permanent accommodations for the

entire battalion. There is also stationed at this post the Army Tank School, living under similar conditions, but pending the determination as to the ultimate location of this school, the War Department did not include any construction for them.

9. Fort Bragg, N. C., barracks, \$360,000.

This amount will provide for the construction of barracks for one battalion of Field Artillery, approximately 447 men, who are now living in war-time cantonments which are unfit for habitation. The roofs leak, floors sag, and the buildings are rapidly becoming uninhabitable.

10. Fort Humphreys, Va., barracks, \$500,000.

Two regiments of Engineers are living in war-time buildings which should be replaced. The \$500,000 for construction will provide permanent barracks for the personnel of these regiments, comprising about 650 men, with the exception of non-commissioned officers. All of the buildings at this post are of the frame war-time construction type and will have to be replaced at an early date. Other construction items will be placed on future lists.

11. Camp Devens, Mass., barracks, \$500,000.

The same conditions apply here as at other posts where troops are quartered in cantonment buildings. The severe climate makes service here a real hardship. The amount contemplated will provide barracks for one Infantry regiment, the Thirteenth, less two battalions, and barracks for brigade headquarters company, and when completed will house approximately 620 men.

12. Erie Proving Ground, Ohio, barracks, \$47,000.

There are about 50 enlisted men of the Ordnance Corps who are stationed at this post. The post occupies an exposed position on the shore of Lake Erie, and the frame buildings offer little shelter from the winter storms. This amount will provide permanent shelter for the enlisted men of the garrison.

13. Edgewood Arsenal, Md., officers' quarters, \$90,000.

There is a serious shortage of quarters for officers at this station. A number of them are at present quartered in stucco noncommissioned officers' quarters and in tar-paper shacks, and others are on commutation status. There are no adequate housing facilities for the officers on commutation status in this vicinity, entailing an additional expense and a loss of time for travel to and from their station. This should be remedied without delay as an economic measure.

14. United States Disciplinary Barracks, Fort Leavenworth, Kans., hospital, \$125,000.

This amount, it is contemplated, will build permanent hospital accommodations to replace a ward which is now installed in an old cell room. The cell room in which the present hospital is located is entirely unsuited for hospital purposes, is a fire hazard, and should be abandoned at the earliest possible date.

15. Mitchel Field, N. Y., barracks, \$287,000.

No remarks are necessary concerning the necessity for this construction, as the same reasons apply as were cited in the case of Selfridge Field. This new construction will provide barracks for 355 enlisted men now living in war-time barracks.

16. France Field, Panama, officers quarters and noncommissioned officers' quarters, \$139,000.

There is a serious shortage of quarters for both officers and noncommissioned officers at this field. Due to its isolated position, there are no houses in the immediate vicinity which can be rented, and it is necessary to provide shelter at the field for the officers and noncommissioned officers on duty there. With this \$139,000 it is proposed to erect 6 sets of bachelor officers' quarters, 4 sets of married officers' quarters, and 12 sets of non-commissioned officers' quarters.

17. Schofield Barracks, Hawaii, noncommissioned officers' quarters, \$72,000.

This post is in an isolated position, in a farming country where there are no houses available for rent nearer than 6 miles. It is proposed to build 24 sets of noncommissioned officers' quarters to house an equivalent number of these enlisted men who are now living in improvised shacks.

18. Fort Wadsworth, N. Y., barracks, \$285,000.

S. 1129 authorizes the sale of Fort Schuyler, where one battalion of the Eighteenth Infantry, comprising about 350 men, are now living in war-time cantonments. With the above sum it is proposed to construct permanent barracks for this battalion at Fort Wadsworth, N. Y., thus releasing Fort Schuyler for sale in order to provide additional funds for this housing program.

19. Maxwell Field, Ala., barracks, \$200,000.

This amount will provide permanent barracks for the headquarters, Fourth Division, Air Service Twenty-second Aero Squadron, Fourth Photo Section, and service detachments, a total of 162 enlisted men, and will construct quarters for 13 noncommissioned officers of the first three grades. The condi-

tions at this post are practically the same that obtain at all Air Service stations—war-time cantonment buildings, which must be replaced.

As I have stated before, the conditions under which so large a portion of our Regular Army is living are disgraceful. The natural effect on the morale of the officers and men is most detrimental. Another serious effect has been the loss of time taken from training to allow large fatigue parties to work on these buildings, not only to keep them half way habitable but, indeed, to prevent their absolute collapse.

To fail to take action on this bill at this session of Congress means a delay of another year before construction can even be commenced, which means that for that length of time troops will be subjected to a further unnecessary hardship. The money is available and has been set aside for this specific purpose. I should like to call your attention to a letter from the Secretary of War, dated April 6, 1926, urging early and favorable action. This letter is as follows:

The SPEAKER,

House of Representatives.

SIR: In connection with H. R. 10275, now pending in Congress, I feel that it is my duty to urge early and favorable action.

The housing conditions under which a large proportion of our officers and enlisted men are compelled to live is a disgrace to the Government and should be remedied without further delay. These deplorable conditions have been emphasized from year to year in the annual report of my predecessor and have been fully described in hearings before the Congress.

This year with the passage of the act of March 12 (Public, No. 45) it seemed that means were at hand to remedy matters without imposing any burden on the taxpayer, as the act in question created a fund now amounting to practically \$7,000,000, from which new construction is to be financed.

H. R. 10275 sets forth a list of construction items at 18 places with a total expenditure of \$7,020,000 for this year's construction.

Until this bill is passed authorizing the appropriation, it seems that the War Department is unable to get estimates for this construction passed by Congress. To fail to do so will result in at least a year's delay in providing the shelter so urgently needed—meaning that another winter and possibly two summers will elapse before the buildings can possibly be completed for occupancy.

In view of the urgent necessity for action, may I request that this bill be placed on the suspended calendar for early consideration?

Respectfully,

DWIGHT F. DAVIS, *Secretary of War.*

I wish to also call attention to the letters from Major Brant and the Director of the Budget:

WAR DEPARTMENT,
WAR DEPARTMENT GENERAL STAFF,
Washington, March 25, 1926.

HON. W. FRANK JAMES,
Committee on Military Affairs,
House of Representatives.

MY DEAR MR. JAMES: With further reference to the concluding paragraph of H. R. 10275 which removes certain limitations, the following information is submitted:

The War Department having determined what construction is necessary to accommodate certain troops or equipment, the Quartermaster General is notified of the location, character, and capacity of the buildings required. The Quartermaster General then presents estimates based on the information furnished him by the War Department, and arrived at by determining the cubical contents of the building, and applying the cost of labor and material per cubic foot. In preparing this preliminary estimate the same method is followed as is used by all civilian contractors, and, of course, is only an approximation. This approximation, however, taking into consideration the varying costs of labor and material in different sections of the country, has been found by actual experience to work out very closely.

These estimates then are submitted to Congress asking for authority to construct the buildings and for an appropriation to defray the expense. Having received authority from Congress to do the necessary construction, detailed plans and estimates are then worked out in the office of the Quartermaster General, who, under the act of June 3, 1916, is charged with the direction of all work pertaining to the construction, maintenance, and repair of buildings, structures, and utilities other than fortifications connected with the Army.

These plans and specifications include all the necessary details to enable bidders to calculate the cost of construction and present their bids. No new construction work is done until such competitive bids have been invited by public advertising through the medium of newspapers, etc. Plans and specifications on file in the office of the Quartermaster General are available for all prospective bidders. On being received, these bids are publicly opened at a specified hour on a specified date, and awarded to the lowest bidder complying with the

requirements. It will be seen from the brief statement above that there is no opportunity for collusion between the Quartermaster General and prospective contractors, as was intimated in the hearings on this bill.

With reference to the clause which provides for waiver of sections 1136 and 3734, Revised Statutes, it is not really essential that this be included in the present legislation, as it is really a matter which pertains to appropriations. It was included in order to clear the situation and prevent any misunderstanding which might tend to prevent the execution of the construction projects.

Section 1136 provides that no permanent barracks in excess of \$20,000 shall be constructed until detailed estimates have been submitted to Congress and approved by special appropriation for the same. If this remains in effect, it is apparent that detailed estimates which have not yet been prepared, would have to be submitted for each and every item of construction included in this bill. It is held by the War Department that the information submitted already to the committee which gives the location, character of construction, accommodations for enlisted men and officers, together with size and estimated cost, is all that can be produced at this time. To draw up detailed plans and specifications prior to the granting of authority to construct these buildings would be merely a waste of time, inasmuch as Congress might eliminate any number of the buildings which it is proposed to construct.

Section 3734 provides that before a new building for the use of the United States is commenced, plans and estimates therefor shall be prepared and approved by the Secretary of the Treasury, Postmaster General, and the Secretary of the Interior. It seems perfectly clear that they are not interested in the construction of Army barracks, and it is thought best to include this waiver in order to eliminate any possible question. As a matter of fact, the act of June 3, 1916, prescribes that this work is a function of the Quartermaster General under authority of the Secretary of War, and makes no reference to the Post Office, Treasury, or Interior Departments. It is believed that this particular section was written up by Congress to cover the erection of public buildings such as post offices, etc. This same clause including these waivers will be found, for example, in the Army appropriation act for 1926, which provides for new construction at Madison Barracks, and the Air Field at Dayton, Ohio. The Quartermaster General states that Mr. Anthony is quite familiar with the necessity for the inclusion of such clause where Army construction is involved.

Trusting that the above information is what is desired—if any further details are considered necessary, please advise me and I will endeavor to obtain them.

Letter covering the same points has been forwarded this date to Mr. MORIN, chairman of the Committee on Military Affairs, and signed by the Acting Secretary of War.

Sincerely yours,

G. C. BRANT,
Major, General Staff.

BUREAU OF THE BUDGET,
Washington, April 17, 1926.

The honorable the SECRETARY OF WAR.

SIR: Referring to your letter of April 16, 1926, you are advised that the proposed amendments to bill H. R. 10275, authorizing appropriations for construction at military posts, and for other purposes, which you mention in your letter, are not in conflict with the financial program of the President.

Sincerely yours,

H. M. LORD, *Director.*

In view of all the circumstances set forth above I wish to urge the passage of this bill, not only as an economic measure but in justice to the officers and enlisted men of our Regular Army, who for so many years have been compelled to exist under such disheartening living conditions.

Mr. Speaker, I reserve the balance of my time.

[Cries of "Vote!" "Vote!"]

Mr. LAGUARDIA. If gentlemen want to vote \$7,000,000 away without consideration, I certainly can not do very much to prevent it.

I believe, when we have a bill of this kind under consideration, the least we can do is to make a record and show what we are doing. Let the country at least know what is going on.

Gentlemen will recall that a few weeks ago a bill passed the House under suspension, and it has since become a law, authorizing the War Department to sell surplus property and to put the proceeds of the sales into a separate fund and to use that fund for repairs and construction. I opposed it at the time. I pointed out that the War Department would simply go wild in spending money, and here is your first bill appropriating \$7,200,000. And it is only a starter; it is only the first bill. My objection to the bill authorizing the sale of

surplus property was the creation of a separate fund. It is my firm belief that the proceeds should go in the Treasury, in the general fund.

To-day you appropriated \$200,000 for an artillery field at Fort Ethan Allen, Vt. To-day you authorized the Navy Department to build several hospitals, and a few weeks ago you authorized the Veterans' Bureau to build more hospitals and build extensions. I want to point out that several departments are building hospitals; the House is appropriating huge amounts of money and there is bound to be a great deal of unnecessary building. The War Department is authorized to sell surplus property and place the proceeds in a separate fund. Having this authority they will spend more money than they would otherwise. In addition to what we have already authorized them to sell, they are already planning to come here with a new list of surplus property and get authority to sell more, and then turn right around and ask for authority to sell more.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. JOHNSON of Washington. How can the gentleman possibly reason that either Congress or the War Department could run wild when it is proposed to provide suitable quarters for regiments and it costs \$1,000,000 per regiment to house them?

Mr. LAGUARDIA. Of course there is no objection to that, as the gentleman would know if he would follow what I have said. Here is \$7,000,000. Now, let us concede that every cent is necessary.

Mr. JOHNSON of Washington. Absolutely.

Mr. LAGUARDIA. All right. But does the gentleman know what they are selling and what they are building?

Mr. JOHNSON of Washington. I know of one tract of land in my district, owned by the War Department, covered with valuable fir timber worth a great deal of money, which should have been sold many years ago. It will soon be dead-and-down timber and not of real commercial value.

Mr. LAGUARDIA. And I know of one tract in my city that the War Department is going to sell, and they do not know the value of it.

Mr. WOODRUFF. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. WOODRUFF. The gentleman from New York has been holding up to the House as one of the horrible examples of legislation the bill that passed the House this afternoon by unanimous consent authorizing the Navy Department to build certain hospital facilities?

Mr. LAGUARDIA. No; I am simply pointing out that you have three departments of the Government now building hospitals. You have the Veterans' Bureau spending millions; you have the Navy Department; and now we are asked to authorize the Army to do the same thing. It seems to me that where you have hospitals in close proximity to each other you should use those hospitals for the various departments. The Veterans' Bureau hospitals to-day have thousands of vacant beds, with an enormous overhead, and yet the various departments come here and ask for more money to build more hospitals. There seems to be no coordination of hospital facilities.

Only last Saturday, in a New York paper, there was an inspired statement by the War Department and I want the gentleman to know of it. The War Department says it has more surplus property to sell and it has suggested that Governor's Island in New York harbor would bring \$18,000,000. They say it is worth only that, but they really do not know anything about values there. Then there is a proposal to sell the Presidio in California.

Mr. BLANTON. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. BLANTON. The gentleman says we have already given them \$20,000,000 and it may be \$30,000,000, and this bill appropriates \$7,000,000 more, but how are we going to stop this bill?

Mr. LAGUARDIA. That is it exactly.

Mr. BLANTON. How are we going to stop it. Whenever the powers that be ordain that a certain bill shall pass, they are going to pass it.

Mr. LAGUARDIA. The least we can do is to bring these matters to the attention of the House and to the attention of the country. The War Department, I repeat, only a few weeks ago having been empowered to sell surplus property is now looking around for more property to sell, and will come in with another bill very soon.

Mr. WOODRUFF. Will the gentleman yield?

Mr. LAGUARDIA. No; the gentleman can get time from the proponents of the bill.

Mr. GREEN of Florida. Will the gentleman yield to me?

Mr. LAGUARDIA. I yield.

Mr. GREEN of Florida. I think about all this money is derived from Florida lands or at least several million dollars of it, might we not just as well put it back into circulation.

Mr. LAGUARDIA. It does not go back into circulation in the gentleman's State.

Mr. GREEN of Florida. No; not in my State.

Mr. HUDSPETH. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. HUDSPETH. Is the gentleman a member of the Committee on Military Affairs?

Mr. LAGUARDIA. No; I am not.

Mr. HUDSPETH. I have just been wondering since I read in this report that at certain Army posts men and officers are living in tents. One of the major posts is in my district and men and officers to-day are living in tents without any roofs on the tents, and not only that, but many of the warehouses there that have the provisions are in the same condition.

Mr. LAGUARDIA. The gentleman does not get my point.

Mr. HUDSPETH. I have been wondering how they distributed this fund.

Mr. LAGUARDIA. Is not the gentleman's post included?

Mr. HUDSPETH. No; not one dollar, and I just wanted to know how they distribute this.

Mr. LAGUARDIA. Well, that is typical. Probably the gentleman can tell us about the clubrooms we are appropriating for.

Mr. HUDSPETH. Oh, if we could take care of these non-commissioned officers out there and the men who are living in tents, we would do away with the clubrooms, I will say to the gentleman.

Mr. LAGUARDIA. Let me say to the gentleman from Texas that this is what they will do. They will first get this \$7,000,000—

Mr. HUDSPETH. I want to get on to the system. If the gentleman can put me next to the system, I will appreciate it, because I represent one of the major posts out there.

