

actment of H. R. 9753 and other Sunday bills; to the Committee on the District of Columbia.

5196. By Mr. FULLER: Petition of the Bellrose-Standard Silica Co., of Ottawa, Ill., opposing the Capper bill, S. 1150, and the Sweet bill, H. R. 6861; to the Committee on Interstate and Foreign Commerce.

5197. Also, petition of the Chicago section of the Society of American Military Engineers, favoring adequate appropriations for the Army and Navy and opposing unreasonably curtailing the personnel of the armed forces; to the Committee on Appropriations.

5198. By Mr. KIESS: Petition of citizens of Potter County, Pa., protesting against the passage of H. R. 9753; to the Committee on the District of Columbia.

5199. By Mr. KISSEL: Petition of the Central Trades and Labor Council, New York City, N. Y., urging the passage of H. R. 10034; to the Committee on the District of Columbia.

5200. By Mr. MEAD: Petition of George A. Edwards, of East Aurora, N. Y., indorsing the Morgan pension bill; to the Committee on Pensions.

5201. By Mr. MOORE of Ohio: Petition of the Presbytery of Muskingum of United Presbyterian Church at New Concord, Ohio, indorsing H. R. 9753; to the Committee on the District of Columbia.

5202. Also, petition of the Presbytery of Muskingum of United Presbyterian Church at New Concord, Ohio, indorsing Senate Joint Resolution 31; to the Committee on the Judiciary.

5203. Also, petition of the Presbytery of Muskingum of United Presbyterian Church at New Concord, Ohio, indorsing House Joint Resolution 131; to the Committee on the Judiciary.

5204. By Mr. OSBORNE: Petition of J. B. Baker, 1151 Orange Grove Avenue, Hollywood, Calif., and 113 other residents of Los Angeles County, Calif., protesting against the passage of House bill 9753 or any other Sunday bill; to the Committee on the District of Columbia.

5205. By Mr. SNYDER: Petition of Frank Grizzo and others, against observance of any religious institution as provided by the first amendment to the Constitution; to the Committee on the District of Columbia.

5206. By Mr. STEENERSON: Petition of C. M. Corliss, Augustus Lewis, and other residents of Fergus Falls, Minn., protesting against proposed compulsory Sunday observance bills for the District of Columbia; to the Committee on the District of Columbia.

5207. By Mr. TEMPLE: Petition of Mercer Presbytery, United Presbyterian Church, New Wilmington, Pa., indorsing House bill 9753, to secure Sunday as a day of rest in the District of Columbia; to the Committee on the District of Columbia.

5208. Also, petition of Mercer Presbytery, United Presbyterian Church, New Wilmington, Pa., in support of House Joint Resolution 131, proposing a constitutional amendment prohibiting polygamy and polygamous cohabitation in the United States; also Senate Joint Resolution 31, proposing a constitutional amendment authorizing Congress to enact uniform laws on the subject of marriage and divorce; to the Committee on the Judiciary.

5209. Also, petition of Beaver Valley Presbytery, United Presbyterian Church, New Brighton, Pa., indorsing House Joint Resolution 131, proposing a constitutional amendment prohibiting polygamy and polygamous cohabitation in the United States; also Senate Joint Resolution 31, proposing a constitutional amendment authorizing Congress to enact uniform laws on the subject of marriage and divorce; to the Committee on the Judiciary.

5210. Also, petition of Beaver Valley Presbytery, United Presbyterian Church, New Brighton, Pa., indorsing H. R. 9753, to secure Sunday as a day of rest in the District of Columbia; to the Committee on the District of Columbia.

5211. By Mr. TOWNER: Petition of Mr. Thomas J. Denley, of Jackson, Mich., and 82 other citizens of the State of Michigan, asking for the passage of the Towner-Sterling educational bill; to the Committee on Education.

5212. Also, petition of Mr. B. M. Ransom, of Cincinnati, Ohio, and 94 other citizens of the State of Ohio, asking for the passage of the Towner-Sterling educational bill; to the Committee on Education.

5213. Also, petition of Mrs. E. P. Deming, of Algonquin, Ill., and 132 other citizens of the State of Illinois, asking for the passage of the Towner-Sterling educational bill; to the Committee on Education.

5214. By Mr. WEBSTER: Petition of John S. Gnagy and other residents of Colville, Wash., and vicinity, requesting the passage by Congress of legislation providing for the reestablishment of the Government Grain Corporation; to the Committee on Agriculture.

SENATE.

FRIDAY, April 21, 1922.

(Legislative day of Thursday, April 20, 1922.)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed without amendment the bill (S. 3317) to authorize the State of Minnesota to construct a bridge across the Mississippi River between Cass Lake and Bemidji, in or about section 25, township 146 north, range 32 west, Beltrami County, Minn.

The message also announced that the House disagreed to the amendments of the Senate to the bill (H. R. 10730) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1923, and for other purposes, requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ANDERSON, Mr. MAGEE, Mr. WASON, Mr. BUCHANAN, and Mr. LEE of Georgia were appointed managers on the part of the House at the conference.

The message further announced that the House disagreed to the amendments of the Senate to the bill (H. R. 11065) making appropriations for the Departments of State and Justice and for the judiciary for the fiscal year ending June 30, 1923, and for other purposes, requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HUSTED, Mr. TINKHAM, and Mr. JOHNSON of Kentucky were appointed managers on the part of the House at the conference.

The message also announced that the House disagreed 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. 9981) making appropriations for the Executive and for sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1923, and for other purposes; that the House receded from its disagreement to the amendment of the Senate numbered 28; that the House receded from its disagreement to the amendment of the Senate numbered 29, and concurred therein with an amendment, in which it requested the concurrence of the Senate; that the House further insisted upon its disagreement to the amendments of the Senate numbered 21, 31, and 35, requested a further conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WOOD of Indiana, Mr. WASON, and Mr. HARRISON were appointed managers on the part of the House at the further conference.

SUPPLEMENTAL ESTIMATE, DEPARTMENT OF STATE, 1922 AND 1923 (S. DOC. NO. 189).

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of State (foreign intercourse), fiscal years 1922 and 1923, for salaries of ambassadors and ministers, \$10,600, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

MEAT PACKERS IN UNRELATED LINES OF INDUSTRY.

The VICE PRESIDENT laid before the Senate a communication from the Attorney General, transmitting, pursuant to Senate Resolution 211, further information relative to a proposed modification of the consent decree in the meat packers' case, which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry.

PROSECUTIONS UNDER ESPIONAGE AND OTHER WAR ACTS (S. DOC. NO. 190).

The VICE PRESIDENT laid before the Senate a communication from the Attorney General, transmitting, pursuant to Senate Resolution 226, of January 25, 1922, a supplemental statement showing the persons indicted in the northern district of Illinois, whose cases have not been disposed of under the wartime statutes, which, with the accompanying papers, was referred to the Committee on the Judiciary and ordered to be printed.

APPROPRIATIONS FOR DEPARTMENTS OF STATE AND JUSTICE.

Mr. CURTIS. I ask that the Chair may lay before the Senate the action of the House on House bill 11065.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives, disagreeing to the amendments of the Senate to the bill (H. R. 11065) making appropriations for the Departments of State and Justice and for the judiciary for the fiscal year ending June 30, 1923, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CURTIS. I move that the Senate insist on its amendments, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. CURTIS, Mr. WARREN, Mr. LODGE, Mr. OVERMAN, and Mr. HITCHCOCK conferees on the part of the Senate.

AGRICULTURAL DEPARTMENT APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 10730) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1923, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McNARY. I move that the Senate insist on its amendments, agree to the conference requested by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Vice President appointed Mr. McNARY, Mr. JONES of Washington, and Mr. OVERMAN conferees on the part of the Senate.

EXECUTIVE AND INDEPENDENT OFFICES APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing 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. 9981) making appropriations for the Executive and for sundry executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1923, and for other purposes; receding from its disagreement to the amendment of the Senate numbered 28; receding from its disagreement to the amendment of the Senate numbered 29, and concurring therein with an amendment, in which it requested the concurrence of the Senate; insisting upon its disagreement to the amendments of the Senate numbered 21, 31, and 35, and requesting a further conference with the Senate on the disagreeing votes of the two Houses.

Mr. WARREN. I ask that the action of the House on amendment numbered 29 may be laid before the Senate.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives, concurring in the amendment of the Senate numbered 29 with an amendment as follows:

In lieu of the sum proposed in said amendment insert "\$325,000."

Mr. WARREN. I move that the Senate concur in the amendment of the House of Representatives to the amendment of the Senate.

The motion was agreed to.

The VICE PRESIDENT also laid before the Senate the action of the House of Representatives insisting on its disagreement to the amendments of the Senate numbered 21, 31, and 35, and requesting a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WARREN. I move that the Senate further insist on its amendments still in disagreement, agree to the request of the House for a further conference thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Vice President appointed Mr. WARREN, Mr. SMOOT, Mr. JONES of Washington, Mr. OVERMAN, and Mr. GLASS conferees on the part of the Senate at the further conference.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT laid before the Senate a resolution adopted by the Juneau (Alaska) Commercial Association favoring the enactment of legislation to regulate the salmon fisheries of Alaska, which was referred to the Committee on Territories and Insular Possessions.

Mr. JONES of Washington presented a resolution adopted by Neuwaukum Home Grange, No. 622, Patrons of Husbandry, of Enumclaw, Wash., favoring the passage of Senate bill 2604, the Ladd honest money bill, which was referred to the Committee on Banking and Currency.

Mr. TOWNSEND presented a memorial of sundry citizens of Jackson, Mich., remonstrating against the enactment of legislation providing for compulsory Sunday observance in the District of Columbia, which was referred to the Committee on the District of Columbia.

REPORTS OF COMMITTEES.

Mr. SMOOT, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 889) further to assure title to lands granted the several States, in place, in aid of

public schools, reported it with amendments and submitted a report (No. 610) thereon.

Mr. WATSON of Georgia, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 910) for the relief of Frank Grygla (Rept. No. 611); and

A bill (S. 1723) for the relief of William Hensley (Rept. No. 612).

Mr. CAPPER, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 449) for the relief of the Cornwell Co., Saginaw, Mich. (Rept. No. 613);

A bill (H. R. 1009) for the relief of H. C. Mullins, his wife, and minor children (Rept. No. 614);

A bill (H. R. 3346) for the relief of the heirs of Oscar Chrysler (Rept. No. 615);

A bill (H. R. 6525) for the relief of the Cortez Oil Co. (Rept. No. 616); and

A bill (H. R. 6886) for the relief of George Ciszek and Anna Ciszek (Rept. No. 617).