Mr. LAGUARDIA. This is the system. We have given the War Department authority to sell \$20,000,000 of surplus property, and the proceeds go in a separate fund. They will come in with the same old story that this does not require any new appropriations because they have got the money.

They will take this first list contained in this bill and they will spend all of the money, and then they will come in later on and will put in the gentleman's post, and they will take some other districts—scatter them around and pass another bill and there will be no end.

Mr. HUDSPETH. When will they do it? If the gentleman will give me that information, I will thank him.

Mr. LAGUARDIA. When they are good and ready; when all the officers are quartered and when all the club rooms are built.

Mr. HUDSPETH. I am going to support the bill, but I want to get on to the system, and I thought the gentleman, being a military man, could put me next to the system.

Mr. LAGUARDIA. When you get on to the system of the War Department, then you are on to some system, believe me.

Mr. HUDSPETH. Then I am going to endeavor to get on to the system.

Mr. O'CONNELL of New York. And they have it patented too, have they not?

Mr. LAGUARDIA. Seemingly.

Let me call your attention to this language in the bill:

That any unexpended balances or combined unexpended balances of any of the above amounts shall be available interchangeably for expenditure on any of the hospitals or barracks herein authorized.

Mr. JAMES. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. JAMES. That is not the correct language. The correct language is "for appropriations" and not "for expenditure," which means that in order to do what the gentleman has suggested they would have to go to the Committee on Appropriations and get the necessary consent.

Mr. LAGUARDIA. What do these four lines mean then?

Mr. JAMES. Where you have "expenditure" it should be "appropriation," which means they would have to go to the Committee on Appropriations.

Mr. LAGUARDIA. I got the bill from the only source I can get bills.

Mr. HUDSPETH. Here is a copy of the bill which I will give the gentleman. I have almost worn it out studying it.

Mr. LAGUARDIA. That is the same bill I have.

Mr. HUDSPETH. There is no chance to amend the bill.

Mr. LAGUARDIA. That is the same bill I have.

Mr. JAMES. If the gentleman will examine the bill at the Clerk's desk, he will find the word "appropriation" instead of the word "expenditure."

Mr. LAGUARDIA. Is that the "old army game," one bill at the Clerk's desk and one before us?

Mr. JAMES. I read the gentleman the language as amended.

Mr. LAGUARDIA. All I know is the bill I have and the bill that all the Members have. If there is something else at the Clerk's desk, I think we ought to know it. [Cries of "Vote!" "Vote!"] That is not going to take me off my feet. I have been too long in the business for that.

Mr. HUDSPETH. I will state to my friend, if he will put me on to the system, I will appreciate it and will be under lasting obligations to him.

Mr. LAGUARDIA. I will tell the gentleman how he can get on to the system. Let us vote down this bill.

Mr. HUDSPETH. No; we would not get anywhere by doing that.

Mr. LAGUARDIA. The gentleman would get the repairs at the post he is interested in.

Mr. HUDSPETH. Oh, no.

Mr. LAGUARDIA. Then I will tell the gentleman what is going to happen. If the gentleman is going to pass this bill and wait until his post comes along, then they are going to keep it until the last so the gentleman will vote for every bill that comes along.

Mr. HUDSPETH. The gentleman is painting a gloomy picture for me.

Mr. LAGUARDIA. The situation is gloomy.

Mr. LOZIER. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. LOZIER. Does not the report show that this is simply the beginning of a series of demands that the War Department is to make for similar appropriations?

Mr. LAGUARDIA. Certainly; now this is interesting, and I want any gentleman on the Military Affairs Committee to deny this: You have posts in New York where you have a major general in command of about 200 men. This Army is top heavy with major generals, and we have to create posts for them. That is why you have to have headquarters and suitable buildings for all attachés, and that is why the soldiers in the gentleman's [Mr. HUDSPETH] State is not properly housed. There are three or four commands around New York where there is a major general with only 300 men in the whole command. A lieutenant could take command of those posts. Now if that is not so I would like to have some gentleman deny it. This corps of high ranking officers is selling land and selling property and making these repairs. There are a great many barracks throughout the United States that need repairs, but they will be the last on the list.

Mr. SCHAFER. What would the gentleman have the major generals do?

Mr. LAGUARDIA. I would have a proper table of organization and have the high command in proportion to the number of enlisted personnel. You do not have to be a military expert to know that.

Mr. HUDSPETH. But the gentleman from New York assures me that I will be on the list?

Mr. LAGUARDIA. I can not assure the gentleman of that if he votes for every bill that comes from the Military Committee.

Mr. WAINWRIGHT. This bill provides for the quarters for enlisted men. Is not the gentleman satisfied, in view of the fact that it provides for the urgent need of the enlisted men of the Army to-day?

Mr. LAGUARDIA. I believe if the War Department knows what they need they could come in with a complete list at this time. Will the gentleman say that this is all that they will ask for?

Mr. WAINWRIGHT. This is only a start, of course.

Mr. JAMES. I will assure the gentleman that this will be the last bill; that the Military Affairs Committee will not appropriate money unless it is in the Treasury. After this bill passes the House and the Senate, the War Department will, if they want to spend any money, have to come to the Appropriations Committee, and that will have to go before the House and the Senate.

Mr. LAGUARDIA. I am aware of that, but the gentleman knows that we made an appropriation for an artillery range, and he knows that they are selling land all over the country, and they are coming in with a bill for the sale of more surplus property.

Mr. JAMES. The gentleman stated a little while ago that they were going to sell Governors Island. Has the gentleman seen the statement in the paper that the Secretary of War denies that statement?

Mr. LAGUARDIA. Will the gentleman say that no more bills of that kind will come in for the sale of surplus property?

Mr. JAMES. I do not know.

Mr. LAGUARDIA. The gentleman can only guess; he does not know what they are going to do, but when the War Department brings in a bill it generally goes through the gentleman's committee.

Mr. SNELL. Does not the gentleman think this property should be sold if the Government does not need it?

Mr. LAGUARDIA. Yes. They are selling a piece of property in the gentleman's own town—Watertown. Does the gentleman know if Army officers will sell it for its real market value?

Mr. SNELL. I do not know anything about it; but what would a piece of property in Watertown be used for for governmental purposes?

Mr. LAGUARDIA. If it is of no use, sell it, but sell it intelligently and put the proceeds in the general fund of the United States Treasury.

Mr. SNELL. That is what we are trying to do.

Mr. LAGUARDIA. But you are keeping the funds separate and encouraging lavish expenditures on posts where it is not needed.

Mr. WAINWRIGHT. Will the gentleman tell us one object that is not necessary for the convenience and comfort of the personnel of the Army?

Mr. LAGUARDIA. I can tell the gentleman of other posts where it is more urgent.

Mr. WAINWRIGHT. There are posts on the list that are very urgent.

Mr. LAGUARDIA. But there are others more urgent. Mr. Speaker, I reserve the remainder of my time.

Mr. WRIGHT. The gentleman will concede that every item in the bill is meritorious, will he not?

Mr. LAGUARDIA. No.

Mr. WRIGHT. And that these improvements are needed at every point designated in the bill?

Mr. LAGUARDIA. No.

Mr. WRIGHT. Which is not needed?

Mr. LAGUARDIA. I say that there are other posts. The gentleman from Texas mentioned one of these posts a moment ago.

Mr. WRIGHT. But I am talking about the items included in this bill. Do they not need construction at every point mentioned in the bill? If not, will the gentleman please point out at which they do not need construction?

Mr. LAGUARDIA. The War Department knows the condition of every post in this country, and they should come in with a complete bill, so that we would know just what posts were more urgent than others.

Mr. WRIGHT. Does not the gentleman know that the War Department has offered a comprehensive program of construction going through a series of years, and that that whole matter was threshed out before a joint committee of the Senate and the House last year, that it is a matter of record, and that this is the beginning of the program?

Mr. LAGUARDIA. Exactly; and I want to know how great this program is and how much more property the department is going to sell.

Mr. WRIGHT. If the gentleman will read the testimony taken he will see that it is comprehensive.

Mr. LAGUARDIA. This is only a start.

Mr. WRIGHT. It is just the beginning of it.

Mr. LAGUARDIA. Exactly; and that is the point that I am trying to make. I reserve the remainder of my time.

Mr. JAMES. Mr. Speaker, I yield two minutes to the gentleman from Connecticut [Mr. TILSON].

Mr. TILSON. Mr. Speaker, as I understand this bill, it is simply carrying out the policy that we entered upon a short time ago when we authorized the War Department to sell certain property that was found to be surplus. Through the development of the military art and changing conditions certain property owned by the Government has come to be surplus. A short time ago this House authorized the sale of this surplus property, but it was known at the time we authorized the sale that it was the intention to ask to invest the proceeds of the sale, or substantially the same money, in new buildings, which are very much needed to house the Army; and that is all this bill does. We are not entering upon a new policy of wild expenditure. We are in effect using the old property that has become surplus to construct new property that is absolutely necessary. What is wrong about it? It seems to me to be such a sensible, businesslike thing to do that I can not see where there can be anything wrong about it.

Mr. LAGUARDIA. Mr. Speaker, I yield three minutes to the gentleman from Missouri [Mr. LOZIER].

The SPEAKER. The gentleman from Missouri is recognized for one minute, all the time the gentleman has left.

Mr. LOZIER. Mr. Speaker, in the one minute allotted me, I can not discuss this matter in detail, but I can say that I intend to vote against this bill for two reasons: First, because it is proposed to railroad it through this House under a suspension of rules, without debate, and with no opportunity being given to consider its details and merits. From appearances, this bill carrying an appropriation of over \$7,000,000, will be rushed through the House in 20 or 25 minutes, without 1 Member in 50 knowing anything whatsoever about its provisions. Thus it is that Congress functions with lightning rapidity when the leaders decide they want to expend vast sums for military purposes. I am not a pacifist, but I do protest against the recklessness with which Congress grants the requests of the War and Navy Departments for funds.

Secondly, I am opposed to the subtle and cunningly devised plans by which the public funds are appropriated for military purposes, a very considerable part of which is wasted. When the War and Navy Departments ask for funds, the administration never says a word about economy. It always manages to find sufficient funds to maintain large military and naval establishments. And these demands, as in the present instance, are camouflaged under the guise that the funds are badly needed.

The report which accompanied this bill tells us that this is but the beginning of a series of similar appropriations which will be demanded of Congress in the near future, and no one can tell what the ultimate cost will be of this comprehensive program. It will not be denied that this expenditure of \$7,000,000 will be followed by others which will drain many million dollars out of the United States Treasury.

But they say the Government sold surplus property and now has this money in the Treasury. That does not change the situation. It is Government money that is being expended by this bill. But "what's the use" to object? A large majority of the Members of this House are eager and impatient to vote for this bill. I realize that I am in a hopeless minority, but my vote will be cast against this bill.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. JAMES. Mr. Speaker, I yield two minutes to the gentleman from Alabama [Mr. HILL].

Mr. HILL of Alabama. Mr. Speaker, the gentleman from Missouri [Mr. LOZIER] tells us that this is the beginning of a great military program. If the gentleman means by that that we are embarking upon a policy of enlarging our Army or anything leading toward militarism, he is entirely wrong. [Applause.] The Congress of the United States by law has fixed the size of the Regular Army of the United States. All in the world that this bill does is to take money which has been derived from the sale of surplus military real estate and exchange that money for the construction of buildings to properly house the Army which we have authorized and provided for. [Applause.]

This bill authorizes the appropriation of \$5,770,000 for the construction of barracks, quarters, and hospitals for the Army. Under the bill new buildings will be constructed at 20 different military posts of the United States. The War Department is indeed to be commended on its willingness and its efforts to dispose of surplus military property to secure as much as possible of the money necessary for the needed construction rather than seeking to hold fast to this surplus property and endeavoring to get this new construction paid for by money taken from the General Treasury of the Government.

The pending bill comes to this House in answer to an amendment placed by the House on the 1925 War Department appropriation act, which amendment was as follows:

The Secretary of War is hereby authorized and directed to submit to the Congress at its next session a comprehensive plan for necessary permanent construction of military posts, including Camp Lewis in the State of Washington, based on using funds received from the sale of surplus War Department real estate and from the sale of such property now owned by the War Department as in the opinion of the Secretary of War is no longer needed for military purposes.

The bill is the result of many days of hearings that have taken place since December, 1924. In that month the Committees on Military Affairs of the Senate and House of Representatives held joint hearings on the subject of the sale of surplus military real estate and the necessary permanent construction at military posts. In February, 1925, subcommittees of the Committees on Military Affairs of the Senate and House of Representatives held hearings on this subject and in January of this year the Military Affairs Committee of the House held further

hearings on this same subject. Just about three weeks ago the Military Affairs Committee of the House held hearings on the pending bill. The President of the United States in his annual message to this Congress on December 8 last recommended and urged the adoption of the policy that is being carried out in the pending bill. The Secretary of War in his annual report for the year 1925 plead with the Congress to adopt the policy of the bill and eloquently and elaborately set out the reasons for his plea. The policy was approved by this House on just March 1 last when it passed the bill S. 1129 providing for the sale of surplus military real estate.

The need for the construction of new buildings at many of our military posts is indeed compelling. There are to-day some 40,000 officers and men in the United States Army who are quartered in temporary shacks or in tents. As Maj. Gen. W. H. Hart, Quartermaster General of the Army stated at the joint hearings of the subcommittees in February, 1925, to which I have referred, the temporary shacks are of war-time construction, erected during the years 1917 and 1918 and they were never intended at the time of their erection to last longer than for the emergency then existing. They were constructed of unseasoned lumber and light material hastily thrown together, the time element being the essential factor. As General Hart further stated, many of the temporary shacks now being used as barracks are in extremely poor condition. The lumber has shrunk, the foundations are rotting and in many instances bunks have to be moved or covered during rainstorms. One of the worst features of the situation is the fact that large amounts of money appropriated each year by this House for the maintenance of the Army have to be spent for the upkeep and repair of these shacks. This expenditure is a pure waste so far as any permanent benefit is concerned, but it has to be made, for the officers and men of the Army must be housed. In some instances, General Hart tells us, it has been necessary to expend in one year practically one-third of the original cost on a barrack building in order to provide shelter from the elements. The money spent on such buildings merely tides over temporarily the present needs and gives no permanent relief. As the Hon. Dwight F. Davis, the Secretary of War, well states in his annual report for last year:

It is not too much to say that should such barracks be used many more years, the amount of money expended on their upkeep will soon have equaled the original cost of the structures at their war-time price. Such expenditures constitute an extravagance, not an economy.

This is like pouring water in a rat hole. I submit to the House the following significant statement by General Hart:

To cite a few instances indicating the wastage of repair funds: During the last fiscal year this office has received requests from—

Camp Lewis for an allotment of \$230,000 for purely repair work, of which \$60,000 is necessary for roofing, \$90,000 for floorings and replacing rotten underplinnings, and \$68,000 for other miscellaneous carpentry work;

Fort Bliss for \$194,000 for repairs, of which \$80,000 is for floorings and roofs;

Fort Benning for \$71,000 for ordinary temporary repairs. This is in addition to the money that is being spent for tentage at this post; and

Fort Bragg for \$120,000 for repairs to the roofs and underpinning.

A considerable part of these requests must be met immediately. The roofs and underplinnings must be attended to if the buildings are going to be occupied, and after a lapse of two or three years there will be no evidence of the expenditure of this large amount, and the work will have to be done over.

On the other hand, if this amount were available for expenditure on permanent structures, a far greater number of buildings could be taken care of; moreover, the repairs would be permanent instead of being quickly lost through the deterioration of the temporary building.

It is conservatively estimated that when soldiers are housed in tents, the cost of tentage per man per year is \$20. For the approximately 3,000 men at Fort Benning this would amount to \$60,000 per year. This is in addition to the money necessary for repairs to the temporary buildings.

The only solution of the problem is to replace the temporary buildings as rapidly as financial conditions will permit, thereby alleviating this most unsatisfactory condition and, in addition, conserving the annual repair funds allotted for yearly maintenance and upkeep.

The pending bill authorizes appropriations to relieve the conditions at Camp Lewis, Fort Benning, and Fort Bragg, besides relieving the conditions at 17 other Army posts. Do you gentlemen not believe that we should pass this bill and put an end to this awful waste of the people's money? Mark you, the appropriations authorized by this bill will not come out of the

General Treasury but out of the funds derived from the sale of surplus property and which funds are now in the hands of the Government.

The temporary shacks in which so many of our officers and men are housed are veritable fire traps. As the commandant of the Cavalry School at Fort Riley, Kans., where conditions are typical, stated in his annual report to the Secretary of War:

The war-time buildings are veritable fire traps, and in case of fire there would probably result a terrible loss of life, as many children live in these quarters. They would not be permitted in any well-regulated municipality.

As the Secretary of War states in his last annual report, the officers commanding units in the field are in constant dread of the outbreak of a conflagration in groups of temporary wooden buildings which are being used for housing purposes. We must remember, gentlemen, that many of these temporary wooden structures, which are mere tinder boxes, are being used for hospitals. The danger of fire in these buildings used for hospitals is naturally greatest during the long, dry summer months, and this is the time when these buildings are used not only for the care of the sick of the Regular Army but for the care of the sick of the National Guard, Reserve Officers' Training Corps, and other civilian units who are in attendance at the training camps. Can you imagine, gentlemen, the feeling of horror that would come over the Members of this House if they were to read in their morning paper that the lives of hundreds of sick soldiers had been snuffed out in some terrible conflagration or that Army women and children had been cremated in some awful fire? There has been heavy loss from fire in these temporary buildings, although fortunately no human lives have been taken. In the last fiscal year the loss reported by destruction by fires, the total number of which was 250, amounted to \$914,894.23 for the buildings, based on their original cost, and \$669,146.71 for the contents. These losses were to public property and do not include the losses suffered by individual officers and enlisted men of the Army. It is significant to note that in his annual report for 1924 the former Secretary of War, Mr. Weeks, stated:

At the Field Artillery School at Fort Sill the present temporary buildings are rapidly becoming unfit for occupying and in their present condition present a serious fire hazard.

Within a few months after the rendition of the 1924 annual report 116 sets of officers' quarters, all of temporary construction, were burned to the ground at Fort Sill.

Another danger to human lives in the use of these temporary shacks is the danger from the terribly dilapidated condition of many of them. In many instances steps and porches have had to be roped off on account of their unsafe condition.

Col. H. O. Williams, Inspector General's Department, testifying before the joint hearing of the subcommittees to which I have referred, made the following significant statement:

As to the very flimsy nature of those buildings, you have seen the pictures of them, but I would like to give you a little incident that occurred in Panama. We had a truck that got a little unmanageable; the driver put it in reverse and could not get it out, and it ran over a hill and hit one of our buildings that was housing about 60 enlisted men. It crumpled up that building as though it was a paper box or a toy house. Fortunately there were only two men sleeping in there, and the Lord protected them, and they were not hurt very much.

Gentlemen, we can not underestimate the effect that this poor and dangerous housing has upon the morale of the Army. The Secretary of War, in testifying before the Military Committee at our recent hearing, said:

In fact, it is a great surprise to me, when I go around, to see that there is any morale at all. I think it is wonderful that they are able to keep any morale at all.

Much of the time of the men of the Army, instead of being used for drill and military purposes, is taken in an effort to fix up and make livable the old wooden shacks. The men are kept busy fighting dust in dry seasons and mud in wet seasons. Their standards of living keep getting lower and lower, and correspondingly their morale gets lower. As Colonel Williams, to whose testimony I have referred, well said:

Another feature that affects the morale, and this is particularly true of the women, is the lack of privacy; the women have to stay in the house 24 hours; men get out and get a little relief. Outside of the physical discomforts, it being hot in the summer and cold in the winter, is this lack of privacy; the partitions in these buildings are very thin; any noise in one building goes right into the next building; every time a child cries it is heard by the next family; every time some one turns on a wheezy phonograph it is heard in the ad-

joining rooms; even the flushing of a toilet in one apartment is heard in the next. That gets on the nerves of the women, and they become almost nervous wrecks. I suppose they nag their husbands a bit, and the result is a lowering of tone and of morale.

Can we not imagine, gentlemen, the effect that these poor housing conditions must have upon the morale of the officers and men?

Gentlemen, let us pass this bill as a matter of sound economy, let us pass it and put an end to the danger that now hovers over the lives of 40,000 of the officers and men of the Army, and the lives of their families, let us pass it for the morale and the esprit de corps of the Army. Let us pass it for the Army, an Army that has never known defeat, and that has never failed the Nation in the hour of its need. [Applause.]

The SPEAKER. The time of the gentleman from Alabama has expired. The question is on the motion of the gentleman from Michigan to suspend the rules and pass the bill as amended.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 223, noes 11.

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

Mr. HILL of Maryland. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on this bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. HILL of Maryland. Mr. Speaker, this bill (H. R. 10275) is the first authorization of expenditure for Army posts, barracks, hospitals, and quarters made under the Wadsworth-Hill Act creating the permanent Army-post fund of about \$28,000,000, which was passed a few weeks ago.

This bill, as shown in the hearings, for the first time starts development of Army posts along the lines of the nine corps area system of the national defense act. At the hearings on March 20 I put in the following analysis of this bill:

Mr. HILL of Maryland. Here is my pencil memorandum as to the makeup of the 20 items in the authorization and, if that is correct, would you mind putting it in with your remarks? It gives the amount at each corps area and the purposes of the distribution, in a very brief form.

Twenty items of authorization

Overseas, Hawaii and Panama.....	\$661,000
First Corps Area: Camp Devens, barracks.....	500,000
Second Corps Area:	
Fort Monmouth, N. J., barracks.....	\$555,000
Fort Monmouth, N. J., hospital.....	100,000
Mitchel Field, N. Y., barracks.....	287,000
Fort Wadsworth, N. Y., barracks.....	285,000
	1,227,000
Third Corps Area:	
Fort Humphreys, Va., barracks.....	\$500,000
Camp Meade, Md., barracks.....	410,000
Edgewood Arsenal, Md., officers' quarters.....	9,000
	1,000,000
Fourth Corps Area:	
Fort Bragg, N. C.....	\$360,000
Fort Benning, Ga.....	725,000
	\$1,085,000
Fifth Corps Area: Erie Proving Grounds, barracks.....	47,000
Sixth Corps Area:	
Selfridge Field, Mich., barracks.....	\$570,000
Selfridge Field, Mich., noncommissioned officers' quarters.....	180,000
	750,000
Seventh Corps Area: Fort Leavenworth, Kans., hospital.....	125,000
Eighth Corps Area: Fort Sam Houston, Tex., barracks.....	500,000
Ninth Corps Area:	
Camp Lewis, hospital.....	\$125,000
Camp Lewis, barracks.....	800,000
	925,000
Total.....	6,820,000

This bill makes possible the development of Camp Meade, for which I have been working for five years, but that is only one quid of satisfaction.

This bill takes care of very necessary housings in all the corps area. I call the attention of the House to the following extracts from the hearings on the Wadsworth-Hill bill which I reported in the hearings on this bill—showing what this bill starts doing:

Mr. HILL of Maryland: Mr. Chairman, I have marked a few extracts from the joint hearings before the subcommittees of the Committees on Military Affairs, held February 18, 19, and 20, 1925, which I ask permission to have inserted in the record.

Mr. JAMES. Without objection, they may be incorporated. The Chair hears none.

The extracts referred to are as follows:

"Colonel Knox. It is not as far as the combat arms are concerned, for this reason: The reservations are quite small and they are largely covered with buildings and fortifications. There is very little extra space for troops of the line to drill. There are no facilities for target practice with the rifle and with the machine gun. Also in some cases,

particularly in the First Corps Area, the animals for the trains of Infantry organizations and the animals for machine-gun carts have to be cared for at Camp Devens. These posts are largely on islands, which makes it necessary to use water transportation for both personnel and supplies, so they are generally unsatisfactory for mobile troops of the Regular Army. As a means of shelter, which is all they are getting at the present time, they will shelter the troops, but invariably in summer troops go for training purposes to Camp Devens.

"That is just one corps area, and the other corps areas along the Atlantic seaboard are in a similar situation.

"Mr. HILL of Maryland. In that corps area you would concentrate everything at Camp Devens if you could?

"Colonel KNOX. Yes, sir.

"Mr. HILL of Maryland. And that is your theory of national defense?

"Colonel KNOX. Yes, sir. They have to go there, anyhow. That is what we want. Of course, the Coast Artillery posts that we would thus vacate have valuable equipment, the care of which is necessary, and the Coast Artillery would care for this and would retain these posts, or a large majority of them.

"Mr. HILL of Maryland. And the same in the third area; you have your Artillery brigade at Fort Howard, have you not?

"Colonel KNOX. We have an Artillery brigade there less one regiment.

"Mr. HILL of Maryland. Is not that Infantry headquarters?

"Colonel KNOX. Yes, sir; the Twelfth Infantry, less one battalion.

"Mr. HILL of Maryland. It ought to be at Camp Meade, ought it not?

"Colonel KNOX. Yes, sir.

"The Third Corps Area is in a similar situation. It formerly had no strictly Infantry stations or mobile army stations other than at Fort Myer, which has Field Artillery and Cavalry.

"Chairman WADSWORTH. Are there any questions the members of the committee desire to ask the major?

"I see these photographs display typical quarters.

"Major PRENTISS. Yes, sir.

"Chairman WADSWORTH. I have seen a good many of them myself.

"Mr. HILL of Maryland. Yes; for instance, at Camp Meade there is a large number of barracks which are the type of one of these at Fort Bragg.

"Major PRENTISS. Yes, sir.

"Mr. HILL of Maryland. A number of them have been condemned; you can not put troops in them.

"Major PRENTISS. That is the fact.

"Mr. HILL of Maryland. And, as a matter of fact, a majority of them are in that condition.

"Major PRENTISS. An increasing number each year have to be abandoned. Last year one of those buildings collapsed with some Reserve Officers' Training Corps students in them, and it was a miracle that they were not injured.

"Mr. HILL of Maryland. There is an enormous danger from fire?

"Major PRENTISS. Yes; there is.

"Mr. HILL of Maryland. At those places?

"Major PRENTISS. At Camp Meade one of the buildings half burned down, and they put up a tar-paper partition so as to fix up the other end, and they are still living in that end of the building.

"Mr. HILL of Maryland. That night the whole camp nearly burned down.

"Mr. HILL of Maryland. Mr. Chairman, has it appeared in the record what camps in the nine corps areas are considered as ultimate corps area training camps? Has that been put in the record? For instance, I take it that Camp Devens is intended to be the central mobilization and concentration point in the First Corps Area; is that right?

"Major PRENTISS. Yes; I think Colonel Knox can give you that.

"Colonel KNOX. I think the corps area headquarters will remain in Boston.

"Mr. HILL of Maryland. I mean the mobilization and instruction headquarters.

"Colonel KNOX. Yes.

"Mr. HILL of Maryland. That is Camp Devens?

"Colonel KNOX. Yes.

"Mr. HILL of Maryland. And the second?

"Colonel KNOX. Camp Dix.

"Mr. HILL of Maryland. And the third?

"Colonel KNOX. Camp Meade.

"Mr. HILL of Maryland. And the fourth?

"Colonel KNOX. Camp McClellan.

"Mr. HILL of Maryland. And the fifth?

"Colonel KNOX. Camp Knox.

"Mr. HILL of Maryland. And the sixth?

"Colonel KNOX. Camp Custer.

"Mr. HILL of Maryland. And the seventh?

"Colonel KNOX. We have several in the seventh; I don't recall just now.

"Mr. HILL of Maryland. Well, that can be put in.

"Colonel KNOX. I think it is Fort Riley.

"Mr. HILL of Maryland. And the eighth, I suppose, is San Antonio?

"Colonel KNOX. Yes.

"Mr. HILL of Maryland. And the ninth?

"Colonel KNOX. Camp Lewis.

"Chairman WADSWORTH. You own the land necessary, do you not?

"Colonel KNOX. Yes; with the exception of a small portion at Camp Devens.

"Senator FLETCHER. Of what are the permanent establishments composed in the fourth area? Of course, at Camp McClellan, Ala., you need a number of permanent buildings.

"Major PRENTISS. Yes; that is the training center for that corps area.

"Senator FLETCHER. And where else?

"Major PRENTISS. The permanent buildings will be covered by Captain Hobson.

"Chairman WADSWORTH. Do you want to ask any more questions concerning the condition of buildings occupied for the distribution of troops? We have heard Colonel Knox and Major Prentiss on those phases.

"Mr. HILL of Maryland. Is it not a fact that practically all of these central mobilization and instruction points, and the points you have mentioned, are temporary construction for the war, and are in practically the same condition as the buildings you have shown at Camp Bragg?

"Major PRENTISS. Yes.

"Mr. HILL of Maryland. In other words, these nine points in the nine corps areas are made necessary by the new policy of defense in the nine corps areas?

"Major PRENTISS. Yes, sir.

"Mr. HILL of Maryland. And practically new construction should be made in all of them?

"Major PRENTISS. Yes, sir.

"Mr. HILL of Maryland. You have, however, drainage and sewerage and plenty of land?

"Major PRENTISS. Yes. The underground utilities in general are in good shape with the exception of certain water mains, where they used wood-stave pipes. The sewers, and so on, are in good shape, so it would be much more costly to build on new sites than the old sites.

"Mr. HILL of Maryland. Could you give us an estimate of the cost in the way of roads and land at these nine points now?

"Major PRENTISS. It runs up into a great many million dollars. Yes; I could give you that for the record.

"Mr. HILL of Maryland. I think that would be interesting to show what the Army proposes to build on at these permanent stations.

"Major PRENTISS. That will be inserted in the record."

Value of utilities now existing at corps area training camps

Corps area	Camp	Roads	Rail-roads	Water systems	Sewer systems	Incinerators
First.....	Devens.....	\$125,000	\$220,000	\$460,000	\$250,000	\$5,000
Second.....	Dix.....	190,000	325,000	235,000	265,000	10,000
Third.....	Meade.....	570,000	165,000	270,000	325,000	10,000
Fourth.....	McClellan.....	120,000	150,000	255,000	275,000	-----
Fifth.....	Knox.....	325,000	380,000	240,000	235,000	-----
Sixth.....	Custer.....	221,000	280,000	192,000	163,000	15,000
Seventh.....	Riley.....	545,000	-----	255,000	180,000	-----
Eighth.....	Travis.....	670,000	580,000	205,000	210,000	10,000
Ninth.....	Lewis.....	325,000	315,000	178,000	190,000	15,000
Total.....	-----	3,091,000	2,415,000	2,290,000	2,093,000	65,000

Corps area	Camp	Electric systems	Heating systems	Refrigerating systems	Totals
First.....	Devens.....	\$227,000	\$187,000	\$11,000	\$1,485,000
Second.....	Dix.....	154,000	187,000	11,000	1,377,000
Third.....	Meade.....	156,000	41,000	11,000	1,548,000
Fourth.....	McClellan.....	51,000	-----	26,000	877,000
Fifth.....	Knox.....	139,000	30,000	8,000	1,357,000
Sixth.....	Custer.....	108,000	210,000	11,000	1,200,000
Seventh.....	Riley.....	72,000	68,000	-----	1,118,000
Eighth.....	Travis.....	67,000	40,000	5,000	1,787,000
Ninth.....	Lewis.....	116,000	20,000	15,000	1,174,000
Total.....	-----	1,090,000	781,000	98,000	11,923,000

This bill means a start on an orderly development of the national defense, for which every Secretary of War has endeavored for many years.

It also includes \$90,000 for needed officers' quarters at the Edgewood Arsenal, Md., making a total expenditure of \$500,000 in Maryland.

SALE OF MARINE HOSPITAL AT DETROIT, MICH.