Mr. CAPPER, from the Committee on Claims, to which was referred the bill (H. R. 5775) for the relief of Liberty loan subscribers of the North Penn Bank, of Philadelphia, Pa.; Santa Rosa National Bank, Santa Rosa, Calif.; Mineral City Bank, Mineral City, Ohio; Robbinsdale State Bank, Robbinsdale, Minn.; and Farmers and Merchants' State Bank, Kenmare, N. Dak., reported it with amendments and submitted a report (No. 618) thereon.

Mr. BROUSSARD, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 907) for the relief of Ellen B. Walker (Rept. No. 619);

A bill (S. 1599) for the relief of the estate of David B. Landis, deceased, and the estate of Jacob F. Sheaffer, deceased (Rept. No. 620);

A bill (S. 2584) for the relief of John H. Walker (Rept. No. 621);

A bill (H. R. 6523) for the relief of John Burke, former Treasurer of the United States, for lost bonds without the fault or negligence on the part of said former Treasurer (Rept. No. 622); and

A bill (H. R. 6524) to permit the correction of the general account of John Burke, former Treasurer of the United States (Rept. No. 623).

ENROLLED JOINT RESOLUTIONS PRESENTED.

Mr. SUTHERLAND, from the Committee on Enrolled Bills, reported that April 20, 1922, they presented to the President of the United States the following enrolled joint resolutions:

S. J. Res. 165. Joint resolution authorizing the erection on public grounds in the city of Washington, D. C., of a statue of Edmund Burke; and

S. J. Res. 190. Joint resolution to authorize the presentation of a tablet to the officers of the National Society of the Daughters of the American Revolution.

BILLS INTRODUCED.

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

By Mr. PHIPPS:

A bill (S. 3491) to continue the land office at Del Norte, in the State of Colorado, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. DIAL:

A bill (S. 3492) for the relief of Ernest Elmer Hall; to the Committee on Claims.

By Mr. STERLING:

A bill (S. 3493) to amend an act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920; to the Committee on Civil Service.

By Mr. McNARY:

A bill (S. 3494) granting a pension to Mary E. Brown; to the Committee on Pensions.

By Mr. SPENCER:

A bill (S. 3495) to provide for reopening the accounts of Harry Caden and charging of certain expenses therein to a different appropriation from the one used in payment; and

A bill (S. 3496) providing for notice to the Secretary of the Interior in cases involving the condemnation for public purposes of land included in any Indian allotment; to the Committee on Indian Affairs.

By Mr. TOWNSEND:

A bill (S. 3497) granting a pension to Sarah M. McKinnis (with accompanying papers); to the Committee on Pensions.

TARIFF BILL AMENDMENTS.

Mr. LODGE submitted two amendments and Mr. JOHNSON submitted an amendment, intended to be proposed by them to House bill 7456, the tariff bill, which were ordered to lie on the table and to be printed.

AMENDMENT OF BANKRUPTCY LAW.

Mr. SPENCER submitted an amendment intended to be proposed by him to the bill (S. 2921) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto, which was ordered to lie on the table and to be printed.

AMENDMENT OF WAR DEPARTMENT APPROPRIATION BILL.

Mr. SPENCER submitted an amendment proposing to increase the appropriation for the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation, from \$42,815,661 to \$47,815,661, intended to be proposed by him to House bill 10871, the War Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

NAVAL OIL RESERVE LEASES.

Mr. LA FOLLETTE. I submit a resolution, which I ask may be read, and I also ask to have it printed and lie on the table.

The resolution (S. Res. 282) was read, as follows:

Resolved, That the Secretary of the Interior is directed to send to the Senate:

(a) A list of all oil leases made by the Department of the Interior within naval oil reserve No. 1 and, separately, naval oil reserve No. 2, both in the State of California, and naval oil reserve No. 3, in the State of Wyoming, showing as to each the claim upon which the lease was based or issued; the name of the lessee; the date of the lease; the area of the leased property; the amount of the rent, royalty, bonus, and all other compensation paid and to be paid to the United States.

(b) All Executive orders and other papers in the files of the Department of the Interior and its bureaus, or copies thereof if the originals are not in the files, authorizing or regulating such leases, including correspondence or memoranda embodying or concerning all agreements, instructions, and requests by the President or the Navy Department as to the making of such leases and the terms thereof.

(c) All correspondence, papers, and files showing and concerning the applications for such leases and the action of the Department of the Interior and its bureau thereon and upon the several claims upon which such leases were based or issued, all in said naval reserves.

The VICE PRESIDENT. The resolution will be printed and lie on the table.

Mr. LA FOLLETTE. In connection with the resolution I ask to have printed in the RECORD a letter which I have just received from former Secretary of the Navy, Hon. Josephus Daniels, in response to one written to him.

There being no objection, the letter was referred to the Committee on Public Lands and Surveys and ordered to be printed in the RECORD, as follows:

RALEIGH, N. C., April 18, 1922.

DEAR SENATOR: I am in receipt of your esteemed favor of April 6, stating that the report has been given out that the proposal to receive bids for the oil land of the naval reserve was inaugurated under my administration. I am astounded that any such impression prevails. I devoted many hours while I was in office, and some of them very strenuous ones, in an effort to preserve intact the oil reserve that had been set aside for the Navy. I remember one night toward the end of a session that Mr. Roosevelt and I remained at the Capitol all night long, watching the legislation of closing hours, fearing that some act might be passed that would turn over these invaluable oil reserves to parties who made claim to them without even decent shadow of title.

I, with the Attorney General, fought, contested, and opposed the action of the Land Office in the Honolulu land question, which would have given oil lands worth many millions of dollars to a company which in my judgment had no shadow of right to them. To the very last days of my administration I opposed all the suggestions toward the leasing of these oil reserves set apart by President Taft and President Wilson. During the war there was a hard drive by those who claimed ownership to these lands and the matter was so pressed then that the Navy had to stand in the way of the exploitation of this oil reserve. Even then I opposed the proposal; I felt that this oil had been set apart for the Navy and that exploitations by those who claimed an interest was not necessary to win the war and the day would come when the Navy must depend upon its own oil reserves for a part of its supply.

Ten days before March 4, 1921, I more than once saw the Secretary of the Interior, to whom application had been made to lease the oil, and I presented the Navy's claim and opposition to any lease of these reserves. Secretary Payne refused to approve the applications for leases, and he was very wise and far-seeing in so doing. I never at any time even inferentially agreed to proposals made, but held steadfastly for the whole eight years to the protection of these reserves and holding the oil in the ground for the use of the Navy.

The legislation enacted went further than I desired, but it was impossible to stand out against it. In my judgment it would be a great wrong to lease these oil reserves. The wisest policy of conservation, as well as the Navy's efficiency in the future, depends largely upon holding these naval oil reserves intact.

If you will apply to the Navy Department, you can obtain letters written by me with reference to these oil lands, and you will see that if anybody suggested that I at any time was willing to make any concession looking toward the leasing of these lands, their statements are not borne out by facts. If you will have your secretary look over my annual reports, you will find that I have touched upon this matter many times, and in one you will find an appendix which will give you several of my references to these oil lands, showing why these reserves ought to be preserved.

You may be interested in knowing that when I first looked into this matter, when the first application was made, I found that the claims on the Navy oil reserves were asked for in the name of parties working in the stock yards in Chicago, who, upon inquiry, declared that they had never made application for the oil lands, and the applications presented bearing their names were in fact signatures that they had made in Chicago, supposing that they were signing a petition for an election. Many of these applications were grossly fraudulent and nearly all of them were made after President Taft set the reserve apart for the use of the Navy.

The hearings before the Public Land Committee of both the House and Senate will give you the story as it came out and will show the position of the Navy Department while I was Secretary of that department.

The persistent attempts to lease these lands began in 1913 and were kept up until my term of office expired. It was a battle during my entire term, and I was happy upon retirement to private life that the Navy Department, aided by Attorney General Gregory and Secretary Payne, blocked the insidious propaganda to exploit these reserves.

In 1913, after conference with the Department of the Interior, the Navy Department decided upon the policy of building all naval ships as oil burners. The experiences of the war demonstrated the wisdom of the course. In my judgment, not one acre of the naval reserve should be leased, and Congress should set a face of flint against the present exploitations.

Sincerely yours,

JOSEPHUS DANIELS.

To Hon. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

MARIA M'ARTHUR.

Mr. CURTIS submitted the following resolution (S. Res. 283), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate for the fiscal year 1921, to Maria McArthur, widow of James McArthur, late a messenger in the employ of the Senate, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

ARTICLE BY COL. ROBERT E. OLDS—EUROPE'S DEBTS.

Mr. KELLOGG. I ask unanimous consent to have printed in the RECORD an article by Col. Robert E. Olds, formerly commissioner for Europe of the American Red Cross, on the international situation. I think it will be of value to Senators.

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

[From the Philadelphia (Pa.) Public Ledger, Sunday, March 12, 1922.]

The following article, by Colonel Olds, analyzing the international debt situation, is based on first-hand observations of the economic conditions in practically every European country. These were made during his direction of the Red Cross activities covering three years up to last summer and during which he dispensed many millions of dollars. He has intimate contacts in nearly every nation and has been received as a sort of special ambassador wherever he has gone.

[By Col. Robert E. Olds, former commissioner in Europe of the American Red Cross.]

PARIS, March 1.—With the calling of the Genoa conference we may fairly say that the pendulum has nearly completed its slow but inevitable swing from the purely political to the economic view of world affairs. The change is momentous. It has taken some time to effect it. One has only to recall the memorial presented to the American Government and to the principal European Governments more than two years ago, declaring that the basic problem was essentially economic and requesting on grounds of "extreme urgency" that an international conference of experts be called to consider it. The subjects of inflation, instability of exchanges, decline of credit, production, taxation, public expenditures, and international debts were all there suggested as matters of imminent concern.

Although the memorial carried an almost unprecedented array of distinguished signatures, among others from the United States, Morgan, Root, Elliott, Warburg, Vanderlip, Hepburn, Reynolds, Hoover, and Hadley; from England, Bryce, Inchausti, Cecil, Asquith, Grenfell, Clynnes, McKenna, and Leaf, it made little stir. Now, for the first time, the voice of the man of affairs and the student of actual conditions is being heard.

Throughout the political phase the United States played a difficult rôle. It was asked to enter an alliance with France and England and to join the League of Nations. To both of these proposals it finally gave a negative answer. In the economic phase we are faced at once by the exceedingly troublesome and complex question of the allied debts. Whether we like it or not, we stand forth as the greatest creditor Nation of all time, and must admit that it is a position of grave danger to ourselves as well as to others. The future in no small degree depends upon our ability to see clearly and to act wisely on the issue now before us.

CONFUSED BY LINKING OF DEBTS.

The issue calls for accurate definition. The public on both sides of the Atlantic is manifestly being confused by the linking of the allied debts, in turn, with the questions of reparations, European militarism, taxation, public expenditures, the bonus bill, and other more or less relevant matters. Under the circumstances there is much to be said for the idea of isolating the problem of the allied debts and considering it by itself on the merits.

The European Governments owe the United States altogether (with accrued interest) about \$11,000,000,000, of which approximately \$3,500,000,000 lie against France and \$4,500,000,000 against England.

No interest is being paid, and so the staggering liability goes right on piling up. This black cloud, casting its sinister shadow over an entire continent, necessarily tends to promote pessimism and destroy hope. It is coming to be more and more recognized as the dominant fact in the minds of statesmen and in the lives of peoples. Hardly a newspaper in Europe fails to mention it in some connection every day. Statesmen are interviewed and economists are writing books about it. There is undoubtedly a growing conviction that no way out of the present difficulties can be found until the debts to America are somehow eliminated from the problem.

From the European point of view the discussion presents some curious and interesting features of which America should take note. There is, in the first place, the bold but not always profound thinker, of the Wells type, who comes forward with this simple formula: The debts are fantastic; they can not possibly be paid, so why let them block the way? Let us forget this legendary indebtedness and get on with the real business of world reconstruction. More serious writers of the economic school, who have recently reviewed the situation as a whole, find no ready solution, and can by a strange non sequitur leap to the conclusion that the world can be saved only by a cancellation of the loans outright.

Gustav Cassel, the eminent Swedish economist, in his second memorandum prepared for the League of Nations, after a pessimistic survey, suggests cancellation as almost the last hope. Mr. Keynes, the British economist, arrives by a different route at virtually the same destination. He would have the United States and England form a sort of underwriting syndicate to settle the reparations problem by canceling France's debts in return for a proportionate release of the German indemnity.

ADVICE AGAINST PAYMENTS.

Moreover, the bankers and economists seem to be agreed that under present conditions the United States can not afford to exact even the interest payments. It is said that if by any possibility the payments could be met, the results would be disastrous; abnormal payments of this nature would only postpone still further final recovery.

Now, it is quite impossible, in this memorandum, to follow the argument in all its involutions. It is reasonably clear, however, that if we want to work toward a restoration of trade equilibrium, the last thing we ought to do is to make a drive for the collection of these debts. They can not be paid in gold, because the gold is not there. Payment could in no event be made except in goods, and we do not want the goods. The only way we can accept commodities safely is in the normal course of trade. These conclusions appear to be well founded, but the step from them to the sweeping generalization that the allied debts should be at once completely wiped out is by no means so easily taken.

The picture of a torn and distressed Europe, weighed down by an impossible load of debt which keeps her from rising at all, is appalling, but is it quite accurate? On the face of things the load is to-day nothing but an acknowledged liability to be discharged some time in the distant future. There are no penalties to be enforced or mortgages to be foreclosed for default. America holds no security beyond the honorable engagements of the nations concerned. If Europe can not pay presently, she wont, and there will be an end of the matter for the time being. Let us be practical and face the facts. Nobody with practical sense expects the European Governments to come to us with "a pathetic light in their eyes and the cash in their hands." It is scarcely conceivable that any substantial payment, on account of principal at least, can be made within the next 25 years.

Why not look at this business as what it really is—an affair between two generations of men not yet in being. A present discharge would be like a quit claim running from a coming generation of Americans to a coming generation of Europeans. Just how that is going to reconstruct the great devastated region of international trade in the year 1922 and set the present generation in Europe on its feet perhaps some banker-economist—Otto Kahn, for instance—will explain. If it can be made clear to the lay mind, it ought to be made without further delay.

GIVE EUROPE A FIGHTING CHANCE.

After all, is it not the uncertainty alone that is doing the damage? As it stands, the indebtedness is to be compared to a "call loan." Naturally a finance minister in Paris is seriously embarrassed by it, because he can not know what provision, if any, should be made on that account. If the loan is called, France would have to pay or repudiate. With an outstanding account against Germany upon which not a centime has been collected, and an enormous debt to England and America occupying this doubtful status, the situation can not fail to continue desperate.

Suppose our Government said, "We can not go so far as to tear up these obligations, but we can and will come to an understanding with you about the time of payment. We can agree definitely not to demand the principal for X years or the interest for Y years. Tell us what you think you may eventually be able to do, and let us see if we can not make an arrangement." The reply would be probably along these lines: "We appreciate your reluctance to convert a loan of this nature into a gift. If, however, you can grant us X years to work out of our present difficulties without embarrassment from the loans, we shall do the best we can; and we should like to have the privilege of discussing the subject again at the expiration of that period in the light of the facts as they may then appear, it being fully understood that the loans are regarded by both parties as subsisting obligations to be eventually met." It goes without saying that a negotiation of this general nature, approached in the right spirit on both sides, would lead to a definite agreement. To the ordinary observer trying to take a common-sense view and maintain a proper perspective, it is the only way to satisfy public opinion in the United States and at the same time give the European Governments a good fighting chance to pull through.

If the allied debts can be thus removed as a complicating factor in the problem of settling European budgets for the next 25 years, for example, the pressure will be immediately released and plans for reconstruction can go forward. It is hard to see how anything more could be accomplished by outright cancellation. What the European Governments must have is definite assurance that demands which would surely throw them into complete bankruptcy will not be made pending the critical reconstruction period.

ENTITLED TO UNITED STATES VIEW.

Europe is plainly entitled in this connection to a frank disclosure of the American point of view. There is much misunderstanding and some bitterness being engendered by a failure to make full explanations. Absolutely nothing is to be gained by controversial talk about militarism; there is no end to such a discussion. The urgent need is to tell these peoples who owe us so much money exactly what we propose to do, and why.

Now, it should not be hard to state the American case so as to make it understood. The allied powers were waging a war for their existence. After a time we came in with them and began to loan them money in addition to financing our own war operations. In order to get the money we swelled our national debt to a point never before dreamed of. Those familiar with the Liberty loan drives know that the funds produced were not merely loose cash which we did not know what to do with. Thousands of persons had to borrow and mortgage to subscribe. It was a virtual levy upon capital—productive capital. In the form of cash or its equivalent in goods or munitions it went out of the country and has never come back. According to John Stuart Mill, productive capital so diverted is taken from wages and operates as a tax upon the laboring classes.

However that may be, the State remains charged with the interest and must pay the principal of the Liberty bonds when they fall due. The interest charge alone calls for an annual tax of nearly \$10 for every man, woman, and child in the United States. These are familiar facts to Americans, but they are not appreciated in Europe. Nor does Europe understand how a public debt of \$25,000,000,000 looks to us as a Nation. We have never been committed to the fallacy that a large debt of this character is a blessing. In 1800 we owed \$83,000,000; in 1840 we had cut it down to \$3,500,000, or 21 cents per capita; after the Civil War it stood at \$2,300,000,000; at the beginning of the Spanish War we had paid it down to one-third of that sum; in the spring of 1917 our debt was a trifle over \$1,000,000,000; it jumped immediately to \$12,000,000,000 and later to \$25,000,000,000; last year it worked out to \$216 per capita. With this national policy behind him it is no satisfactory answer to the American taxpayer to tell him that France owes fifty billions and England thirty-seven billions. It is too much like asking a man to compare the distance from here to Uranus with that to Arcturus. He knows he doesn't want to have to walk either of those distances.

CHARGE ON POSTERITY.

This revolutionary rise of the national debt entails a heavy charge upon posterity. To us it is bound to appear that we have mortgaged the future beyond all precedent. Moreover, we have not the justification of having created this debt for the purpose of developing resources or making permanent improvements which would inure to the benefit of our successors; and is it not going a little too far to say that we did it to save the national existence? Public morality demands that debts passed on to a new generation shall have some solid justification. Here a distinction may be made between principal and interest. If we forego the interest for the time being that is our own affair, the money belongs to us. With the principal it is obviously quite different, and there we may well pause and ask: "Have we the right?" The future citizen who must redeem the bonds, the proceeds of which were handed over to our allies in the great war (some of these proceeds, it should be remembered, were used to "peg" exchange) can not speak, save through us. We are his trustees. If we cancel the obligations, we are giving away his money, perhaps impoverishing him in the distant future, which may not be so bright after all.

In this matter of public finance one is bound to look beyond the exigencies of the passing moment. Where is this mad career of indebtedness leading us? In 1913 the aggregate public debt of the civilized countries of the world was \$43,000,000,000. It is now \$354,000,000,000. If debt piled up by the municipalities, as many competent authorities assert, hastened the decline of the Roman Empire by a couple of centuries, may not our civilization be wrecked on this rock also? Public expenditures are, of course, in the same case. Gardiner states that in the first part of the reign of James I the expenditures of the British Government averaged £400,000 per annum. Adam Smith says that in his time (1776) the peace revenue of the country was £10,000,000, which he asserts, with proper management and without contracting a shilling of new debt, ought to be sufficient to carry on the most vigorous war. The ordinary disbursements of the United States Government last year exceeded \$5,000,000,000. Europe will surely not blame America if she pauses while there is yet time. Somebody in this topsy-turvy world must try to keep right side up. Whose interest is it that we should all go down together in universal bankruptcy?

PROBLEMS FOR AMERICA.

Those who summon us to save the Old World from economic ruin by an act of amazing but futile altruism should also understand that America does not enjoy any miraculous immunity. In the long run this planetary economic chaos is likely to hit America hardest of all; she has furthest to drop if the crash comes. Already our foreign trade is at the vanishing point. Forty per cent of the clerical force of the country is out of work. Great industrial sections, such as the Pittsburgh district, are said to be operating at 30 per cent of normal capacity. The farmers complain that the 1920 and 1921 crops were marketed at an actual loss. What is the advantage to us from the gold heaped up in our Treasury, when one ounce of that metal buys 201 hours of labor in Germany, 117 hours in France, 97 hours in Japan, and only 17 hours in the United States?