Mr. LAGUARDIA. Mr. Speaker, on Calendar 341, to which objection was offered, I desire to withdraw my objection, and

I understand the gentleman from Wisconsin [Mr. SCHAFER] desires to withdraw his objection.

Mr. BLANTON. Mr. Speaker, I make the point of order that it can not be done after—

Mr. LA GUARDIA. I am asking unanimous consent.

Mr. BLANTON. I object.

The SPEAKER. Objection is heard.

ENROLLED BILLS SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 8132. An act granting pensions and increase of pensions to certain soldiers and sailors of the war with Spain, the Philippine insurrection, or the China relief expedition, to certain maimed soldiers, to certain widows, minor children, and helpless children of such soldiers and sailors, and for other purposes;

S. 124. An act for the relief of the Davis Construction Co.; and S. 3031. An act for the relief of George Barrett.

REGULATING FOREIGN COMMERCE

Mr. MAPES. Mr. Speaker, I desire to file a conference report on the Ketcham seed bill for printing under the rule.

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

The Clerk read as follows:

An act (S. 2465) to amend an act entitled "An act to regulate foreign commerce by prohibiting the admission into the United States of certain adulterated grain and seeds unfit for seeding purposes," approved August 24, 1912, as amended, and for other purposes.

The SPEAKER. Ordered printed.

PERMISSION TO ADDRESS THE HOUSE

Mr. JOHNSON of South Dakota. Mr. Speaker, I ask unanimous consent that after the special order of business for tomorrow I may be permitted to address the House for 15 minutes on veterans' legislation.

The SPEAKER. The gentleman from South Dakota asks unanimous consent that upon the completion of business in order to-morrow he may address the House for 15 minutes on the subject of veterans' legislation. Is there objection? [After a pause.] The Chair hears none.

NATIONAL PARKS EAST OF THE MISSISSIPPI

Mr. THATCHER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on national parks in the East, with the privilege of inserting a report of the Southern Appalachian Commission.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to extend his remarks by incorporating a report of the Appalachian Commission. Is there objection?

Mr. BLACK of Texas. Reserving the right to object, how much is this report?

Mr. THATCHER. About five letter pages double; not much.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. THATCHER. Mr. Speaker and Members of the House, one of the most important functions of government is that of providing adequate parks and recreational grounds for the people. A city is largely measured by its system of parks. If that system be ample and well planned; if the units involved are wisely located and rendered accessible and attractive, the very highest purposes are secured. The same is true as to State parks, and eminently true as to national parks.

Of course, there are certain standards involved as to the establishment of national parks which it is well to observe. These standards are most aptly indicated in the "Statement of national-park policy," outlined in the letter of instructions issued on May 13, 1918, by the Secretary of the Interior, Franklin K. Lane, to the Director of the National Park Service, Stephen T. Mather. See Report of the Director of the National Park Service for the fiscal year ending June 30, 1920, pages 419 to 421. Here are some of these standards as then defined by Secretary Lane, and which have been generally accepted by those having charge of our National Park Service:

In studying new park projects you [the Director of the National Park Service] should seek to find scenery of supreme and distinctive quality, or some natural feature so extraordinary or unique as to be of national interest and importance. You should seek distinguished examples of typical forms of world architecture, such, for instance, as the Grand Canyon, as exemplifying the highest accomplishment of stream erosion, and the high, rugged portion of Desert Island, as exemplifying the oldest rock forms in America, and the luxuriance of deciduous forests (p. 421).

It is not necessary that a national park should have a large area. The element of size is of no importance so long as the park is susceptible of effective administration and control (p. 421).

Secretary Lane, by experience, observation, and general ability was most excellently qualified to enunciate the rules whereby national-park projects should be tested. Those rules were formulated after years of close study of the national-park problem. He knew our national parks through sympathetic contacts. He was, and is, regarded as being a most eminent authority on the subject.

With a single exception, all of our national parks lie west of the Mississippi River. That exception is Lafayette National Park, a small recreation ground of a few thousand acres on the coast of Maine. Also all of our national parks, with the exception of Lafayette National Park, have been carved out of the national domain. Yet it must be remembered the national domain is as much a national asset as money in the Federal Treasury. The lands of the Lafayette National Park were donated by public-spirited citizens.

Not only are all of our national parks, with the single exception just noted, west of the Mississippi, but practically all of them are west of the eastern rim of the Rocky Mountains. One is in the far-away tropical isles of Hawaii and another in the remote and frigid mountains of Alaska. All of our western and territorial national parks, however striking or wonderful they may be, are for all practical purpose inaccessible to the great masses of our American population. These great masses lie east of the "Father of Waters," and but few of them ever have the opportunity of seeing a national park. Yet these masses, by reason of superiority in numbers and wealth, pay by far the greater part of our Federal taxes.

The national parks of the West are the proud possessions of all our people, and Federal funds to the extent of millions of dollars have been used in their maintenance and operation; and these expenditures must continue so long as these parks are maintained. All Americans approve of these expenditures; but it is high time, not only as a matter of need, but of justice as well, that an adequate system of national parks be created and maintained east of the Mississippi. The Mammoth Cave region of Kentucky, the Great Smoky Mountains of North Carolina and Tennessee, and the Blue Ridge-Shenandoah section of Virginia are eminently qualified to become national parks, and to form, with the Lafayette National Park, an adequate system of national parks east of the Mississippi. These three projects measure up to the high standards prescribed by Secretary Lane. Under the act of Congress approved February 21, 1925, and in accordance with its direction, these three areas were visited and examined during the past year by the Southern Appalachian National Park Commission, touching their worth as national-park projects; and recently all three of them have received the unequivocal approval of that commission, which is composed of the following members:

Hon. H. W. TEMPLE, Member of Congress from Pennsylvania, chairman; Maj. W. A. Welch, chief engineer and general manager of the Pallsades Interstate Park of New York and New Jersey; Mr. Harlan P. Kelsey, former president of the Appalachian Mountain Club, of Boston, and well-known landscape architect; Mr. William C. Gregg, of the National Arts Club of New York, and a student of recreational agencies; and Col. Glenn S. Smith, acting chief topographic engineer of the United States Geological Survey, and representative of the Interior Department on the commission.

The commission on the 8th of the present month made its unanimous report to the Secretary of the Interior, declaring all three projects eminently worthy of inclusion in our national-park system and recommending that such inclusion be made upon the condition that the necessary lands be conveyed to the United States free of cost. The commission also, in its report, set forth the boundaries and areas which should be so acquired for national-park purposes as to the three projects. This report was transmitted to the Congress by the Secretary of the Interior on April 14, 1926, and he made recommendations as to the boundaries of the proposed Shenandoah and Great Smoky Mountains National Parks but made no present recommendation as to the Mammoth Cave project.

While it is true that the same progress in the matter of raising funds and securing offers of donations of lands has not been made as to the Mammoth Cave project as have been made as to the other two projects, it is also true that the other two projects have had the great advantage of having received in 1924 the approval of a like commission, in the form of a special committee, appointed by the Secretary of the Interior and made up of the same personnel as that constituting the present commission. The older body was not appointed agreeably to

any act of Congress, but was named by the Secretary to aid him in investigating Southern Appalachian park projects, including those of the Shenandoah and Great Smoky Mountains. The approval of these two projects in 1924 enabled their friends to launch intensive campaigns for the raising of funds with which to purchase the respective lands needed therefor. The Mammoth Cave project was not included in the survey of 1924 because there seems not to have been made any request therefor, though the idea of converting the Mammoth Cave region into a national park has been under discussion for years, and during the past 10 or 15 years various bills have been introduced in Congress providing for appropriations for such purpose. Also, in the year 1920, as will be presently shown, the acquisition of the Mammoth Cave section and its conversion into a national park was strongly advocated by Mr. Stephen T. Mather, then and now Director of the National Park Service. See his annual report of that year, pages 84 and 85. In his recommendations then made he went so far as to indicate his approval of the making of congressional appropriations for the purchase of the Mammoth Cave lands for national-park purposes. See, also, his annual report of 1918 (page 33) and his annual report of 1919 (page 40), earnestly urging that the Mammoth Cave area be converted into a national park.

Under leave granted, I now include, as a part of these remarks, the report of the Southern Appalachian National Park Commission made April 8, 1926, and transmitted to Congress in the manner already shown, omitting, however, the detailed boundaries of the three projects set forth in the report, because of their length.

REPORT OF SOUTHERN APPALACHIAN NATIONAL PARK COMMISSION

APRIL 8, 1926.

Hon. HUBERT WORK,

Secretary of the Interior.

MY DEAR MR. SECRETARY: The members of the Southern Appalachian National Park Commission, appointed in accordance with the act of February 21, 1925 (Public, No. 437, 68th Cong.), have complied with the requirements of the act and with your instructions and desire to report as follows:

We suggest that reference be made to the report of your special committee submitted December 12, 1924, which gave the reasons for definitely recommending the Shenandoah National Park area and the Smoky Mountains National Park area as worthy of being acquired as national parks. In conformity with the requirements of the above cited act of Congress, members of the commission have during the past year made a more careful study and investigation of these and other areas and have found much additional evidence of the eminent worthiness of these two areas for acquisition as national parks. Your commission has also made a careful examination of the Mammoth Cave region of Kentucky and believes sufficient reasons exist to warrant its acceptance as a national park if requirements are met as outlined in this report. Below are briefly outlined some of these reasons.

Mammoth Cave is the best known and probably the largest of a remarkable group of limestone caverns, 20 or more of which have been opened up and explored to a greater or less extent. Included in this group are Colossal Cavern, Great Onyx Cave, New Entrance to Mammoth Cave, Salts Cave, Proctor Cave, Long Avenue Cave, Great Crystal Cave, Cave of the Hundred Domes, Diamond Cave, Mammoth Onyx Cave, Dixon Cave, and others, all of which contain beautiful and wonderful formations. There is good evidence that many more caverns yet to be discovered exist in this immediate territory, and it seems likely that most, if not all, of this entire group of caverns eventually will be found to be connected by passageways forming a great underground labyrinth of remarkable geological and recreational interest perhaps unparalleled elsewhere. The territory which embraces this network of caverns consists of about 15,000 acres, or an area approximately 4 miles wide and 6 miles long. Another geological feature of much interest is found in the thousands of curious sink holes of varying sizes through which much of the drainage is carried to underground streams, there being few surface brooks or creeks.

The Mammoth Cave area is situated in one of the most rugged portions of the great Mississippi Valley and contains areas of apparently original forests which, though comparatively small in extent, are of prime value from an ecological and scientific standpoint and should be preserved for all time in its virgin state for study and enjoyment. Much of the proposed area is now clothed in forest through which flows the beautiful and navigable Green River and its branch, the Nolin River.

All this offers exceptional opportunity for developing a great national recreation park of outstanding service in the very heart of our Nation's densest population and at a time when the need is increasingly urgent and most inadequately provided for.

Your commission has carefully investigated the above-recommended areas with a view of selecting on the ground the most suitable boundaries or limits of purchase area for the proposed parks. Your commission, through the cooperation of the Army Air Service, obtained air-

plane photographs of the Shenandoah and Smoky Mountains park areas, and these photographs proved to be a great help in determining suitable boundaries.

In accordance with your instructions the associations and organizations in the States in which these national-park areas are located were informed that the lands within the areas must be presented to the United States Government in fee simple before such areas could become national parks. On May 27, 1925, identical letters were addressed by the commission to the leading groups in these States, suggesting that they definitely organize to carry out the requirements of the commission and stating further that "to facilitate this work the commission considers it necessary that an organization state-wide in scope be incorporated to act for the citizens and organizations of such State for the purpose of centralizing their efforts; * * * and in order that it may be custodian of moneys, lands, and options for the purchase of lands within the proposed park areas to be held in trust for park purposes." In compliance with these suggestions of the commission the following organizations were incorporated: In Virginia, the Shenandoah National Park Association (Inc.); in Tennessee, the Great Smoky Mountains Conservation Association; in North Carolina, the Great Smoky Mountains (Inc.); and in Kentucky, the Mammoth Cave National Park Association. These organizations have been engaged in obtaining donations, both of money and of land, and options, with the following results:

The Shenandoah National Park Association (Inc.) reported April 3, 1926, that the total amount raised in donations is \$1,249,154, and a minimum net sum of \$1,200,000 for the purchase of the proposed Shenandoah National Park. The Great Smoky Mountains Conservation Association and the Great Smoky Mountains (Inc.) reported April 1, 1926, that Tennessee and North Carolina have raised jointly the total sum of \$1,066,693.91. The Mammoth Cave National Park Association reported April 1, 1926, two donations of property aggregating 3,629.13 acres, of which 1,324.10 acres are to be covered by fee simple title and 2,305.03 acres by cave rights. Included in this area are the caves exhibited by the Colossal Cavern and by the New Entrance Co., but not including Mammoth Cave.

In addition, these organizations reported that they have obtained many signed options covering considerable acreage. The Great Smoky Mountains Conservation Association, the Great Smoky Mountains (Inc.), and the Shenandoah National Park Association (Inc.) have entered into an agreement to carry on a national campaign to procure additional and sufficient funds to purchase substantially all the lands within the purchase areas of the designated Shenandoah National Park and the Smoky Mountains National Park.

As the Great Smoky Mountains Conservation Association (Tennessee) and the Great Smoky Mountains (Inc.) (North Carolina) jointly, and the Shenandoah National Park Association (Inc.) have complied with the requirements submitted to them by your commission, we therefore recommend that the two areas designated as above indicated be made national parks and administered as such when 250,000 acres in each of them have been transferred in fee simple to the United States. We also recommend that the Mammoth Cave National Park be established when the Mammoth Cave National Park Association can transfer to the United States in fee simple one-third of the proposed area (approximately 20,000 acres), including all the caves, and can assure you that steps will be taken to obtain additional and sufficient funds to purchase substantially all the lands within the designated boundaries.

Boundaries: The boundaries recommended in this report, being largely natural and easily determined, are such as to include all the area that the commission hopes will ultimately be acquired as national parks, it being well understood that there may be holdings within the recommended areas near these boundaries which may on further inspection be found impracticable or not economical to include.

(a) [Here follows a detailed description of the general boundaries of the Shenandoah National Park area (all in Virginia), comprising approximately 521,000 acres.]

(b) [Here follows a detailed description of the general boundaries of the Smoky Mountains National Park area (all in North Carolina and Tennessee), comprising approximately 704,000 acres.]

(c) [Here follows a detailed description of the general boundaries of the Mammoth Cave National Park area (all in Kentucky), comprising approximately 70,618 acres.]

I earnestly favor all three of these projects. All three are eminently eligible for national parkhood. The time is ripe for their consummation. Because of the greater masses of our population to be served east of the Mississippi, there is the greater need for national parks in this great section of our country than in the West. But national parks are needed in both the East and the West. I am glad to vote for adequate appropriations for the maintenance of the national parks of the West, and I believe that it would be just that Federal funds be expended for the acquisition of lands in the East for national-park purposes, though there is not being made at this

time any demand for such action. The present movement contemplates that the lands needed for the three projects under discussion shall be acquired through private and local enterprise and turned over, free of cost, to the Federal Government for national-park purposes. If, and when this is done the parks thus created will have to be improved, of course, under Federal expenditure, just as is the case as regards our existing national parks.

In the case of the Mammoth Cave National Park, however, the guide fees and other charges of an incidental character and the usual revenues from concessions will insure from the outset a substantial income; and the fact that the cave region is accessible by motor, rail, and river every day of the year, and is already "sold" to the world at large because known throughout the civilized earth as one of the "seven wonders of the world," will cause it to be, in our deliberate judgment, the most frequented, the most popular, and the best revenue producer of all our national parks.

In the House and Senate bills have recently been introduced having for their object the creation of the Shenandoah and Great Smoky Mountains National Parks, in accordance with the terms and recommendations embodied in the recent report of the Southern Appalachian National Park Commission. I have also introduced in the House H. R. 11320, and Senator ERNST has introduced in the Senate S. 3988, a bill having for its object the creation of all three of these proposed national parks—Shenandoah, Great Smoky Mountains, and Mammoth Cave—in accordance with the terms and recommendations of that report.