The demand for cancellation manifestly can not be conceded by any American Government. The demand for collection within 25 years, as contemplated by the recent act of Congress, can not be met by the European Governments. The danger is that this deadlock—and it can be nothing else so long as the two extreme views are maintained—will keep the question of the allied debts alive to plague us all for many years to come. The effect upon our trade, as well as upon international relations generally, can not be other than baneful. More than any other single factor, this uncertainty, with its attendant evils of bitter controversy and misunderstanding, is liable to precipitate the final crisis.

There are those who would like to hold the club over Europe. Do they realize what that means? Does any right-minded American citizen, on reflection, want to take on the task of dictating European policies, settling budgets, arranging boundaries, and defining military establishments? America should hesitate long before deciding to go about the world for the next 25 or 50 years carrying a club. It is rather a time for firmness, patience, sympathy, frankness, and, above all, for definite action.

LUTHER B. TURNLEY.

Mr. STERLING. Mr. President, on April 14, at page 5499 of the RECORD, the junior Senator from Arkansas [Mr. CARAWAY] had inserted a letter from Mr. Luther B. Turnley criticizing or making charges against the Civil Service Commission in Mr. Turnley's case. I present a letter from the Civil Service

Commission, received this morning, in answer to those charges of Mr. Turnley and in refutation of the charges made. I ask that the letter may be printed in the RECORD.

Mr. CARAWAY. Mr. President, what is the Senator asking to have printed in the RECORD?

Mr. STERLING. A letter from the Civil Service Commission, in answer to a letter of Mr. Turnley, which the Senator from Arkansas put in the RECORD the other day.

Mr. CARAWAY. Let it be read. I have three resolutions sleeping in the Civil Service Committee now, and I would like to know what the chairman of the committee is proposing to put in the RECORD on the subject.

Mr. STERLING. The statement is entirely gratuitous.

Mr. CARAWAY. And it is meant to be entirely gratuitous.

Mr. STERLING. I refer to the statement of the Senator from Arkansas in regard to the Civil Service Committee.

Mr. CARAWAY. I want to know what the Civil Service Committee is doing with the resolutions. If they do not know what they are doing, I intend to know.

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

Mr. KING. The Senator from Arkansas asks that the letter may be read.

Mr. CARAWAY. I ask that the letter be read. I want to know what is in the letter.

Mr. STERLING. I have no objection to having it read. I will be glad to have the letter read.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The reading clerk read as follows:

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., April 20, 1922.

Hon. THOMAS STERLING,
United States Senate.

DEAR SENATOR STERLING: There has just come to my attention the copy of letter quoted on page 5499 of the CONGRESSIONAL RECORD for Friday, April 14, 1922, from Mr. Luther B. Turnley, in which he makes certain charges against the Civil Service Commission. The facts in his case are as follows:

Mr. Turnley, two years ago, entered the clerk examination and attained a rating of 70.40 and was granted military preference. His name was certified in due course to the Interdepartmental Social Hygiene Board, where he was appointed July 21, 1920. As that board was required last July to make a very material reduction in force, it dropped Mr. Turnley, effective June 30, 1921.

As you know, the commission recommended to the President the issuance of a special order creating the reemployment registers, on which were to be entered the names of employees dropped from the service by reason of necessary reduction of force and not for inefficiency, in order that these persons might be considered in their order for certification to vacancies in other Government establishments needing the services of persons having their qualifications. As soon as the general military preference status was passed the commission placed at the head of this reemployment register the names of persons entitled to preference and has certified their names when reached for vacancies in other departments.

It will be observed that Mr. Turnley attained a rating slightly above 70 per cent, and there are the names of a large number of ex-service men ahead of his on the reemployment register and, therefore, first entitled to certification. Mr. Turnley has expressed willingness to accept appointment at the comparatively low salary of \$900 plus the bonus, and yet to-day there are 12 preference eligibles on the reemployment register who have attained higher ratings than his who are likewise willing to accept this salary. Under the law, of course, their names must first be certified.

The commission has never advised Mr. Turnley that his name could not be certified until after he had served three years in office, nor has any employee of the commission so informed him. The fact is simply that his name is not within reach among the preference eligibles on the reemployment register because he attained so low a rating in the examination.

There is a clear distinction between being certified from an eligible register and being transferred from one department to another without reference to a person's standing on any eligible list. In a transfer case there is a law of Congress requiring three years' service, and the commission has no power to waive this.

The commission has done its utmost to accord ex-service men every possible consideration and has gone beyond the usual powers inhering in its organization for the purpose of assisting these men in finding employment.

We are addressing you in this matter because as chairman of the Committee on Civil Service, United States Senate, it seems to be a matter within your jurisdiction. We trust you will be able to secure the publication of this letter in the RECORD.

Very sincerely yours,

G. R. WALES, Commissioner.

Mr. CARAWAY. Mr. President, I want to say merely a word in regard to the letter. I put the letter of Mr. Turnley in the RECORD not as a criticism of the Civil Service Commission. If they had read it, they would know there is a law of Congress which provides that no department may drop a soldier or sailor who has been honorably discharged in the reduction of forces if his record in the department is good. It provides a penalty that if the head of the department shall disregard the law he shall be immediately removed from office, and upon conviction fined in a sum not more than \$1,000, and he may be imprisoned.

Here are the facts: This former soldier had a place; his record was good, because the letter of the chief of his bureau was put

in the RECORD also; but he was dropped in reducing the force, although the law says he should not be dropped.

That is the reason why the letter was put in the RECORD. It had nothing to do with the Civil Service Commission. If the Senator from South Dakota, in his anxiety to answer it without reporting the resolution, had read it, he would have found that the letter was put in the RECORD not to criticize the Civil Service Commission, because it had nothing to do with the dropping of a former service man from his employment, but it was put in the RECORD to show that a department was dropping ex-service men whose records were good, notwithstanding the fact that Congress had said the departments should not do so.

The resolution I introduced was intended to find out why, in disregard of law, the departments were dropping former soldiers and sailors, honorably discharged, who were entitled to keep their places. That is all.

The Civil Service Commission could not prevent, I presume, this department from dropping the man. No reference was made in the statement which I gave touching the Civil Service Commission. I have said about all I care to say about that commission, and I have nothing more to say about it. I am satisfied that the commission is very sensitive in this particular instance. I do say that the department which dropped this man in the reduction of forces did so in violation of law, and a resolution is pending before the Civil Service Committee, which I have no hopes of ever seeing reported, which would demand the reason why these things have been done.

That is all I know. I have no criticism in this particular case of the Civil Service Commission, although I presume it is amply subject to criticism on most grounds.

Mr. STERLING. Mr. President, the Senator from Arkansas [Mr. CARAWAY] may not have intended by the introduction of this letter into the RECORD to have criticized the Civil Service Commission, but the letter itself does severely criticize the Civil Service Commission, and hence the reply of the Civil Service Commission.

With reference to the resolution to which the Senator from Arkansas has more than once referred, in discussing which he has reflected somewhat upon the Civil Service Committee, all I have to say is that that resolution in regard to soldiers and sailors and marines who have been discharged or dropped from the civil service will receive due consideration and a report will be made upon the resolution. The report will probably call the attention of the Senator from Arkansas to some features of the law in regard to the case which have escaped his notice.

The VICE PRESIDENT. The letter which has been read will be referred to the Committee on Civil Service.

PROTECTION OF MISSISSIPPI RIVER LEVEES.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed a joint resolution (H. J. Res. 309) appropriating \$1,000,000 for the preservation, protection, and repair of levees under the jurisdiction of the Mississippi River Commission, in which it requested the concurrence of the Senate.

Mr. WARREN. I ask the Chair to lay the joint resolution from the House before the Senate, and that it be read at length.

The joint resolution was read the first time by its title, and the second time at length, as follows:

Be it resolved, etc., That there be appropriated out of any money in the Treasury not otherwise appropriated the sum of \$1,000,000 to be immediately available as an emergency fund to be expended by the Mississippi River Commission during the present flood in the Mississippi River for the purpose of preserving, protecting, and repairing the levees under its jurisdiction: *Provided,* That the Secretary of the Treasury shall deduct \$1,000,000 from the appropriation that shall first hereafter be made for the use of said Mississippi River Commission under the terms of the flood control act of March 1, 1917, and said \$1,000,000 be carried to the surplus fund and covered into the Treasury: *Provided further,* That any unexpended balance of the sum hereby appropriated remaining after the present flood emergency has passed may be expended by the Mississippi River Commission under the authority and subject to the provisions of the said flood control act.

Mr. WARREN. In order to make the record straight I ask that the joint resolution be referred to the Committee on Appropriations.

The VICE PRESIDENT. It will be so referred.

Mr. WARREN. I wish to say that I have consulted with every member of the Committee on Appropriations, and I am authorized to report back the joint resolution favorably without amendment. I ask for its immediate consideration.

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

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

Mr. ROBINSON. Mr. President, for myself and my colleague, the Senator from Arkansas [Mr. CARAWAY], and for other

Senators who represent a very large section of the country at present threatened with disaster from the overflow of the Mississippi River, I desire to express appreciation for the very prompt action taken by the two Houses of Congress to-day in making available the sum of \$1,000,000 for use in maintaining the Mississippi River levees and protecting against flood conditions.

The chairman of the Committee on Appropriations [Mr. WARREN], fully appreciating the nature of the emergency, polled the members of the Committee on Appropriations, and every member of that committee very gladly, in view of the circumstances, consented to an immediate report of the joint resolution which has just been passed. The House of Representatives had pursued a similar course. This was very prompt action and it is very gratifying.

Mr. HARRISON. Mr. President, may I add that the Secretary of War also, I understand, and the Chief of the Board of Army Engineers cooperated to the very limit in this matter.

Mr. ROBINSON. I thank the Senator from Mississippi, because I had no intention of omitting mention of the very prompt and efficient manner in which the matter has been handled by the War Department.

Mr. HARRISON. I am sure our people appreciate their efforts.

Mr. ROBINSON. The Secretary of War himself has been very prompt in the matter, and everyone charged with responsibility has been quick to act in anticipation of threatened loss of life and property.

Mr. RANDELL. Mr. President, may I add one word? I do not wish to have General Dawes, the Director of the Bureau of the Budget, omitted. He has been doing, as everyone has been doing, his utmost in this emergency. They are all entitled to full credit, and I hope it will be given to them. As one of the Representatives from Louisiana, I am delighted at the very prompt action taken by both the House and the Senate. I believe this appropriation will avert a very great disaster and save a very much larger sum than the amount appropriated.

THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7456) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, and for other purposes.