Under this bill the total areas required for the three projects, as indicated in the report of the commission, must be conveyed to the United States Government free of cost; and unless such conveyance is made as to any one of the three projects, that project fails and the Government is involved in no outlay. Also under this bill, which provides for equality of treatment as to the three proposed parks, each project may qualify and become a national park regardless of the other two projects. Thus each must stand or fall upon its own merits, though it is deemed wise to set up the legislation and administrative machinery necessary for the conversion of the three projects into national parks in a single bill or act for the reason that in the act of February 21, 1925, already mentioned, the commission was directed to survey the three projects; the survey of the three projects was thereupon made, and the findings and recommendations of the three projects have been embraced in a single report. Moreover, it will be easier to secure the enactment of one bill in Congress than it will be to secure the enactment of two or three separate bills.

There is no conflict of interest between these enterprises. They are separated by sufficient distances to preclude rivalry, yet are close enough to each other to permit their convenient negotiation, by tourists, as a single delightful, recreational adventure. Each of these parks—if established—will serve its particular purpose, and the three will constitute a vast triangle of national parks admirably located to serve the great masses of our people.

In addition to the strong seal of approval placed on the Mammoth Cave national park project by the Southern Appalachian National Park Commission, other eminent official recognition of the merits of that project are to be noted. Thus, in his letter of June 5, 1924, to the Chairman of the Public Lands Committee of the House, Hon. Hubert Work, then and now Secretary of the Interior, declared that—

the Mammoth Cave is one of the most widely known natural features of America—

And that—

unquestionably the Mammoth Cave is worthy of national-park status.

As already suggested, Mr. Stephen T. Mather, then and now Director of the National Park Service, in his annual reports of 1918, 1919, and 1920 indicated, in the strongest manner possible, his approval of the Mammoth Cave National Park project and declared that it fully met the requirements of the standard or test prescribed by Secretary Lane, already quoted, in that the Mammoth Cave region constituted one of the most remarkable of—

distinguished examples of typical forms of world architecture.

Let us quote the following from the statement of Director Mather touching the Mammoth Cave national-park project, as set forth in his 1920 report:

Many efforts have been made in the past to secure the Mammoth Cave, of Kentucky, with sufficient adjoining area, including the recently discovered Onyx Cave, to permit of its full development for a national park, but thus far these efforts have been fruitless. Nature's most

magnificent, and certainly the largest, limestone cavern, with approximately 40 miles [now 150 miles] of wonderfully formed underground passages and chambers, is not only known to every school child in the land, but is already the mecca of travelers the world over.

The land itself, covering the cave and contiguous areas, contains thousands of acres of the splendid virgin growth of the deciduous forest growth of the East. Its location at the head of navigation of the Green River contributes another particularly fascinating detail of the richness of that region. Its accessibility not only to our large centers of population but through ease of approach by motor, rail, and boat would insure it a popularity in the East that is so common to the major parks of the West. That part of the United States lying east of the Mississippi River contains only one national park, Lafayette National Park, in Maine, which, by the way, is constituted solely of lands contributed by public-spirited citizens. More national parks are needed in the East, and the inclusion of the Mammoth Cave region would add one of the most remarkable of "distinguished examples of typical forms of world architecture" to the proud national-park family. More than that, by virtue of its favorable location, it would at once perform its important function as a breathing spot available to every man, woman, and child of our large industrial centers at a minimum expenditure of money. (P. 84 of report.)

Thereupon, in the same report, Director Mather discussed the question of congressional appropriations for the purchase of the Mammoth lands for national-park purposes. He said:

Once proponents of the project secured hearings on a bill (H. R. 1666, establishing the Mammoth Cave National Park; hearing held May 3, 1912, before the Committee on Military Affairs, House of Representatives, 62d Cong.) for its purchase. More recently the project has secured fresh impetus, and many of its friends, including local organizations, are rallying to the support of a similar measure. On May 26, 1919, Representative R. Y. Thomas, of Kentucky, an ardent advocate of the project, who has introduced a number of bills in Congress of similar purport, introduced H. R. 3110, but no action has been taken. The property is in private hands, administered under the terms of a famous will which directs that upon the death of the last-named heir under the will the property is to be sold at public auction. It is understood that the advanced age of the two surviving devisees under the will makes it practically certain that before long the property will be put up at auction and sold to the highest bidder.

The famous Mammoth Cave may then go into speculative private hands and be forever lost for development as a national park for the benefit of the people of the country. It may be doubted whether Congress will see fit to appropriate the money needed to acquire the necessary lands. All national parks, with the exception of the Lafayette National Park, have thus far been carved out of the public domain. But certainly the fame of this great natural exhibit should constitute the greatest appeal for an exception to the rule. It is to be hoped that if Congress can not see its way clear to appropriate the funds necessary to acquire the areas needed, public-spirited parties will acquire it at the auction and donate it to the Government for the benefit of posterity. It ought to become the Nation's property. (Pp. 84 and 85 of report.)

Certainly no stronger official sanction of the Mammoth Cave National Park project can be found than that contained in this report of Director Mather. Since 1920 additional caverns in the Mammoth Cave region have been discovered and opened up to the world, and the end of such discoveries is not yet in sight. This whole region is honeycombed with marvelous caves and their ramifications, and in the aggregate they undoubtedly constitute the most wonderful system of caves in the world. At present the various caves are under diverse ownership and management. Should the Mammoth Cave National Park be created, all of these cave units would come under a single management—that of the Federal Government—and the limited accommodations now provided for tourists and visitors would be replaced by adequate and pleasing hotels and camps of the character now provided in the national parks of the West.

The holder of the life estate in the old Mammoth Cave is a woman more than 90 years of age. At her death this particular property must be sold at public auction. This is an added reason why legislation permitting the creation of the Mammoth Cave National Park should be enacted at the present session.

Director Mather's strong approval of this project is reinforced and strengthened by the sweeping and emphatic approval given by the Southern Appalachian National Park Commission in its report already quoted. Secretary Work, as has already been pointed out, has likewise declared the national park status of the Mammoth Cave project. The commission, as indicated in its report, recommended a smaller boundary for the proposed Mammoth Cave National Park than for the other two proposed parks. This is for the obvious reason that the stupendous caverns and underground passages making up the Mammoth Cave system constitute such a striking example of world architecture as to form, of themselves alone, a feature worthy of

national park recognition. Moreover, these cave properties are highly valuable. They are included in something between fifteen and twenty thousand acres of area. The cost of these cave lands, in fee, when added to the cost of the 51,000 acres contiguous and picturesque hill and knob country embraced in the total Mammoth Cave National Park boundary recommended by the commission, will be, perhaps, as much as the cost of the total area in either of the other two projects. The total cost of acquiring the necessary lands for the three projects will be several millions of dollars; and if they are acquired without cost to the Federal Government those responsible therefor will be entitled to the highest praise.

In the course of these observations, I must not fail to commend, as earnestly as may be possible, the splendid work performed by our colleague, Doctor Temple, and his associates on this commission. Untiringly, zealously, wisely, and without any compensation or reward except that which comes through the consciousness of having performed with marked success a highly important undertaking, they have made their surveys and studies in keeping with the spirit and purposes of the act of Congress authorizing the commission's appointment; and their report should result in the prompt creation of the national parks they recommend. Too much praise can not be given these distinguished and public-spirited men for the service they have rendered. The creation of these national parks will constitute a splendid recognition of an arduous task splendidly performed.

The present session of Congress is drawing to a close. The friends of these three great enterprises should join together and work as a unit in securing the enactment, at this session, of the necessary legislation to permit the establishment of these three national parks agreeably to the terms and conditions set forth in the report of the commission. I believe that the enactment of such legislation will constitute a great forward step in national-park and conservation work. I am sure that such action will be heartily approved by our entire population, East, West, North, South, and in our territorial and insular possessions. One of the greatest needs of the Nation is a system of national parks east of the Mississippi. The hour is ripe for their creation. It has now come to pass that "the waters of the pool are troubled," and we must enter them. Congress has the power to act, just as it has the responsibility. Let us, the Members of Congress, take advantage of the opportunity offered, and unite in this great movement, and write a new and splendid chapter in our national-park history. By doing so we shall earn not only the approval of the present generation, but, as well, the approval of the generations to come through all the future.

OUR SOLDIER DEAD IN FOREIGN LANDS

Mr. TILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. HARDY] have leave to extend his remarks in the RECORD by inserting a report of his visit to the American cemeteries in Europe.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that the gentleman from Colorado [Mr. HARDY] may extend his remarks in the RECORD on the subject of his visit to the American cemeteries in Europe. Is there objection? [After a pause.] The Chair hears none.

Mr. HARDY. Mr. Speaker, I was recently in Europe and while there visited the battle fields where American troops were engaged in the great World War and the principal American cemeteries in France where more than 30,000 brave American boys rest in peace.

I want to tell the House and the country that the American cemeteries in Europe are permanently located, charmingly situated, well developed, and beautifully kept. It should be a pride and comfort to the mothers and comrades of those who fell and were left in France to know that no graves anywhere and no cemeteries in all the world are better cared for than these. I have visited or passed by hundreds of cemeteries in Europe where literally millions of the soldiers of the World War are buried. The English cemeteries are fairly well kept up. The French, German, and Italian cemeteries have a sadly neglected appearance. The American cemeteries are in tiptop condition and are the best cared for of all.

The American cemeteries are beauty spots in Europe and will be hallowed ground to Americans who visit them for centuries to come.

It has taken some years to develop this system of cemeteries for the American dead. During the war it was necessary that burials be made at convenient points. At the end of the war November 11, 1918, there were 2,007 places where six or more burials had been made. By preliminary concentration by the American Expeditionary Forces this number was reduced to 789. Final concentration work began January 1, 1920, and

the eight permanent cemeteries were located and developed. About this time many bodies were removed to the United States for burial at the request of relatives. For a time relatives had that option. In all 46,234 bodies have been brought to the United States, 604 were shipped to homes in foreign lands, 139 at the request of relatives were left where originally buried and at this time 30,502 rest in the eight permanent national cemeteries of Europe. A total of 77,552 graves are known and registered at home and abroad. The option of removal on the part of relatives expired April 1, 1922.

These removals left the cemeteries badly torn up—many vacant graves scattered around. This has all been corrected now. The cemeteries have all been laid out in perfect order—the rows even and straight, the arrangement artistic and impressive. Our men who fought in France have found their final resting places where they will sleep through the ages.

We have in Europe now eight American cemeteries—six in France, one in Belgium, and one in England. The lands have been acquired by the United States Government and the Government has assumed the responsibility for their care. Funds have been provided liberally by Congress and the War Department has given its best men for the development of the cemetery system.

The permanent cemeteries in France are located in picturesque spots near the great battle fields in which most of the men buried lost their lives. No two of the cemeteries are alike, but all are uniformly beautiful, well arranged, and are being given excellent care. They are all covered with blue grass and are as green as any Washington lawn. Trees and shrubbery have been planted, beauty spots laid out and are being developed. At the entrance gate of each is a caretaker's home and hostess house, where relatives may find quarters when required. In the center is a tall flagpole, from which an American flag flies always in the daytime.

The graves are marked by white crosses. At present the crosses are of wood, painted white. The names and organization numbers are painted in black. Once a year or oftener the crosses are washed, repainted white, and the names restenciled. Always the rows and rows of crosses stand out in the green field clean and conspicuous. From miles away over the rolling fields of France you can pick out an American cemetery with its American flag flying and its field of even systematical rows of snow-white crosses.

On the back of each cross is an aluminum strip, giving the name and organization number of the soldier. This is to avoid the possibility of any mistake. Over a few graves straight slabs bearing a six-pointed star—the star of David—in place of the cross appear. These are the graves of the orthodox Jews. There are 425 such stars in the eight cemeteries. In the near future white-marble crosses will take the place of the wooden crosses. Congress has appropriated nearly \$500,000 for the start, and the change is well under way.

In these eight cemeteries are now buried 30,502 American heroes. One thing that impressed me as I walked around reading the names on the crosses was the fact that there is no distinction given to rank or prominence. I found a brigadier general laid in an inconspicuous spot with a private on each of the four sides. An American ace whose name was much in both the American and foreign press for his bravery in attacking and bringing down German airplanes lies between privates whose names you have never heard. Officers and men, Young Men's Christian Association workers, and Red Cross nurses all rest together without special marks or distinction. Included in the heroic dead in these eight cemeteries are 1,397 officers, 42 Young Men's Christian Association workers, 5 Knights of Columbus workers, 41 Red Cross workers, 44 nurses, and 1,656 graves are marked "Unknown."

The most important, so far as number of graves goes, is the Meuse-Argonne Cemetery. In it are 14,091 graves. The name indicates the battles in which they lost their lives. It covers 130 acres. The graves are on a sloping hillside and the arrangement is in the shape of a great shield. Down at the bottom of the slope is a fountain and lily pond. The caretaker's home and hostess house are upon another elevation overlooking the whole. You can hardly imagine a more picturesque situation than this cemetery presents from the caretaker's home, and its beauty will grow as the shrubbery and trees so artistically arranged around the edges develop with age. This cemetery is near the little village of Romagne-sous-Montfaucon, Meuse, France, and is 156 miles from Paris.

The St. Mihiel Cemetery covers a section of the battle field of that name and has 4,141 graves. Many of the boys buried here lost their lives in the St. Mihiel drive, and some of them almost at the spot where they are buried. This cemetery covers 37½ acres. It is more or less level, but on an elevated tract, and can be seen from miles around. It is being beautifully deco-

rated with trees and shrubs and has good buildings at the entrance gate. St. Mihiel Cemetery is near the little village of Thiaucourt, Meurthe-et-Moselle, France, and is 180 miles out from Paris.

In the Aisne-Marne, named for the two rivers along which so many battles were fought, are 2,212 graves. It is in the uniform style more or less, and is being given the usual good care and development, covering 34 acres. It lays near the battle field of Belleau Wood and is near the well-known French town of Chateau-Thierry and only 52 miles distant from Paris, so is easily reached.

The Oise-Aisne Cemetery is the second largest of them all, having 5,934 graves. It is in the neighborhood of Fere-en-Tardenois and only 67 miles from Paris. It covers 32 acres of ground and is being beautifully developed.

From here I drove out a little way in the country to see the grave of Quentin Roosevelt, who is buried in the field where he lost his life. It was the desire of his distinguished father that he lie where he fell. Over the grave is a cross and near by on the public highway is a beautiful memorial fountain erected to his memory. The inscription on the fountain reads:

Lieut. Quentin Roosevelt, age 20, Air Service, U. S. A., fell in battle Chamery, July 14, 1918.

And below are the lines:

Only those are fit to live who are not afraid to die. (Theodore Roosevelt.)

This cemetery is not far from Rheims.

The Somme Cemetery covers only 14½ acres of ground but is the resting place for 1,816 of our Nation's heroes. It is near Bony and 83 miles distant from Paris. It is the only American cemetery in France I did not visit.

In the outskirts of Paris, in fact only 7 miles distant, is Suresnes Cemetery, which will naturally because of its convenient location, be the most frequently visited of them all. Already thousands of Americans who visit Paris have come here to pay their homage to America's dead. It has a beautiful location on a little hillside under the protecting shade of the historic old Fort Valeron. From the grounds one looks out over the River Seine and the Bois de Boulogne into the city of Paris, a magnificent view indeed. This cemetery lends itself especially well to decoration and, being one of the first located on a permanent basis, it is the best developed. It contains the graves of 1,506, many of whom died in the hospitals of Paris.

In Belgium, near Waereghem, is Flanders Field Cemetery, 35 miles from Brussels and 183 miles from Paris. It contains only 6 acres and has 365 graves.

In England we have the Brookwood Cemetery at Surrey, which is 28 miles from London. It embraces only about 5 acres of ground and contains the graves of 437 persons, some of whom died of diseases or accident while in England on their way to France, and some bodies, known and unknown, washed ashore from transports torpedoed off the western coast of Great Britain.