Mr. KING. Mr. President, yesterday there was presented to the Senate the result of months of work by the Finance Committee of the Senate. The minority thought that the senior Senator from North Dakota [Mr. McCUMBER] in presenting the tariff bill would submit a detailed analysis of its provisions, would point out wherein it differed from existing law as well as from former tariff bills, would analyze the various schedules, and indicate the results claimed by the majority which would follow such changes. It was supposed that he would justify such changes and show their effect upon the industrial and economic life of our country. The Senator's speech was notable because of its omissions and the beautiful complacency which characterized its exposition of tariff and economic questions.

The Senator from North Dakota became beatific in dealing with the corporations and trusts and manufacturing interests, who are so beneficially affected by the bill. His gentle words of admonition as to how they should proceed in business will be as welcome to them as an assessment upon one's holdings and will be as quickly disregarded as the law of supply and demand have been by violators of the Sherman antitrust law. The Senator meant well; he apparently felt that the bill would permit exploitation, but hoped that the selfish interests who will benefit by it will not rob the people too much. The Senator's cure for the evils in our present economic life will be ineffective. He places too much power in the hands of special interests and should know that they will oppressively use it. I was somewhat surprised at the naive faith of the Senator in the claims of those who had appeared before his committee and whose voices no doubt were persuasive in framing the schedules found in the pending measure. I can not understand his supreme and perfect confidence in the interests which have appeared before his committee pleading for extortionate tariff rates. I hope before the bill shall have been passed that the Senator from North Dakota, with his splendid ability, will show us precisely what the bill is, what it proposes to do, and what its effects will be upon the economic and industrial life of the people if it shall become a law.

Mr. President, later on I shall have something to say upon some of the schedules, particularly the chemical and dye schedule, but this morning I propose to address myself to another subject not quite cognate to the measure under consideration.

It would seem that the Senate does not take much interest in this tariff legislation. On the Democratic side we have few Senators this morning, and upon the Republican side the number is not much greater. I wonder, Mr. President, if the Republican majority believe they are going to put the bill through by force of numbers. They have been so in the habit of employing the big stick, or having it employed, that I presume they expect the speedy passage of the bill. Moreover, we are told there has been a marriage between the two important blocs, that the agricultural bloc and the manufacturing bloc are in happy accord. Each, it is assumed, has been rewarded, and has written into the bill the demand which must be met. Thus it is thought the bill will go through the Senate without the slightest difficulty. It is dangerous to have too much power. Defeat and humiliation often follow the triumphant hosts. The Payne-Aldrich tariff bill was the product of selfish greed and unrestrained party power. Should our friends not take warning from the experiences of the past?

Mr. WATSON of Indiana. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Indiana?

Mr. KING. I yield.

Mr. WATSON of Indiana. I understand the Senator is going to talk about Mexico.

Mr. KING. Yes.

Mr. WATSON of Indiana. It is a very inconsequential matter and yet one which the Senator saw fit to dignify by a reference in his remarks. I think it worth while to call his attention to the fact that, while there are four Democratic Senators on the floor, there are 20 Republican Senators.

Mr. KING. Let me say to the Senator that four Democrats are worth, perhaps, more than 20 Republicans.

Mr. WATSON of Indiana. I am not going to discuss that intimation, although there are many things that might be said with reference to it. I should, however, like to say to the Senator, not in any controversial spirit, but purely as a statement of fact—

Mr. KING. The Senator knows that I spoke jocularly in my last observation. I appreciate the importance and the learning and the wisdom of my Republican friends, especially my friend from Indiana.

Mr. OVERMAN. Since the suggestion has been made concerning the Senators present, let us have a quorum.

Mr. WATSON of Indiana. The suggestion of the Senator from Utah is complimentary, but I want—

Mr. OVERMAN. I suggest the absence of a quorum, in view of the suggestion which has been made.

Mr. WATSON of Indiana. That is very timely and very appropriate.

The VICE PRESIDENT. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following

Senators answered to their names:

Ashurst	Frelinghuysen	Lenroot	Rawson
Ball	Gerry	Lodge	Robinson
Borah	Glass	McCumber	Sheppard
Brandegge	Gooding	McNary	Shortridge
Broussard	Hale	Moses	Simmons
Bursum	Harris	Myers	Smoot
Calder	Harrison	Nelson	Spencer
Capper	Heflin	Newberry	Sterling
Caraway	Johnson	Nicholson	Sutherland
Colt	Jones, N. Mex.	Norbeck	Townsend
Culberson	Jones, Wash.	Norris	Walsh, Mass.
Cummins	Kellogg	Oddie	Warren
Curtis	Kendrick	Overman	Watson, Ga.
Dial	Keyes	Page	Watson, Ind.
Ernst	King	Phipps	Weller
Fletcher	Ladd	Poindexter	Williams
France	La Follette	Ransdell	

Mr. SHEPPARD. The Senator from Montana [Mr. WALSH] is unavoidably detained on official business.

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

The VICE PRESIDENT. Sixty-seven Senators have answered to their names. A quorum is present.

CONDITIONS IN MEXICO.

Mr. KING. Mr. President, I approach a discussion of what many call the Mexican problem with profound sympathy for most of the Mexican people. I entertain no antipathy toward Mexico or her people, although I confess to a feeling of just resentment against the military chieftains and corrupt politicians and other elements of the Mexican population who have for years conspired against the welfare of Mexico, and who have worked irreparable harm and injury not only to millions of the Mexican people, but to Americans as well as to citizens of various countries residing in or having property interests within the boundaries of Mexico.

During the eight years in which Mr. Wilson was President the Republican Party denounced his Mexican policy and insisted upon a course which would have inevitably led to war. Many fervid, and, indeed, perfervid, speeches were delivered in this Chamber and in the House of Representatives in which President Wilson was bitterly assailed and his policy of "watchful waiting" denounced in unmeasured terms. Republican orators and leaders often advocated intervention and the sending of military forces into Mexico for the purpose of protecting the lives and property of American citizens. In the presidential campaign of 1916, so aggressive and virulent were the Republican attacks upon the Democratic administration for its failure to intervene in Mexican affairs, that a sharp issue was presented to the country, and the people were called upon to choose whether they indorsed Mr. Wilson's policy of patience and forbearance or the bellicose and military plan advocated by Republicans, which would have involved the United States in a war with the Mexican people. During the campaign Democratic speakers frequently declared that Mr. Wilson had "kept our country out of war," and the Republicans, with that "bunting patriotism" which so often characterizes some Americans, condemned in bitter terms the foreign policies of the administration, and did not hesitate to denominate his Mexican policy as "pusillanimous and cowardly" in the extreme. The Republican jingoists clamored for war with Mexico when some Americans were killed and many were driven out of Mexico and their property destroyed or confiscated. Republican orators, as well as leaders in the Republican Party, insisted upon intervention, and urged that our military forces cross the Rio Grande and compel the Mexican Government to redress the wrongs committed against American citizens.

The present Secretary of the Interior, who was a distinguished and able Senator from New Mexico, upon many occasions criticized the President and denounced the policy of the Democratic administration in dealing with Mexican affairs. I supported President Wilson and opposed intervention, though I believed there was justification for the United States declaring war against Mexico, and feared that if Mexico persisted in her wayward and criminal course war would result. The attitude of the Mexican Government had not only been exasperating, but those in authority seemed to have deliberately sought to provoke the United States to embark upon an aggressive course in vindication of the rights of American citizens and, indeed, the honor of the Nation. But perhaps the great mass of the people of Mexico were not parties to the hostile and belligerent acts of the Mexican Government and the military chieftains and cabal who were in control. Indeed, many of them did not know of the acts of Mexican officials which were provocative of war. I believed that this great Republic could afford to submit to indignities at the hands of an ignorant people and of a weak and incompetent government, though the same acts, if committed by a strong nation, would be regarded as a challenge which should be instantly met. I have thought that we could not apply to Mexico the same standards that should measure the conduct of progressive and highly civilized peoples. The great mass of the people of Mexico are illiterate. They are living in the darkness of past centuries. Millions of them are Indians speaking different languages and bound together by no national spirit.

One who reads the history of Mexico will be filled with compassion for the great bulk of her people. He will feel that neither the church nor the state has done its full duty in their behalf, and that selfish and corrupt politicians and brutal and despotic military chieftains have too often controlled the Republic and have had no concern for the millions of ignorant and unresponsive peons or for the progress and welfare of their country.

The governing class, both in the States and in the Federal Government, have uniformly exploited the people and have, in the main, sacrificed the interests of their country to promote their personal ends and to perpetuate themselves in authority and power. Proclaiming patriotism and national pride and deep devotion to their country, and a high sense of personal honor, the great majority of those who have held positions in Mexico have been either corrupt and dishonest or have intrigued and plotted for place and power. They have not hesitated to plunge their country into civil and internecine war and to rob and plunder the Mexican people as well as the nations of other countries who were seeking to promote the welfare of Mexico and her people.

Ignorant and brutal military chieftains have risen to positions of power through murder, assassination, and brigandage. They have driven from their own country patriotic and enlightened men and women who desired the welfare of their country and were striving to advance it to a firm position among the enlightened and civilized nations of the earth. Even now

there are hundreds of thousands of Mexicans living in the United States and in other countries who have been driven from Mexico by the cruel and bloodthirsty officials who have exercised authority, Federal and State. Mexicans of high purpose and pure lives have been brutally murdered by military chieftains and by executive authority because they would not subscribe to revolutionary, unconstitutional, and degrading policies projected by ambitious and wholly unworthy leaders.

When I speak in criticism or condemnation of Mexico, let it be understood that I am not speaking of the great mass of the Mexican people, for whom, as I have said, I have not only sympathy but deep compassion. I grieve when I behold a class of malcontents, of intriguing politicians, of shiftless and shifty and wicked militarists, of quasi intellectuals, prostituting their powers for their own enrichment and for the exploitation of their country and who form groups and confederations warring against one another for the control of the State, with never a thought for the helpless, unfortunate, downtrodden, and oppressed masses upon whose prostrate forms must finally rest the awful consequences of their misdeeds and crimes. Such is Mexico. Such has it been for many years.

President Wilson, with that deep love for humanity which always found expression in his public utterances and in his official acts, believed that a new day was dawning for Mexico. He perceived the great gulf which separated the millions of ignorant persons from the military, professional, and trading and business classes. He perceived that there was an agrarian problem that must be solved if permanent progress was to result. I think he attributed to what have been called the higher classes in Mexico a patriotism and moral integrity which many of them did not possess. I think, perhaps, he attributed to the people generally a higher degree of intelligence and a stronger spirit of nationalism than they possessed. If he erred, it was on the side of mercy and generosity. It was because he abhorred war, particularly with a weak people. His generous and sympathetic course was misconstrued by the Mexican people, and many of them scoffed at his efforts to promote international amity and to advance the interests of the Mexican people.

Cowardly and cruel military, and, indeed, political, leaders sought to inflame the minds of the people against the Americans and our Government. They treated the forbearance and kindness and generosity of the American people and the administration as evidence of cowardice, and so we were regarded with contumely. Hundreds of American nationals who were rightfully in Mexico were murdered, their property confiscated or destroyed, and thousands compelled to flee to escape the persecutions, abuses, indignities, and in many instances death, with which the ignorant and infuriated populace in many districts, led by corrupt politicians and military chieftains, threatened them.

Perhaps Mr. Wilson was disappointed in his efforts to promote amity and peace between this Republic and the Mexican people. Perhaps he felt that the manifold evidences of his sympathy were not appreciated by the Mexican people.

Speaking for myself, I felt that Mexico did not respond to the genuine friendship which was exhibited in her behalf and the patent evidences of the desire of President Wilson and the American people to aid Mexico and her people. I believed that Carranza and his associates and the majority of the Mexican people who made pretensions to enlightenment and civilization exhibited the basest ingratitude toward the administration and the United States, and were guilty of perfidy, if not treachery, in their pro-German attitude and their bitter hostility to the United States when it and Great Britain, and Italy, and France, and other nations were fighting in the interests of civilization and world freedom.

The Republican Party, in the last presidential election, again denounced the policy of the Democratic administration in dealing with Mexico, and promised, if it came into power, to inaugurate a vigorous policy in dealing with Mexico, and, indeed, with all nations. It was declared that Americans would receive redress for the wrongs committed, for losses sustained, and that guaranties for future protection, both of life and property, would be exacted from Mexico. The Republicans have been in power for more than a year. There has been no change in the situation; indeed, conditions in Mexico perhaps are more chaotic and unsatisfactory now than before President Harding was inaugurated. Americans are still being murdered upon Mexican soil, the property of Americans is still being confiscated, and thousands of Americans who have property interests in Mexico are unable to secure redress. Americans who were driven from Mexico are afraid to return.

Many are dying in poverty, though they had large possessions in Mexico when they were expelled from that country. Notes are being written to the Mexican Government by our State

Department and protests are being lodged with the executive authorities in Mexico against the confiscatory acts of the Federal Government of Mexico or by the various States. Obregon refuses to negotiate a treaty, the terms of which, though moderate and just, have been indicated by the Secretary of State. He indicates no purpose to reimburse American nationals for the wrongs and injuries inflicted upon them and to protect them in their personal or property rights within the Republic of Mexico.

Bolshevism is lifting its ugly head in some of the States of the Mexican Republic and some of Obregon's principal advisers are followers of the odious principles of the third international. American rights have not been vindicated and we are still in the blind alley which seems to be a cul-de-sac.

Our Republican friends who were so loud in their denunciation of Mr. Wilson, so boisterous in their Americanism and in their affirmation that a vigorous and bellicose policy toward Mexico would be pursued, are saying but little nowadays, but they must perceive how unjust were their aspersions and how partisan their criticisms.

I am not calling attention to their statements for the purpose of denouncing the present administration, but rather to invite their attention to the fact that Mexico has presented, and still does present, a problem complicated and most difficult of solution.

I referred to the fact that thousands of Americans were driven out of Mexico during the closing days of Mr. Taft's administration and during the incumbency of President Wilson. Mr. Henry Lane Wilson, in testifying before the Senate committee in 1920, stated that more than 600 Americans were murdered on Mexican soil and on the border; that it had cost our Government half a billion dollars to support the Carranza government, and he further stated that a million of the best Mexicans had left their own country and taken refuge in the United States; that 300,000 Mexicans had been killed, 100,000 had died from pestilence and starvation, and that during the Presidency of Carranza approximately 30,000 Americans left Mexico, and that the aggregate Americans who had fled from Mexico during the recent revolution amounted to 55,000. Thousands of Americans who were driven out of Mexico arrived in the United States penniless. They have been unable to return to Mexico, where all their possessions were, and thousands now in want are found along the Rio Grande and in Arizona and New Mexico. Nothing is being done to enforce their rights or to secure from Mexico reparations for their great wrongs to which they have been subjected.

Four days ago I received a series of resolutions recently adopted by a large number of persons who had been driven out of Mexico or who had property interests in Mexico. I might add, in passing, that several thousand American citizens went from my State to Mexico, some to engage in mining and stock raising, others to engage in agricultural pursuits. Thousands of acres of land were purchased from the Government and from private individuals, most of which was arid and sterile. These American citizens constructed dams and canals, built homes and towns, erected churches and schoolhouses and mills, and transformed desert wastes into fruitful fields and farms. Many of them had ranches and cattle, horses and sheep, as well as other property, real and personal, in various parts of Mexico. Thousands of them were driven from their homes, their personal property was confiscated, many of their homes destroyed, and a portion of their lands seized and parceled out among Mexicans who were placed in possession of the same. Most of the Americans were driven from Mexico and deprived of their property, and have been living in penury and want since the date of their expulsion. Death has come to some, but neither they nor those who survived have been recompensed to the extent of a single penny for the wrongs and outrages inflicted upon them. Several hundred of these persons returned to Utah, and they recently met and adopted a series of resolutions, a copy of which was forwarded to me and which I present to the Senate. The resolutions are as follows:

Resolutions.

Whereas citizens of the State of Utah prior to 1910 were invited and encouraged by the late President, Porfirio Diaz, and his associates of the Republic of Mexico to colonize and invest capital in the lands, mines, and industries of said country, in accord with the provisions of the treaties between these two countries; and

Whereas hundreds of our citizens accepted said invitations and entered said country and invested their means in the industries thereof, and were very successful under the favorable administration of President Diaz; and

Whereas during the latter part of 1910 a revolution broke out in said country, President Diaz was banished, law and order ceased to be maintained, life and property became insecure, and hate, injury, and outrages to life and property of citizens of the United States, particularly, were inaugurated and acquiesced in by Mexican State and Federal officials, who treated our citizenship with the utmost contempt and

committed affronts to us, our flag, and our country with impunity, forcing us out of Mexico with heavy losses of life and property; and

Whereas many of our citizens being thus robbed of all their earthly possessions returned to Utah destitute, discouraged, and dependent upon their former friends and charity for existence, filed claims years ago with the State Department at Washington for redress and damages thus sustained, and others are prepared to file such claims when the same will receive attention: Now, therefore, be it

Resolved by the Association of Utah Claimants Against Mexico, assembled at Salt Lake City, Utah, this 8th day of April, A. D. 1922, That we urge and request the President of the United States, the Secretary of State, and Congress to terminate forthwith the "watchful waiting" policy of the past, and that our rights as citizens of the United States for redress and reimbursement for our said losses according to authentic claims be enforced against said Republic without further delay.

Resolved further, That each member of this association enlist the services of their friends and political parties and candidates in making our present and future Senators and Representatives in Congress acquainted with the outrages committed against us and our rights and property as citizens of the United States by military forces and nationals of Mexico with the knowledge, and, in many cases, the consent of the officials of said Government.

Resolved further, That the president and secretary of this association officially sign and forward to the President of the United States, the Secretary of State, and our Senators and Congressmen copies of these resolutions.

I. C. THORESEN,
President of the Association of Utah Claimants Against Mexico.
G. M. RICHARDS,
Secretary of said Association.

Mr. WATSON of Indiana. Will it interrupt the Senator if I ask him a question?

Mr. KING. I yield to the Senator.

Mr. WATSON of Indiana. I understand that the Senator intends to speak at some length on the tariff, via Mexico. Does the Senator expect to state later on what course this Government should pursue with reference to Mexico? Does the Senator believe in intervention? Does he believe in the recognition of Obregon? What does he believe in as a means of improving or curing the existing situation?

Mr. KING. The Senator is anticipating.

Mr. WATSON of Indiana. I am asking whether or not later on the Senator intends to address himself to that subject.

Mr. KING. Let me play the part of the Yankee and ask the Senator from Indiana, who is a seasoned statesman, one of the leaders of the Republican Party, what suggestion he made as to redress when Mr. Wilson was in power and when Americans were suffering damages? Did he advocate intervention then?

Mr. WATSON of Indiana. Yes; I did on the stump and elsewhere.

Mr. KING. Does the Senator advocate intervention now?

Mr. WATSON of Indiana. No; because I think it can be cured without it; but I am not making this speech. The Senator is making a speech on conditions in Mexico, and I am trying to find out what remedy he proposes, or whether his speech is just one of general castigation or animadversion on the policy of the present administration without suggesting a remedy for existing evils? Does the Senator believe in intervention; and if so, does he think it should be armed or peaceful? Does he believe in the recognition of Obregon, or what policy does he expect us to pursue in order to protect American lives, American rights, and American property in Mexico?

Mr. KING. My able friend from Indiana is somewhat like the impatient maiden who is unable, after reading the first chapter of a novel, to peruse the entire book, but hastily turns to the concluding chapter to learn the finale. The Senator is unwilling to permit me to develop my theme and state my views after I have presented certain facts which I regard as important, preliminary to the submission of any conclusions.

I shall not, however, as suggested by my friend, pursue the course adopted by him and other Republicans, when they were "castigating," to use his expression, Mr. Wilson and the Democratic administration; I shall not castigate the Republican Party, although the Lord knows they deserve it. Perhaps they need mercy more than they need castigation. Let me say, however, that I shall, before concluding, speak in commendation, in part at least, of the course pursued by the distinguished Secretary of State in dealing with the Mexican situation. While commending generally his Mexican policy, I shall express regret that he has not acted with somewhat greater firmness and insisted upon a settlement of the live questions which now divide the two nations.

The Senator asked me if I favored intervention. I promptly respond that I do not. As I have indicated, I opposed intervention at a time when he favored it. As I understand it, now he is opposed to intervention. In that respect we occupy the same position.

The Senator asked me what remedy I suggest. Later in my remarks I hope to submit some observations as to what policy should now be adopted in dealing with the Mexican problem. But lest the Senator may feel that I am not meeting squarely at the moment his questions, I am willing to state that I ap-

prove of the course of the President in not according recognition to the Obregon régime, and I think that under no circumstances should there be recognition until the plan suggested by Secretary Colby and the present Secretary of State be accepted by Mexico. In other words, I think that accompanying the act of recognition there should be a treaty between the two Republics by the terms of which provision will be made to compensate the families of the more than 700 American citizens who have been killed upon Mexican soil or along the border.