These permanent cemeteries in Europe are under the administration of the American Graves Registration Service, Quartermaster Corps. The chief officer in Washington is an assistant to the Quartermaster General, in charge of cemetery division, War Department. Headquarters are maintained in Paris, where the officer in charge has general supervision of all the American cemeteries in Europe. Any person having business in connection with graves in American cemeteries can address the Quartermaster General, Washington, D. C., or the American Graves Registration Service, 20 Rue Molitor, Paris, France.

Each cemetery has its caretaker, who is superintendent in charge. The caretakers are a fine bunch of men, all members of the American Expeditionary Forces, and all have their hearts in their work.

Every possible courtesy is shown relatives of American soldiers buried in these cemeteries. Many mothers have visited the graves of their sons, and other relatives have shown keen interest. Both in the Washington and Paris offices a complete record is kept of each grave. By inquiry it is easy to ascertain in what cemetery and its exact location—row and number—is any grave. Where accommodations can not be found easily near the cemetery, the service is taking care of relatives who wish to visit the grave at comfortable hostess houses at a moderate cost. Any mother can have a photograph taken of her son's grave without cost by asking for it. And relatives can arrange with the service to have any grave decorated at special times or stated dates by providing the funds for the expenditure desired. We found many graves with flowers and special decorations on them, either provided for by relatives through

the service or through some individual who resides nearby. Elaborate and impressive services are held in all the American cemeteries on Memorial Day, and at that time all of the graves are beautifully decorated. Many of the Gold Star Mothers of America are present at the grave sides of their sons for Memorial Day service.

Scattered over the countries are a number of graves of American soldiers under private care, like that of Quentin Roosevelt. Parents or relatives have arranged for the care of these graves through private channels. Following the example set by President Roosevelt, a number of parents arranged to have their sons buried at or near where they fell in battle or died. The United States Graves Service has no control over these graves and does not participate in their care, but a perfect record of them is kept in the department. They are noted on the records as "Do not disturb" cases. Of these private graves there are 80 in France, 57 in England and Ireland, and 2 in Belgium.

There are still in the battle area something like 1,488 unlocated graves. In the excitement of battle hasty burials were necessarily sometimes made and records made were incomplete or distinguishing landmarks wiped out by shellfire. The most careful search is being made for those unlocated graves. Two searching parties are working continuously on the job. Since July 1, 1925, 93 bodies have been recovered, and of these quite a number have been identified. When a body is found, if identification is not plain the greatest pains are taken to work out clues that will lead to the identification of the remains. This is sometimes done by things the boy carried in his pockets and in a number of instances by the dental work on his teeth.

When a new body is found and identified, the nearest relative is notified and given the option as to place of burial. The body may be sent to the parents' home if desired. But after burial is made in the permanent cemeteries no more removals are now permitted.

I want to say again that mothers, relatives, and comrades of heroes who are buried in our American cemeteries in Europe can rest assured that their graves are well cared for—far better, in fact, than graves are in many of our own cemeteries here at home.

THE UNKNOWN HEROES

I have mentioned the fact that the crosses at the heads of 1,656 graves in American cemeteries bear the inscription "unknown" and that 1,488 American heroes lie in unlocated graves.

In Arlington Cemetery at Washington is a monument to the "unknown" soldier. I was at the impressive burial service of this unknown soldier on November 11, 1921. Greater honor has never been paid to any king or president or any of the world's great personalities than was paid to the unknown soldier on that day. So far as I know no individual ever had a more imposing funeral. The monument stands, among other monuments to America's greatest soldiers, in memory of the 3,144 unknown soldiers buried in Europe.

At Chalons-sur-Marne we went around to the hotel de ville, which is French for city hall, to see the place where this body of the unknown was selected. From four unknown soldiers in sealed caskets brought in from different fields this one was selected by Sergeant Younger. From here the body started on one of the greatest funeral tours in the world's history—across France, across the sea, arriving in New York, signal honors and impressive services everywhere. It passed through a line of bowed heads and flags at half-mast from Chalons to the sea, from New York to Washington. The body lay in state in the Capitol and was buried with military honors at Arlington.

Every American mother who mourns a son in a grave marked "unknown" can feel an intimate thrill of pride in this service and in this monument to the "unknown soldier," for it is in spirit, and may have been in fact, her own son who was so signally honored, her own son who is buried here.

Other countries have followed our example in honoring the unknown soldier. I have visited the graves of the unknown soldier in France, Italy, Belgium, and England.

THE UNKNOWN DEAD

(By John F. Brandon, in the Providence Journal)

The Unknown Dead? Not so; we know him well
Who died for us on that red soil of France,
Who faced the fearful shock of gas and shell,
And laughed at death in some blood-strewn advance.

Nameless in truth, but crowned with such a name
As glory gives to those who greatly die,
Who marched, a simple soldier, with the flame
Of duty bidding him to Calvary.

He is all brothers dead, all lovers lost,
All sons and comrades resting over there;
The symbol of the knightly, fallen host,
The sacred pledge of burdens yet to bear.

Mangled and torn, for whom we pray to-day,
Whose soul rose grandly to God's peaceful throne,
Leaving to us this quiet, shattered clay,
Silent and still—unnamed—but not unknown.

PROHIBITION, THE CONSTITUTION, THE ENFORCEMENT OF PROHIBITION, AND ITS EFFECT

Mr. GREEN of Florida. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of law enforcement.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. GREEN of Florida. Mr. Speaker and fellow Members of the House, a great deal has recently been said relative to prohibition, its enforcement, and the lack of same, and I assure you that it gives me pleasure to at this time have the opportunity to express to you my views on this timely and all-important subject. It is always a pleasure to me to defend our prohibition laws and to advocate their rigid and full enforcement. The fact is, as an officer of our Government and as a private citizen I am for the rigid enforcement of each and every law, both Federal and State, because without law and its strict enforcement our Government surely could not long exist.

Inasmuch as our Federal prohibition laws are based upon the eighteenth amendment to the Constitution, I think it well to briefly discuss the Constitution, which is a written instrument declaring the powers granted by the people of the United States for the establishment of the Federal Government; dividing the machinery of government into legislative, judicial, and executive branches; defining the power and duty of each and asserting certain principles by which they are to be governed. It was drafted by representatives selected by the original thirteen States, with the exception of Rhode Island, in a convention held at Philadelphia in the year 1787, written, of course, by Thomas Jefferson.

The Constitution was submitted to and ratified by the conventions of the thirteen States and became effective March 4, 1789, at which time Washington was made President; and, may I say in passing, that the original Constitution had opposers of its ratification; notably among them were such men as the eloquent Patrick Henry, Benjamin Harrison, John Tyler, Richard Henry Lee, Elbridge Gerry, Thomas Sumter, the then Governor of South Carolina, George Clinton, Governor of New York, and many others. Incidentally, their main force of attack was that it was destructive of the rights of the States just as the wet forces are to-day arguing that the eighteenth amendment is destructive of State rights; and, my friends, when I see the distinguished gentlemen of this House from such States as Maryland, New Jersey, New York, Massachusetts, and Rhode Island to-day defending so strongly the rights of the States I wonder how they and their predecessors stood during the years from 1840 to 1870, when the real rights of States were in jeopardy and when the States of my fair Southland suffered their almost every right to be confiscated. We from the South know and thoroughly appreciate what is meant by State rights and have no sympathy with those from the great wet centers when they cry State rights because it interferes with their pocketbook or their vicious appetites.

The Constitution may be amended by a vote of two-thirds of a quorum in the House of Representatives and in the Senate voting for said amendment; this vote offers it to the conventions or legislatures of the various States and must in turn be ratified by three-fourths of these legislatures. The eighteenth amendment, which prohibits the manufacture, sale, and transportation of intoxicating liquor within, the importation thereof into, or the exportation thereof from, the United States and all territories subject to the jurisdiction thereof for beverage purposes was passed by the United States Senate August 1, 1917, and by the House of Representatives December 17, 1917. It was then submitted to the legislatures of the several States, and by January 16, 1919, the legislatures of the necessary three-fourths of the States had ratified the amendment; it was then proclaimed by the Secretary of State and became an integral part of the Constitution, to take effect one year thereafter, going into effect January 16, 1920.

It is singular, Mr. Speaker, that 46 of the 48 States, all States except Rhode Island and Connecticut, ratified the eighteenth amendment. It is also interesting to note that the amendment was submitted by a vote of 282 to 128 in the House of Representatives, and by a vote of 65 to 20 in the United

States Senate, in each branch more than the necessary two-thirds. Since the adoption of the eighteenth amendment, measures bearing upon prohibition and its enforcement have repeatedly come before Congress, and it is interesting to note that every time, the dry vote has increased and the wet vote decreased.

Seven years' time was allowed for the various States to ratify the eighteenth amendment, but, Mr. Speaker, only 12 months were required. The total vote in the lower house of the legislatures of the States ratifying the eighteenth amendment was 3,782 votes for, to 1,035 votes against, or 78.5 per cent affirmative. The total vote in the senates of the respective legislatures was 1,310 for, to 237 against ratification, or 84.6 per cent affirmative; and it is also interesting to note that 98.2 per cent of the population of the United States resided in the 46 States which ratified the eighteenth amendment.

The enemies of prohibition should forget the erroneous idea that prohibition came in overnight, so to speak, by the adoption of the eighteenth amendment; the fact is, prohibition has been a live issue in all of the States for years and years, and only through ardent efforts of the dries and the religious and moral workers was it possible to adopt this amendment. Thirty-three States had adopted State prohibition prior to the date upon which national prohibition became effective.

These States and the date of adoption are as follows: Alabama in 1915; Arizona in 1914; Arkansas in 1915; Colorado in 1914; Florida in 1918; Georgia in 1907; Idaho in 1915; Indiana in 1917; Iowa in 1915; Kansas in 1880; Kentucky in 1919; Maine in 1851; Michigan in 1916; Mississippi in 1908; Montana in 1916; Nebraska in 1916; Nevada in 1918; New Hampshire in 1917; New Mexico in 1917; North Carolina in 1908; North Dakota in 1889; Ohio in 1918; Oklahoma in 1907; Oregon in 1914; South Carolina in 1915; South Dakota in 1916; Tennessee in 1909; Texas in 1918; Utah in 1917; Virginia in 1914; Washington in 1914; West Virginia in 1912; Wyoming in 1918.

By adding the area of these, you will find that 95.4 per cent of the total area of the United States and that 68.3 per cent of the total population of the United States lived in no-license territory at the time that the eighteenth amendment became effective, and yet we still have those wet advocates who cry State rights and who would force alcoholic liquors and all of its iniquities over this vast dry territory and this large majority of American citizens. I am sure that since this date, dry area and dry population census percentage has increased. In fact, I do not believe that more than 15 per cent of the peoples of the United States are wet, and this meager minority in their selfish and vicious beliefs would undertake to force intoxicating liquors upon the other 85 per cent.

This meager wet minority, which advocates the modification of the Volstead law, contend that crime and drunkenness have increased and that prohibition has failed. Permit me to say, Mr. Speaker, that the latest official refutation of the charge that prohibition has failed, that drunkenness has increased, and that crimes related to drinking have gone upward is given by the preliminary report of the United States Census Bureau's count of prisoners for the year 1923. Comparing that year with 1910, a year uncomplicated with war, unusual economic conditions, or saloon restriction, the figures in this census report show a remarkable decrease.

There were 121.2 prisoners in penal institutions January 1, 1910, for each 100,000 persons in the country. On January 1, 1923, this had dropped to 99.7, a decrease of 17.7 per cent. The number of commitments per 100,000 population showed an even greater relative decrease, falling from 521.7 per 100,000 in 1910 to 325.1 per 100,000 in 1923, a reduction of 37.7 per cent.

The decrease in drunkenness commitments is especially significant. There were 170,941 such commitments in 1910, but only 91,867 in 1923, the ratio in 1910 being 185.9 per 100,000, and in 1923, 83.1, a decrease of 55.2 per cent. Disorderly-conduct cases dropped 51.5 per cent, assault commitments 53.1 per cent, prostitution cases 28.8 per cent, and other offenses generally related to intemperance and drunkenness in equal degree.

The decrease in the number of commitments to jails and workhouses is more significant in relation to the liquor question than the decrease in the total number of commitments.

The total commitments would have been much lower if "violations of city ordinances," had not risen 67.3 per cent in the ratio per 100,000.

That drink-caused crime has greatly decreased since the eighteenth amendment closed the saloon, the most prolific source of crime and misery, is proven beyond refutation by these Government figures.

I have tables bearing out these statements, but they are rather lengthy and I shall not ask permission to place them in

the RECORD, but will be glad to show them to anyone who may doubt the veracity of the above statements.

The wets claim, I believe, among other things, that the health of the country is worse now than it was before prohibition, but statistics reveal the opposite, as will be seen by the crude death rates issued by the Bureau of the Census for the following years:

1913.....	14.1	1918.....	18.1
1914.....	13.6	1919.....	12.9
1915.....	13.6	1920.....	13.1
1916.....	14.0	1921.....	11.6
1917.....	14.3	1922.....	11.8

I do not have the 1923 statistics officially. Reports from 95 cities, received each week during 1922 and 1923, show a death rate of 13 for 52 weeks of 1923, as compared with 12.5 for the same period in 1922. On the basis of the ratio between the death rate of these cities and the Nation in 1922, the death rate for 1923 may be estimated at 12.2 per 1,000 population. The average annual death rate from 1913 to 1917 was 13.92 per 1,000. Since the influenza epidemic made the 1915 rate abnormal, it may be ignored, although the greater mortality among users of alcohol definitely increased the toll of death. Had the average rate of the five wet years prevailed in the years of prohibition, 873,975 more deaths would have been recorded. Prohibition did not save all of these lives, but no other single factor affecting the entire people did so much to reduce mortality.

The decrease in the death rate from tuberculosis of all forms is significant. This was between 140 and 150 per 100,000 in the years before prohibition, the lowest figure recorded in the wet years being 14.2 in 1916. The following figures, as issued by the Bureau of the Census, show the continuous decrease since alcohol was outlawed as a beverage:

1919.....	125.9	1921.....	99.4
1920.....	114.2	1922.....	97.0

One might quote like decrease in the death rate in other diseases in which the use of alcohol depresses vitality and breaks protective barriers.

The decrease in deaths from alcoholism under prohibition appears in the following figures:

Alcoholism death rates per 100,000 policyholders in the Metropolitan Life Insurance Co., industrial department:

1912.....	5.3	1918.....	1.8
1913.....	5.2	1919.....	1.4
1914.....	4.7	1920.....	.6
1915.....	4.1	1921.....	.9
1916.....	5.1	1922.....	2.1
1917.....	4.9		

Alcoholism death rate, United States Census Bureau:

1912.....	5.3	1918.....	2.7
1913.....	5.9	1919.....	1.6
1914.....	4.9	1920.....	1.0
1915.....	4.4	1921.....	1.8
1916.....	5.8	1922.....	2.6
1917.....	5.2		

The increase for 1922 is marked, due probably to the propaganda of opponents of prohibition, but is still far below the lowest recorded for the license era. This is the more significant, since the intoxicants obtainable are usually poisonous. If any considerable fraction of the former quantities of liquor was now being used, the dangerous beverages of the bootlegger would send the alcoholism death rates soaring. That these rates continue to fall is good evidence of the effectiveness of prohibition in greatly decreasing liquor consumption.

It has also been contended by the wets that the morality and spiritual life of the Nation is lower since the adoption of the eighteenth amendment, but to the contrary, statistics reveal that the opposite is altogether the case. I shall not place in the RECORD tables showing the great improvement on the morals of our country, as I believe it is too evident to be stressed.