The Senator knows that many of these Americans who were murdered were men of ability and character. Many were mining men—metallurgists and engineers—and others whose earnings were of such a character as to make their lives in a pecuniary sense valuable. Lawyers know that when suits are brought to recover for the death of an individual by reason of the neglect or tort of the defendant the pecuniary value to the family of the deceased is an important issue in the case. Most of these Americans who were murdered left families, who should be compensated for the loss of their husbands, fathers, and protectors.

I repeat there should be as a condition precedent to recognition full provision made for the ascertainment of the damages due to the families of these deceased persons and assurances given of payment of the awards made. There should also be reparation in behalf of the thousands of Americans who have been assaulted or injured in their persons and damages for the loss of property, for which, in international law and in harmony with well-established principles of justice, Mexico would be liable.

It is possible that the Mexican Government is not responsible for all property which was destroyed or stolen, and perhaps it should not be held liable in damages for all Americans who have been killed upon Mexican soil. My contention is, however, that many were killed under such circumstances as that, under well-established principles of international law, the Government of Mexico must be held responsible in damages; and the same is true with respect to much if not all of the property which was expropriated or destroyed.

The hearings before the Senate subcommittee conclusively establish the fact that many of the crimes committed and wrongs perpetrated were with the connivance and, indeed, in many instances, with the consent of the Mexican Government or the executive and military authorities. Moreover, there was back of the military movements in Mexico a strong anti-American spirit and a widespread propaganda conducted by the executive and military commanders against the United States and all Americans within Mexico. Officials of the Government became agitators and inflamed the people against this Republic. There was a general purpose in view by many of the constituted authorities to drive all Americans from Mexico and confiscate their property. Therefore, perhaps the Mexican Government is legally and morally responsible for the wrongs committed against the United States and its citizens.

Mr. WATSON of Indiana. Will the Senator permit another interruption?

Mr. KING. Certainly.

Mr. WATSON of Indiana. Does the Senator know whether any steps have been taken along the lines he suggests?

Mr. KING. My information is that no effective steps have been taken to bring about those results.

Mr. WATSON of Indiana. Suppose demands were made—

Mr. KING. I have not fully answered the Senator's question as to what I would suggest; but I yield.

Mr. WATSON of Indiana. Let me ask this question right on that point: Suppose we make demands on Obregon? The Senator says, and doubtless truly, that many of those outrages were committed with the assent if not with the direct connivance of the Government. Suppose they declined to accede to our demands, or to acknowledge them in any way. Then where would we be? Does the Senator propose that this Government should go on pursuing the present policy?

Mr. KING. No.

Mr. WATSON of Indiana. Then what does the Senator expect the Government to do?

Mr. KING. If the Senator will be patient I will endeavor to answer his questions. But let me complete the other statement. The Senator asked me what course I would pursue, and I attempted to reply and said that reparation should be demanded for those who were killed and for whose death Mexico is responsible. Damages should also be demanded for injuries done to Americans, to their persons and feelings, growing out of assaults and maltreatment as well as imprisonment. The records show that hundreds of American citizens were subjected to great indignities at the hands of Mexican authorities,

and under such conditions as clearly establish the responsibility of the Government itself for the torts and wrongs committed.

I suggest further that, contemporaneous with the negotiation of a treaty between the two Governments, and indeed as a part of the treaty, or a proper and necessary supplement thereto, provision should be made to compensate American citizens for the confiscation and destruction of property by them, real and personal, amounting to hundreds of millions of dollars, the responsibility for which is chargeable to the Mexican Government. In other words, I believe that our Government should take immediate steps to obtain redress for the wrongs which have been sustained by American citizens at the hands of the Mexican Government.

I do not, of course, expect Mexico to pay whatever the United States or American citizens demand shall be paid, but our Government should insist that Mexico adopt that course which civilized nations under like conditions would follow. American citizens have been outraged, and it is the duty of their Government to protect them. Mexico, not satisfied with past indignities and spoliations and outrages, is now pursuing a policy of expropriation and destruction of American property. Our Government should demand that Mexico, professing adherence to international law and that spirit of comity which exists among civilized and enlightened nations, should meet her just obligations; that where the damages or obligations are unliquidated, provision should be made by treaty for the erection of proper tribunals to pass upon the claims and demands, and to make awards consistent with justice and recognized principles of international law.

Mr. WATSON of Indiana. I entirely agree with the Senator as to that, but of what value to make demands? Why make a demand on the Mexican Government unless we intend in some way or other to back it up? Why make demands when they have been made over and over again in the years gone by?

Mr. KING. Oh, the Senator is just as impatient in this as he is to get his iniquitous tariff bill passed.

Mr. WATSON of Indiana. I am very anxious about the tariff bill, or else I would not be asking the Senator with reference to something that is about as far away from it as heaven is from the Democratic Party.

Mr. KING. When the Senator speaks of heaven and the Democratic Party in the same breath, he puts them together. They are in the same category because Democracy leads to justice and justice leads to heaven, and if my friend will join the Democratic Party and help it establish the principles of justice, I can assure him of celestial rewards in the great hereafter.

But the Senator will not let me conclude my answer, so I will stop here and attempt to answer that point. The Senator says, "What would you do; would you continue to make demands?"

No. I think our Government would be not only justified, but that it would be its duty to proceed further. It should submit to the Mexican Government such claims and demands as would meet the conscience of civilized nations and be sanctioned by enlightened people everywhere. It should, among other things, ask for the appointment of an international tribunal to pass upon all claims which the nationals of the respective Governments might make, as well as claims which either Government might submit against the other. When such tribunal makes its awards a demand should be made that Mexico meet the same. Our Government should also demand that Mexico cease its confiscatory policy and its assaults upon and assassination of American citizens. If Mexico refused to accede to these requests or demands, then the President should submit the entire matter to Congress. Congress should then authorize the President to appoint an international tribunal, if jurists of ability and character would consent to act, and, if not, then Americans of ability and integrity, to whom would be submitted all claims by the United States and American citizens against Mexico, with authority to make such findings as the facts warrant. If awards are made by such tribunal and it finds that there is liability upon the part of Mexico, then our Government should notify Mexico of such findings and demand that payment be made or steps taken to compensate the claimants conformable to such awards.

If Mexico then refused to make payment or exhibited unwillingness to make any adjustment and stubbornly refused to discharge her international obligations, then it would appear that the only alternative remaining would be for the United States to seize one or more ports and collect import duties, applying the same pro rata upon the liquidation of the awards. If this course were taken, the United States would doubtless hold the ports until Mexico was brought to her senses and was willing to make rectification for her wrongs and meet the just and righteous demands of this Nation.

In my opinion, if our Government announced that it intended pursuing this policy, it would bring about improved conditions and prepare the way for the negotiation of a fair and just treaty, containing full provisions necessary to amicably adjust all controversies existing between the two Governments and their nationals.

I have hastily and imperfectly submitted these statements in reply to my friend, who tells me, sotto voce, that he is compelled to immediately leave the Chamber. Of course, I have only sketched, and that imperfectly, the plan which I think should be pursued, and doubtless I have omitted important conditions and qualifications, or unduly stressed some points which, upon examination of my statements, as they will appear in cold type, I might feel constrained to modify.

Mr. WATSON of Indiana. In other words, in the last analysis—a much abused expression—the Senator favors war on Mexico if he can not get what he wants in any other way.

Mr. KING. I do not want the Senator to put those words into my mouth.

Mr. WATSON of Indiana. Does not that mean war?

Mr. KING. No; I do not think it means war.

Mr. WATSON of Indiana. When we blockade the ports of a nation, and when we scatter our troops along the border of that nation for the purpose of enforcing the collection of revenues, which we intend to keep, is not that war?

Mr. KING. It may or may not be war; that would be for Mexico to determine; but as I said a moment ago, and I am sure the Senator remembers that part of my sentence—

Mr. WATSON of Indiana. Certainly.

Mr. KING. In which I stated that in my opinion if the administration would announce the policy which I indicated there would be improved conditions in Mexico. I believe there would be a reversal of the present policy of confiscation under article 27 of the new constitution, and under the numerous acts of confiscation, passed by Sonora, Chihuahua, Tabasco, Yucatan, and other Mexican States.

Let me say to the Senator that such a policy would receive the indorsement of tens of thousands of Mexicans who are patriotic and loyal to their country and who have been driven from Mexico by the revolutionary governments and by the military dictators and cruel executives who have controlled Mexico since the Diaz régime. These Mexicans of whom I speak desire that the most cordial relations should exist between the United States and their country. They are opposed to the Bolshevik schemes which were adopted by Carranza and which are being enforced by Obregon. They have been opposed to the murder of Americans and to the expropriation of their property. They long for the day to come when Mexicans and Americans and other nationals can live in peace in Mexico and devote their energies to the development of the resources of their country. They believe that wrongs have been done to Americans and to this Republic.

In my opinion the great mass of the Mexican people do not sympathize with the narrow, intolerant, and destructive policy which has guided those who have controlled the destinies of Mexico for a number of years. They and thousands of intellectuals, both in Mexico and beyond her borders, are not in sympathy with the political and economic policy which Obregon's government is executing. We all know that Obregon has not been an unwilling disciple of De la Huerta, who is a member of his cabinet—an important one, I may add—and who was a follower of the Rand school, in New York, and attempted upon his return to Mexico to establish a Bolshevik State in Sonora. Anyone who reads his proclamations and decrees when in authority in Sonora will recognize his Bolshevik propensities. I may add in passing that Obregon placed in his cabinet Calles, who is confessedly a Bolshevik and a follower of Lenin and Trotsky.

Another prominent Bolshevik was in Obregon's cabinet, and only recently retired. It is difficult to believe that Mexico will be regenerated if controlled by men of this character. Mexico's regeneration is retarded because so many of her most illustrious citizens, men of merit and ability, have been driven from Mexico. In addition to the tens of thousands of intellectuals who have taken refuge in the United States there are over 475,000 Mexicans living in the United States, many of whom will never return. Within the boundaries of this great Republic they enjoy peace and prosperity and liberty. They have expatriated themselves, and perhaps in time many of them will take upon themselves the responsibilities of American citizenship.