Mr. Speaker, to my great surprise there are those who will contend that prohibition is unsound economically. After all, these great issues resolve themselves in to an economic status, and statistics show that since the advent of national prohibition, America has grown financially by leaps and bounds. America, in reality, was a dry Nation long before the adoption of the eighteenth amendment, because, I say it was dry from the time a majority of its area and a majority of its citizens lived in license free territory; and it is interesting to note this vast and enormous business, economic, and financial growth in the past 20 years has been phenomenal. America's manufactured products have increased from \$15,000,000,000 to over \$60,000,000,000, her food products have increased from less than \$3,000,000,000 to over \$10,000,000,000, her mineral products have increased from about one and one-third billion dollars to \$6,000,000,000, her imports and exports amounted to \$2,450,-

000,000 and reports for 1924 showed increase to \$8,200,000,000; the bank clearings were, \$438,000,000 for 1924, or four times that of 20 years ago, and bank deposits have increased in like proportion and \$43,000,000,000 were deposited in the banks of the United States in 1924.

Now, my friends, is there anything which speaks better for prohibition than this great financial steadiness and growth; why, America to-day is the world's banker. Financial experts like Herbert Hoover, Judge Gary, Henry Ford, Roger Babson, R. H. Scott, and others, attribute our prosperity in part to prohibition; you probably know how long drunken employees would be permitted to work for Henry Ford, America's greatest financial wizard. The foreign nations which are jealous of us and envy our prosperity under prohibition criticize us extremely for having adopted prohibition, but when they want money, they come to America after it. And we can not forget that during the great World War America was the only dry nation which had soldiers on the firing line, and their record is known too well by each of you for me to stress it here, and I would have you bear in mind also, that when the time for peace came, the peace terms were dictated by a dry nation's president, Woodrow Wilson, President of the United States of America. It seems to me that this alone should be argument enough for prohibition and for its strict enforcement.

No nation is so prominent to-day in world affairs as is the United States. It leads in invention, education, diplomacy, jurisprudence, and finance, and this great lead and prosperity among the nations of the world is strengthened by its being the only dry nation.

Those who are trying so hard to modify the Volstead Act would have us to believe that more alcohol is consumed now than was consumed before the adoption of the eighteenth amendment, but for your information, I desire to read here a short statement by Hon. Wayne B. Wheeler, superintendent of the Anti-Saloon League of America:

The consumption of intoxicants has dropped to a small fraction of its former total. The records show that prior to prohibition we consumed 84,825,000 gallons of pure alcohol annually in 1,880,000,000 gallons of beer; 83,000,000 gallons of pure alcohol in 167,000,000 gallons of whisky and distilled spirits; over 6,000,000 gallons of pure alcohol in 42,000,000 gallons of wine, a total of over 174,000,000 gallons of pure alcohol. This is more than twice the total production of denatured alcohol to-day.

Under prohibition 6,000,000 gallons of specially denatured alcohol was diverted to beverage use, and the best estimate is that less than 10,000,000 gallons of alcohol is made or consumed in smuggled liquor, moonshine, and home brew, exclusive of permitted beverages. This is less than 10 per cent of the former beverage consumption.

The newly issued census figures show a 55 per cent decrease in drunkenness commitments in 1923 compared with 1910. Later figures show this decrease continued through 1925.

America's sobriety is far ahead of European nations cited by the wets as evidence of the superiority of license. The ratio of drunkenness convictions in England and Wales was 200 per 100,000 population in 1923. The ratio of such convictions in the United States was 83.1 in the same year, 1923, according to the Census Bureau. London arrests three and a half times as many for intoxication per year as New York, and Paris twice as many, in spite of the greater severity of its police. One hundred and ninety-three thousand registered home distilleries in France contribute to the intoxication of that nation. With bread lines, unemployment doles, debt dodging, and hands outstretched for American loans, the wet nations of Europe may profit by America's example of new freedom from alcohol's rule.

Pauperism and the slums that clustered around their creator, the saloon, have gone with it. Our pauperism ratio to-day, according to the latest census estimate, is the lowest in our history.

A great deal has been said relative to the cost of enforcing prohibition, but, Mr. Speaker, I am always willing to vote to expend money when the investment is so good. Money spent to enforce prohibition is a wise investment. I voted for the appropriation to enforce prohibition, and would have voted for it had it carried twice the amount. The cost of prohibition enforcement through the Prohibition Bureau amounts to about \$9,000,000 annually. The total appropriation of \$9,250,000 covers the enforcement of the law against narcotics as well as intoxicating liquor. The returns to the Government through penalties, seized property, and so forth, is shown by the following report for the fiscal year ending June 30, 1922:

Court fines, exclusive of Alaska.....	\$2,824,685.01
Taxes and penalties for illegal manufacture and sale of.....	239,964.14
Amounts paid in compromise.....	1,739,662.80
Total.....	4,804,271.95

Action has been taken on the forfeiture of bonds of \$3,000,000. Over \$130,000,000 of special assessed taxes have been placed on the tax list, a considerable portion of which will be collected.

As a matter of fact, it is costing the Government practically nothing to enforce prohibition. Bootleggers, rum runners, and illicit dealers are paying for their lawlessness through these fines and penalties. Even if \$5,000,000 more were added, if the internal-revenue collectors and other Federal officers would use the power they have to impose penalties upon these illicit dealers, it would bring back in dollars to the Government twice as much as it costs. If the income-tax division and the revenue collectors would do their whole duty, the Government would collect \$5 for every \$1 it costs to enforce the law, even though the alleged added amount spent by the Justice Department were all counted in.

In Ohio the State prohibition commissioner, under the State law, made his report for 22 months, showing that with 1 commissioner and 22 assistants it cost the State \$216,000 to enforce prohibition. There was returned to the State, county, and local treasuries \$2,000,000 which bootleggers and rum runners paid for their experiment in lawlessness.

But even if there were no compensation and the Government did not get \$1 back, it would furnish no good reason why the law should not be enforced. To spend \$9,000,000 to enforce prohibition for 110,000,000 people means about 8 cents per head.

For an average family of five this is 40 cents.

Mr. Speaker, I hold in my hand remarks by the Attorney General of the United States, recently made before the Women's National Committee for Law Enforcement, Hotel Washington, Washington, D. C. I shall not read it, as I have been given unanimous consent to include it in the RECORD in my remarks. It will follow my remarks in the RECORD.

Those who are asking for a modification of the Volstead Act, cry liberty and freedom, but when personal liberty and personal freedom is corruption, vice, financial greed, immorality at the distress, injustice, and expense to others, then it ceases to be liberty and freedom; particularly is this true when it would be so called liberty and freedom for the meager minority at the peril of the great majority. Why, they have brought witnesses from foreign countries to testify that we should modify our prohibition laws, and I for one do not need foreigners from Canada or from any other country to come to Washington to tell me what laws are needed for the American people.

My experience, Mr. Speaker, is that we have too many foreigners interfering with the administration of American laws, and all foreigners, whether they be rich or poor, humble or high, pauper, foreign minister, or diplomat, should be compelled to abide by our laws when they are within our bounds, and surely no foreign nation should expect their subjects, even though they be foreign ministers or diplomats, to openly and notoriously violate our laws when they are within our bounds.

Mr. Speaker, we need dry men to enforce dry laws; so long as the powers that be, which are given authority to enforce our prohibition laws are not in full sympathy with their enforcement, you may expect graft, greed, corruption, and unlawful acts in prohibition enforcement to continue. Only recently, I read in a paper where at Tampa, Fla., on April 17, \$15,000 worth of imported liquor and alcohol had been stolen from the Government warehouse. Now, were the officers in charge performing their full duty? I say they were not. So long as wet men are placed in charge of enforcing a dry law, you may expect warehouses to leak. And I hope the time will soon come when prohibition officers will be instantly fired when they go before committees and say that the sale of beer or wine would strengthen prohibition. Men who believe the sale of light wine or beer would strengthen prohibition are wet to the core, and should never be permitted to occupy a dry berth.

I am proud to say, Mr. Speaker, that I came from a dry State. Florida is a dry State and is enforcing her prohibition laws. While I was on the bench before I came to Congress, I sentenced law violators to months in the jail for having in their possession less than one pint of intoxicating liquor. But, Mr. Speaker, we need the cooperation and full service of dry Federal prohibition enforcement agents.

I hold in my hand a clipping from a newspaper of my State; it is an article written by a small school boy, Elmer McMillan, a boy in his early teens, who resides in my home city. I shall not take the time to read it, but it concludes as follows:

Why should we degrade our country to satisfy the thirst of some degraded men who do not think of the American homes but of the money they will make in the liquor traffic. If this is all the respect

we have for our country, I do not think we should have the right to be protected by the American flag and to call ourselves American citizens. For the main thought of every American citizen under Old Glory should be to raise the flag to higher places and not lower it.

Now, Mr. Speaker, this is a typical American boy, raised by a mother who is a total invalid, but a sweet Christian character, and in spite of her affliction has regularly gone with her family to church, and raised by an honest, plain father, who works daily for the support of his several children, and so long as steady American fathers raise patriotic sons like Elmer McMillan, America shall be a dry Nation.

REMARKS BY THE ATTORNEY GENERAL OF THE UNITED STATES AT LUNCHEON OF WOMEN'S NATIONAL COMMITTEE FOR LAW ENFORCEMENT, HOTEL WASHINGTON, WASHINGTON, D. C., APRIL 13, 1926

Madame the President and members of the Women's Committee on Law Enforcement, in approaching the subject before you at this social gathering of the representatives of your great body, I am somewhat at a loss how to begin.

To me, the matter of having the law observed, in a country under a Government like ours, seems a very simple thing. All that is necessary is that each member of each family in each community in each State shall go about his and her business each day with the purpose in mind to obey the rules made by society for its own guidance. But it happens that there are here and there among us persons who do not have such purpose; persons who, instead of trying to earn an honest living, by honest toil, undertake to get the means of living in what they think and hope will be an easier way.

We must remember that a living for all must be earned by all, and each member of society who does not by some useful action earn his keep, increases the burden of the rest who have to earn it for them.

With those who are a burden from being mere drones, shirks, we need not further concern ourselves here; with those who by active preying on their fellow members of the social body undertake to get a living, or more than a living—the means of luxury—we are here very much concerned.

With those who undertake to set aside the rules of life which we ourselves have made, and satisfy their cravings of lust, of appetite, of revenge, of malice by reprisals on individuals, on the community, we are very much concerned.

We make law governing the relations of individuals to each other and their property, and we provide courts in which individuals may seek redress for violations of their legal rights by other individuals.

We make law governing the relations of individuals to the community, and provide by law penalties for infraction of such law. The community as a body can not well impose such penalties, and so we provide courts to pass on the question of whether there has been an infraction of the law, and provide representatives of the community to prevent in such courts charges against persons accused of infractions of the law—prosecuting officers.

What is the duty of such a representative of the community toward its laws?

It seems to me that a prosecuting officer, while and so long as he holds his place as the representative of the law, ought not to take the position that the law as it is ought not to be the law.

The law is the will of the body politic, and we are in our places by the will of the body politic, put there to execute that will; and if we go about declaring in speech and in print that the law ought to be changed, so that acts which are offenses against the law will not be offenses, we thereby weaken our causes in the minds of the tribunals before whom we must try them.

I notice on the letterheads of this committee that the purpose of the organizations it represents is to encourage the enforcement of all the law, with especial emphasis on the eighteenth amendment and the Volstead Act, and I have been informed by some of your officers that you are particularly anxious for an expression of my views on that subject.

Let me say that what my views are is not, as I see it, of much greater importance than what your views are. I can keep the machinery of prosecution of violators of the law in motion, but you can make the results of such work effective, or to a considerable extent impair its effectiveness.

At the risk of being accused of having a single-track mind, I wish to repeat here in substance a few observations I have before publicly made on this subject.

In this country, under our system of government, the will of the people expressed by their vote becomes and is the rule of conduct which all citizens are bound to observe and which all citizens or aliens must be compelled to observe. That rule of conduct creates the duty of every inhabitant of the jurisdiction doing the voting.

The eighteenth amendment is the law of the land. The Volstead Act is the law of the land.

Both by constitutional command of the whole people and by legislative enactment of their representatives in Congress it has been decreed that traffic in intoxicating liquor shall cease.

There is no room for discussion as to what the voters of the country have said.

There is no halfway place in the command they have laid upon their servants chosen and appointed to administer the law.

But notwithstanding that the law is as it is, notwithstanding the will of the people is that this traffic, and, of course, the drinking of alcohol, shall cease, a considerable number of persons insist they will not obey the law and persist in the traffic to supply drink for themselves and others who are willing to reward them for the chances they take.

Those who engage in the business, those who furnish the business by buying its wares, and some who do not wish to either sell or buy liquor, undertake to excuse the violators by saying over and over that this law is an infringement of personal liberty.

They declare that since the prohibition law went into effect it has never been practically in effect.

That it has been a disastrous, tragic failure.

That the Federal Government is powerless to enforce it, because, they say, "The instinct of personal liberty is very strong." "Man can not be made over by law," and "thousands of the best citizens of the country have been brought into contact with the bootlegger, and have no compunction whatever about violating the law."

Let us examine these propositions briefly.

Though some of those who make these claims and arguments may not, do not, have in mind a purpose to make the thing prohibited easier to procure and less dangerous to make and sell by those who would provide it, nevertheless such is the effect upon the execution of the law.

Personal liberty to do what? Anything except to facilitate the making, sale, and use of intoxicants? Why? Any reason, except that the use of them may not be interfered with?

What other result can follow the constant declaration that the law is not binding on the consciences of those who do not favor its provisions, because they say it interferes with personal liberty and the instinct of personal liberty is very strong. What other result can follow than that juries will hesitate to convict on charges of violation of the law?

What other result can follow than that those contemplating engaging in the traffic will be encouraged by the thought that probably, even if detected and arrested, conviction will not follow?

No compunction about violating the law? Violating it how? What for? Anything except to provide intoxicants for somebody to drink?

No.

Such contentions, when made by those who do not want liquor for themselves, who would not intentionally put obstacles in the way of enforcement of the law, must be made without realization of the effect of their position.

That effect can be and is only to weaken public sentiment in favor of any law enforcement and to encourage violation of all law.

It is only a step—and an easy one—for the man of loose moral fiber who hears and reads that men of education, of standing and influence, aver and urge that he is not in conscience bound to give allegiance to one provision of the Constitution, is not in conscience bound to observe one statute because it interferes with his liberty to do as he pleases in that matter, to come to the conclusion that he is not in conscience bound to observe another law, and then another, which interferes with the liberty he would have to do some other act but for the law; and when he is told that many of the best citizens violate a part of the law without compunction, what conclusion can he reach but that he may violate any part of it without compunction?

The difference between civilization and barbarism is in the presence or absence of law.

The very idea of law in a community carries with it the surrender of individual freedom of action for the good of the whole body.

In a state of barbarism one may walk or drive where he please, unless the "personal liberty" of another stronger than he interferes.

In Washington one must drive on the right-hand side of the street. Why? Because the community has decided that the welfare of the whole, of which he is a part, demands that he be deprived of liberty to drive where he please and compelled to go on the right-hand side.

Does anyone contend that "man can not be made over by law" in this matter?

Does anyone contend that because "the instinct of personal liberty is very strong" he has a right to endanger the safety of everyone in the street, including himself, by asserting his personal liberty and driving on the left-hand side?

What is the difference between insuring the safety of travel by depriving men of their personal liberty through compelling them to drive on the right side and compelling them to be sober when driving through depriving them of the means of getting drunk?

The real source of the embarrassment to the enforcement of the law is, not that the law interferes with personal liberty—any law which has any effect upon the conduct of the individuals composing society does that—must do that—but that so many well-intentioned persons, thoughtlessly, or following some process of unsound reason-

ing, join hands with those who intentionally violate the law and give them aid and comfort in attempting to justify their unlawful conduct.

There is no right of personal liberty to perpetuate an institution which the law condemns.

In this country that the liquor traffic shall be exterminated is established by solemn resolution of the electorate.

That it ought not to exist is admitted by those making the arguments and claims I have been discussing when they say either by way of preface or conclusion to every discussion, "We do not desire to bring back intoxicating liquor"; "There is no intention ever to bring back the saloon." Those who say this honestly surely can not have thought out the result to which their arguments tend.

The rest "do protest too much."

Again, if it be true that "the prohibitory law has never been practically in effect," that "it has been a disastrous, tragic failure," that "the Government is powerless to enforce it," in what way does it interfere with the personal liberty of those who would drink intoxicants?

The answer is, as everybody knows, that by reason of the existence of national prohibition, by reason of its practical effect, by reason of the exertion of the power of the Federal Government, the traffic in liquor is becoming day by day more and more difficult and dangerous to carry on.

As the application of the Federal power grows more strict, and the manufacture within the country and importation from without become more restricted, as the business becomes more difficult and dangerous, the price of the goods dealt in rises, and right there is where the shoe pinches; right there is the evidence which can not be controverted, that the Federal Government is not "powerless to enforce" the law.

I maintain that to show the law, any law, is violated is not to show that it is not being enforced, or that it can not be enforced.

If that argument were sound, then, because crimes of murder, rape, robbery, smuggling, stealing, embezzlement, continue to be committed, we must say the penalties against them can not be imposed.

No one likes that.

As the amount of liquor available for consumption decreases and the price of liquor rises and the profit per quart or per gallon increases, new and keener wits and ingenuity are attracted to the business; new and complicated and skillful schemes are devised for evading the law and constantly increasing watchfulness, activity, and study required for their detection; many of them go on for a time without detection. But ways of meeting and overcoming them are found and can be found for all of them.

Recently some one made an argument that the great increase of cases in court for violation of the prohibitory law is an indication that the law is not being and can not be enforced.

I submit that that increase in cases in court is an index of the activities which have resulted in whisky being unobtainable except at an expense many times as great as before those activities were exerted by the Federal Government.

And as the work of detection, seizure, and arrest resulting in such cases in court goes on the extinction of the traffic draws so much nearer.

That this traffic may be declared an evil thing, and may be abated under the provisions of the now existing law, is firmly settled by judicial decision of the highest court.

What remains in the way of its complete abatement?

The temptation to make money in the traffic, created by those who either willfully or thoughtlessly disregard their highest obligations to their country and themselves and offer and pay for violation of the law a bribe large enough to offset the danger of prosecution, fine, and imprisonment.

To those "thousands of the best citizens of the country who have no compunctions whatever about violating the law" I address the question: Upon reflection, having called to your attention what your action really means and is in paying an outlaw for violating the law of your country in order to furnish you the means of gratifying your desire for drink, don't you think it better to refrain from such bribery in the future?

Don't you feel that, unless you so refrain, there may be some doubt about your being longer entitled to the designation "best citizens of the country?"

Can you afford to endanger your property, your safety, your lives, and the property, safety, and lives of your wives and children by teaching and practicing the doctrine of purchasing the commission of crime?

Laying aside for the moment any consideration of your duty as citizens, does not your interest lie the other way?

To those who, after considering the character and consequences of their acts, persist in promoting and fostering the violation of the law, I say that the hand of punishment shall fall as often and as heavily as those now charged with the duty of administering the law can cause it to fall.

To you, the women of this country, I say, you can by your influence and your votes secure the election and appointment of honest, faith-

ful administrative officers, and the discharge and retirement of those who prove to be dishonest, unfaithful, inefficient.

More than this—

Remember that the business of making, transporting, and selling liquor is not entered upon from the motives which incite the commission of most other crimes—jealousy, revenge, sudden anger, ill will toward society generally, but only for profit.

The market for the goods is the whole foundation of the great cost in money, time, and effort of suppression of the traffic.

You can see to it that at no social event in your charge shall your tables be disgraced by the presence of unlawful liquor.

You can, if you will, make the serving of unlawful liquor at social functions of your acquaintances so unpopular that it will cease.

Will you do your part?

I notice further on your letterheads, "Allegiance to the Constitution" on the one side, "Observance of law" on the other side.

With two such supporters staying up its hands, enforcement of the law must win.

"Then came Amalek and fought with Israel in Rephidim.

"And Moses said unto Joshua, Choose us out men and go out and fight with Amalek; to-morrow I will stand on top of the hill.

"So Joshua did as Moses had said to him and fought with Amalek, and Moses, Aaron, and Hur went up to the top of the hill.

"And it came to pass, when Moses held up his hand that Israel prevailed; and when he let down his hand Amalek prevailed.

"But Moses's hands were heavy; and they took a stone and put it under him and he sat thereon; and Aaron and Hur stayed up his hands, the one on the one side, and the other on the other side; and his hands were steady until the going down of the sun.

"And Joshua discomfited Amalek and his people with the edge of the sword."

SALE OF MARINE HOSPITAL AT DETROIT, MICH.

Mr. McLEOD. Mr. Speaker, I ask unanimous consent that the bill H. R. 9875 retain its place on the Consent Calendar.

The SPEAKER. The gentleman from Michigan asks unanimous consent that H. R. 9875 retain its place on the Consent Calendar. Is there objection?

Mr. BLANTON. Mr. Speaker, I regret to object, but I do.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 42 minutes p. m.) the House adjourned until to-morrow, Tuesday, April 20, 1926, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for April 20, 1926, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To amend paragraph (d) of section 14 of the Federal reserve act as amended to provide for the stabilization of the price level for commodities in general (H. R. 7895).

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(10.30 a. m.)

Legislation relative to labor disputes in the coal-mining industry.

COMMITTEE ON THE DISTRICT OF COLUMBIA

(10.30 a. m.)

To amend an act entitled "An act to create a juvenile court in and for the District of Columbia (H. R. 6715 and H. R. 7612).

(7.30 p. m.)

For the creation of a junior college as part of the public-school system of Washington, D. C. (H. J. Res. 113).

To authorize attendance of nonresident pupils in public schools of the District of Columbia upon payment of tuition (H. R. 10596).

To incorporate Strayer College (H. R. 10730).

COMMITTEE ON THE JUDICIARY

(10 a. m.)

Proposing an amendment to the Constitution of the United States providing for National Representative for the people of the District of Columbia (H. J. Res. 208).

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

(10.30 a. m.)

Proposed bill amending the World War veterans' act with reference to the appointment of guardians.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

455. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the War Department for the fiscal year ending June 30, 1926, to remain available until June 30, 1927, for resurfacing and paving the approach road to Vicksburg National Cemetery, Vicksburg, Miss., \$40,000 (H. Doc. No. 325); to the Committee on Appropriations and ordered to be printed.

456. A communication from the President of the United States, transmitting deficiency estimates of appropriations for the District of Columbia for the fiscal year ended June 30, 1925, and prior years, and supplemental estimates of appropriations for the fiscal year ending June 30, 1926, together with certain audited claims and final judgments against the District of Columbia amounting in all to \$183,660.54; also a draft of proposed legislation making \$2,351 of the unexpended balance of the appropriation for salaries of public-school teachers, District of Columbia, fiscal year 1925 (H. Doc. No. 326); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. MONTAGUE: Committee on the Judiciary. H. R. 5365. A bill to amend the Judicial Code by adding a new section to be No. 274D; without amendment (Rept. No. 928). Referred to the House Calendar.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 3137) for the relief of F. G. Alderete, and the same was referred to the Committee on War Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. EDWARDS: A bill (H. R. 11419) authorizing the appropriation of \$25,000 for the erection of a monument or other form of memorial at or near Waynesboro, in Burke County, Ga., to mark the battle field where the battle of Brier Creek was fought in the Revolutionary War; to the Committee on the Library.

By Mr. BERGER: A bill (H. R. 11420) to provide for the enforcement of first amendment to the Constitution of the United States, to punish violations of its provisions, and for other purposes; to the Committee on the Judiciary.

By Mr. ALLGOOD: A bill (H. R. 11421) to provide for conveyance of certain lands in the State of Alabama for State park and game preserve purposes; to the Committee on the Public Lands.

By Mr. VINSON of Georgia: A bill (H. R. 11422) to amend the act entitled "An act authorizing the Department of Agriculture to issue semimonthly cotton-crop reports and providing for their publication simultaneously with the ginning reports of the Department of Commerce"; to the Committee on Agriculture.

By Mr. HAUGEN: A bill (H. R. 11423) to facilitate and simplify the work of the Department of Agriculture in certain cases; to the Committee on Agriculture.

By Mr. LEAVITT: Joint resolution (H. J. Res. 226) authorizing the Secretary of War to lend 350 cots, 350 bed sacks, and 700 blankets for the use of the National Custer Memorial Association at Crow Agency, Mont., at the semi-centennial of the battle of the Little Big Horn, June 24, 25, and 26, 1926; to the Committee on Military Affairs.

By Mr. BECK: Joint resolution (H. J. Res. 227) concerning the settlement of war debts at home as well as abroad; to the Committee on Ways and Means.

By Mr. BACON: Concurrent resolution (H. Con. Res. 23) authorizing the printing of the Madison Debates of the Federal Convention and relevant documents in commemoration of the one hundred and fiftieth anniversary of the Declaration of Independence; to the Committee on Printing.

By Mr. BLANTON: Resolution (H. Res. 228) concerning the alleged official misconduct of Frederick A. Fenning, a Commissioner of the District of Columbia; to the Committee on the Judiciary.

By Mr. ROBINSON of Iowa: Resolution (H. Res. 229) providing for the consideration of S. 481, entitled "An act to amend section 8 of an act entitled 'An act for the preventing the manufacture, sale, or transportation of adulterated

or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes"; to the Committee on Rules.

By Mr. BUTLER: Resolution (H. Res. 230) for the consideration of H. R. 10503, H. R. 10312, H. R. 7181, H. R. 3994, H. R. 3763, and S. 2058; 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. CANFIELD: A bill (H. R. 11424) granting a pension to Susan M. Day; to the Committee on Invalid Pensions.

By Mr. CHINDBLOM: A bill (H. R. 11425) granting an increase of pension to Clarissa A. Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11426) granting an increase of pension to Mary L. Miller; to the Committee on Invalid Pensions.

By Mr. DARROW: A bill (H. R. 11427) granting a pension to Emilie Julia McEnery; to the Committee on Pensions.

By Mr. ESTERLY: A bill (H. R. 11428) granting an increase of pension to Harriett R. Enochs; to the Committee on Invalid Pensions.

By Mr. W. T. FITZGERALD: A bill (H. R. 11429) granting an increase of pension to Josie Raues; to the Committee on Invalid Pensions.

By Mr. FREDERICKS: A bill (H. R. 11430) granting an increase of pension to Ella M. Colibert; to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 11431) granting an increase of pension to Madora N. Kingston; to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 11432) for the relief of the Majestic Hotel, Lake Charles, La., and of Lieut. R. T. Cronau, United States Army; to the Committee on Agriculture.

By Mr. MacGREGOR: A bill (H. R. 11433) for the relief of Theodore Herbert; to the Committee on Military Affairs.

By Mr. MOORE of Kentucky: A bill (H. R. 11434) granting an increase of pension to Mary E. Eades; to the Committee on Invalid Pensions.

By Mr. PARKER: A bill (H. R. 11435) granting an increase of pension to Evelina C. Gardner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11436) granting an increase of pension to Caroline A. Gleesettle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11437) granting an increase of pension to Sarah F. Garrison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11438) granting an increase of pension to Amelia H. Stone; to the Committee on Invalid Pensions.

By Mr. PRATT: A bill (H. R. 11439) granting an increase of pension to Catherine Craigan; to the Committee on Invalid Pensions.

By Mr. RATHBONE: A bill (H. R. 11440) for the relief of Catherine Simon; to the Committee on Claims.

By Mr. SWARTZ: A bill (H. R. 11441) granting an increase of pension to Mary E. Norris; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 11442) granting a pension to James M. Smith; to the Committee on Pensions.

By Mr. THURSTON: A bill (H. R. 11443) granting a pension to Elizabeth McGiniss; to the Committee on Invalid Pensions.

By Mr. VAILE: A bill (H. R. 11444) granting an increase of pension to Jennie I. Aldridge; to the Committee on Pensions.

By Mr. VINSON of Georgia: A bill (H. R. 11445) to grant an honorable discharge to Albrecht Nest, apothecary of the Navy; to the Committee on Naval Affairs.

PETITIONS, ETC.

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

1835. By Mr. GALLIVAN: Petition of Albert G. Wolff, 51 Cornhill, Boston, Mass., recommending early and favorable consideration of the Elliott pension bill (H. R. 4023); to the Committee on Invalid Pensions.

1836. By Mr. GARNER of Texas: Petition of San Antonio Trades Council, in opposition to Senate Resolution 167; to the Committee on Immigration and Naturalization.

1837. Also, petition of citizens of Hidalgo County, Tex., in opposition to compulsory Sunday observance legislation; to the Committee on the District of Columbia.

1838. Also, petition of citizens of Edinburg, Tex., against compulsory Sunday observance legislation; to the Committee on the District of Columbia.

1839. By Mr. HERSEY: Petition of C. R. Simmons, M. D., and 20 other residents of Oakland, Me., protesting against the passage of the Copeland-Bloom bill, to regulate the practice of mediums and spiritualists in the District of Columbia; to the Committee on the District of Columbia.

1840. By Mr. HUDSON: Petition of citizens of Flint, Mich., and vicinity, protesting against the passage of House bill 7179, known as the Sunday observance bill; to the Committee on the District of Columbia.

1841. Also, petition of citizens of Lansing, Mich., urging that all possible means be used to prevent any modification of the eighteenth amendment to the Constitution or the so-called Volstead Act, and to promote in every way possible the vigorous and effective enforcement of the said amendment and act; to the Committee on the Judiciary.

1842. By Mr. MAPES: Letter of Mrs. Florence Goodwin and 14 other members of the Woman's Relief Corps, No. 258, of Ironwood, Mich., advocating the passage of legislation for the benefit of veterans of the Civil War and their dependents; to the Committee on Invalid Pensions.

1843. Also, letter of A. C. Van Raalta Woman's Relief Corps, No. 231, Holland, Mich., signed by Mrs. Elizabeth Van Goerin, president of the corps, and 20 other members thereof, advocating the passage of legislation for the benefit of veterans of the Civil War and widows of veterans of the Civil War; to the Committee on Invalid Pensions.

1844. Also, letter of Mrs. Josie Murray and 26 other residents of Sparta, Mich., advocating the passage of legislation for the benefit of veterans of the Civil War and their dependents; to the Committee on Invalid Pensions.

1845. By Mr. MORROW: Petition of citizens of Berino, N. Mex., advocating enforcement of the prohibition act; to the Committee on the Judiciary.

1846. By Mr. O'CONNELL of New York: Petition of the Long Island Federation of Women's Clubs, of Brooklyn, N. Y., opposing the passage of the Wadsworth-Perlman bills; to the Committee on Immigration and Naturalization.

1847. Also, petition of the Fredericksburg Chamber of Commerce, Fredericksburg, Va., favoring prompt action upon the report of the Battlefield Commission concerning the battles fought in Spotsylvania County, Va., from 1862 to 1865; to the Committee on Military Affairs.

SENATE

TUESDAY, April 20, 1926

(Legislative day of Monday, April 19, 1926)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed without amendment the following bills and joint resolution of the Senate:

S. 2274. An act providing for the promotion of a professor at the United States Military Academy;

S. 2752. An act for the purchase of land as an artillery range at Fort Ethan Allen, Vt.;

S. 2763. An act to amend section 103 of the Judicial Code, as amended;

S. 3213. An act to provide for the disposition of moneys of the legally adjudged insane of Alaska who have been cared for by the Secretary of the Interior;

S. 3283. An act to provide for the appointment of Army field clerks and field clerks, Quartermaster Corps, as warrant officers, United States Army;

S. 3287. An act relating to the purchase of quarantine stations from the State of Texas;

S. 3463. An act to extend the time for the exchange of Government-owned lands for privately owned lands in the Territory of Hawaii;

S. 3627. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the State of North Dakota the silver service which was presented to the battleship *North Dakota* by the citizens of that State; and

S. J. Res. 91. Joint resolution directing the Secretary of War to allot war trophies to the American Legion Museum.

The message also announced that the House had passed the bill (S. 1486) to authorize the Secretary of War to lease to