I repeat that it is most unfortunate that so many men of high character and of great ability, lawyers, professors, writers, bankers, statesmen, and men whose learning and scholarship would give them a high place among the most advanced people of the world, have been driven from Mexico by the military

chieftains, the cruel and merciless leaders of revolutions, the bigoted, intolerant, and tyrannous executives, who have and still control the Federal and State governments of Mexico. Mexico needs in this great crisis men whose wisdom and statesmanship, if accepted by the people, would place her upon the path of progress and sure advancement. These men of whom I speak, and who have been banished from Mexico, learned in the law, in international questions, in economic and industrial matters, are in France, Spain, South America, and in our land. What a glorious thing it would be for Mexico if an enlightened constitutional government were inaugurated. But it seems as though that is impossible and that petty military chieftains rise to power and men of honor and ability and patriotism are outlawed and driven from their native land.

Mr. President, if we are to judge the future by the past, it may be safely affirmed that Mexico will present for an indefinite period a most serious problem. For nearly 100 years she has taxed the patience and forbearance of this Republic and has been a diplomatic plague which still persists. By the forbearance of the United States Mexico has been given ample opportunity to put her house in order and to assume among the free States of the world that station of equality and independence generally accorded to civilized States. But looking back with the perspective of nearly 100 years, we witness to-day a recurrence of the same old symptoms of anarchy, brigandage, and disregard of municipal and international law which has almost universally characterized Mexican administration, except during the Diaz administration.

Professor Jones, in his work called "Mexico and Its Reconstruction," declares that—

for more than a half century Mexico has been a country in which civil dissension was seldom absent.

He refers to the—

contrasts and conflicts arising out of the native elements of the population—

And—

the lack of communication between the various districts of the country.

As a result, from a cultural standpoint, the Republic has been a collection of units rather than a single State; a situation, obviously, which makes a satisfactory solution of Mexican relations difficult in the extreme.

He declares that—

there must be created within the Republic a government that can establish order, that will respect individual rights, put the great resources of the nation again at the service of those living within its borders, and enable it to contribute its due share to the maintenance of the family of nations.

The true friends of Mexico will wish that a government may be established in Mexico which recognizes the rights of its own nationals as well as the rights of the nationals of other countries, and a government which will respect its treaties and the international usages of civilized and enlightened nations.

I stated that Mexico presented no new problem. Let me invite attention to some historical facts which demonstrate how serious has been that problem to the United States and how patient our Government has been in dealing with the same.

The independence of Mexico was recognized by the United States on January 1, 1825. At that time there was already an accumulation of claims against the Mexican Government for injuries inflicted upon the persons and property of American citizens, for which redress had been sought in vain. Under date of March 20, 1826, Henry Clay, who was then Secretary of State, in a letter addressed to Poinsett, the American minister, instructed him to demand redress for the forcible seizure of the schooner *Fair America*, in the course of which the Secretary said:

Respect for the authorities of the United States alone forbids my characterizing it by the epithet which belongs to the transaction. I can not doubt that upon a representation which you are now requested to make to the Government of Mexico on behalf of Mr. Wilson, it will promptly order the restoration of his property with a just indemnity for its iniquitous seizure and detention.

The Mexican authorities in those days as to-day were adepts at delays and in the intervention of verbal excuse and circumlocution to avoid responsible consideration of the business in hand.

Thus the American chargé d'affaires, August 5, 1833, reported:

When a delayed and apparently reluctant answer is wrung from the secretary we are merely told that the disorganized state of the political system precludes the General Government from exercising those powers with which they have been invested by the constitution, and we are admonished to forbear complaints and remonstrances until the restoration of order may enable the executive to discharge its functions and enforce the law; in the meanwhile, however, the interests of foreigners, their persons and property, are exposed to daily violation and outrage by every petty officer either of the general or of the State governments, and often without even a plausible pretext to excuse the delinquency.

The situation described finds a parallel in the relations between the two Republics during the past 25 years, except during the régime of Porfirio Diaz.

In a private letter to President Jackson, under date of September 14, 1827, the American chargé d'affaires said:

Since the present party (Santa Anna and Gomez Farias) came into power I have been able to do nothing. During the last two months I have not even received a reply to the many official notes addressed to the department of foreign affairs on affairs previously before it, as well as on many new cases that are daily occurring; the British minister informed me that he was similarly situated.

Senators will perceive the similarity of conditions then and now. The same difficulties existed in the days of President Jackson. Outrages were committed then; Americans were murdered; property was destroyed; diplomatic notes were written not only by the representatives of America but by representatives of Great Britain and other countries to the Mexican authorities, which dealt with the evils and wrongs then as they have dealt with them during the past 12 years.

During the following year, on June 24, 1834, the Secretary of State addressed the American chargé d'affaires as follows:

The President, dissatisfied with the continual delays which have taken place in adjusting the points at issue between the two governments, directs that you will take an early occasion, after the receipt of this communication, to bring them again before the Mexican Government and to obtain a prompt and definite answer.

The language of this note is somewhat reminiscent of the communications by our State Department addressed to the Mexican authorities during the past 10 or 15 years. Many communications were forwarded to the Mexican Government protesting against the injustices suffered by American citizens and the apparent disinclination of the Mexican Government to afford that protection to life and property which is due from a civilized state. Generally speaking, these communications were answered in diplomatic language, but with evasion and indirection. No sincere desire was exhibited upon the part of the Mexican officials to remove the causes which led our Government to make complaint or to pursue a course which the standards of international usage required of the Mexican Government.

Recurring to the note which I was reading, it proceeds:

You will state that the United States holds the Federal Government of Mexico alone accountable for such injuries to their citizens as merit national interposition; and that the requirement of the minister of foreign affairs in his note to you of the 24th of October last, that the claimants should present their demands in person at the Mexican treasury, is too unreasonable to be submitted to. Indeed, taken in connection with the refusal to examine any of the claims until all shall be submitted, it is tantamount to a denial of justice.

On December 17, 1835, Mr. Powhatan Ellis, the new chargé d'affaires, was appointed by President Jackson. The instructions given him, under date of January 29, 1836, referring to the pending claims, used this language:

Provision for their payment is pertinaciously withheld, and the justice of most of them has not been acknowledged. * * * Though the President is willing to look with indulgent consideration upon the almost incessant commotions in Mexico which, by weakening the authority of the federal government, may have encouraged the perpetration of the acts complained of, and by exhausting its resources have perhaps made it impossible to grant immediate relief to the injured, he thinks that they afford no sufficient apology for refusing or declining thus long to examine the claims.

Mr. President, the situation depicted in these notes must have been a severe trial to the stern and implacable Andrew Jackson, but even he pleaded and appealed to the Mexican people to right the wrongs which they had done and to pursue a course of honor and justice. There is a striking similarity between conditions then and those which still prevail in Mexico, and if one were not optimistic he would declare that it will be a long and tragic course which Mexico must pursue before she can assume an honorable station among the civilized States of the world.

Under date of April 30, 1836, Mr. Ellis, referring to the attitude of the Mexican Government, reported:

They look upon us as either too imbecile or afraid to vindicate our just rights, and hence the continual injuries inflicted upon the persons and property of citizens of the United States. So long, then, as these impressions prevail here I am deprived of the power of rendering but little service to my countrymen * * * I would respectfully suggest the propriety of pursuing a different policy in our intercourse with the Mexican States. They ought to be made to understand that the seizure and condemnation of the property and the imprisonment of the American citizens, without in some instances even the color of law to warrant it, will be arrested by a Government whose uniform policy has been to resist violence and aggression from all foreign power.

Under date of July 20, 1836, the Secretary of State sent another communication to the American chargé d'affaires in regard to an American schooner stranded near Tabasco, in which he said:

If, contrary to the present hope, no satisfactory answer shall be given to this just and reasonable demand within three weeks, you will inform the Mexican Government that unless redress is afforded without unnecessary delay your further residence in Mexico will be useless. If this state of things shall continue longer, you will give formal notice to the Mexican Government that unless a satisfactory answer shall be given within a fortnight you are instructed to ask for your passports;

and, at the end of that time, if you do not receive such answer, it is the President's direction that you demand your passports and return to the United States, bringing with you the archives of the legation.

Pursuant to these instructions, Ellis presented the American demands in this language:

The undersigned, therefore, in compliance with instructions from the President of the United States, demands that full reparation be made to all persons who have sustained injury from the several cases now set forth; that all private claims of citizens of the United States on this Government be promptly and properly examined and suitable redress afforded; and that due satisfaction be given for the numerous insults offered to the officers and flag of the United States as heretofore represented.

After the usual delay the Mexican foreign office sent back a meaningless and evasive response. After several weeks waiting, Ellis advised the Mexican foreign office that his longer residence as representative of the Government of the United States in Mexico would be useless. After further vacillation and asking for more time for the examination of claims which had been pending for many years, the Mexican foreign office replied that the Mexican courts were open for the claimants and that the grievances complained of were the subject of diplomatic action.

Senators will perceive that American citizens were subjected to the same indignities in those days as they have been during the administrations of Madero, Carranza, and Obregon. They were imprisoned and despoiled of their property then as they have been during the past 12 years. Protests made by our Government against the wanton and willful conduct of the Mexicans toward American citizens brought no relief and failed to change the policy of the Mexican Government.

Returning to the historical matters which I am presenting, Mr. Ellis, failing to accomplish his object, left the City of Mexico on December 27, 1836, and returned to Washington, where he reported personally to President Jackson.

President Jackson, in his message of December 7, 1835, had taken rather a temperate view of the difficulties in Mexico. He said:

Revolution succeeds revolution, injuries are committed upon foreigners engaged in lawful pursuits, much time elapses before a government sufficiently stable is erected to justify expectation of redress, ministers are sent and received, and before the discussions of past injuries are fairly begun, fresh troubles arise; but too frequently new injuries are added to the old, to be discussed together with the existing Government after it has proved its ability to sustain the assaults made upon it, or with its successor, if overthrown. If this unhappy condition of things continues much longer, other nations will be under the painful necessity of deciding whether justice to their suffering citizens does not require a prompt redress of injuries by their own power, without waiting for the establishment of a government competent and enduring enough to discuss and make satisfaction for them.

In his next annual message of December 5, 1836, before the return of Ellis, President Jackson, referring again to the Mexican claims, used this language:

The just and long-standing claims of our citizens * * * are yet sources of dissatisfaction and complaint. No danger is apprehended, however, that they will not be peaceably, though tardily, acknowledged and paid * * * unless the irritating effect of her struggle with Texas should unfortunately make her immediate neighbor Mexico an exception. * * * The ancient complaints of injustice made on behalf of our citizens are disregarded, and new causes of dissatisfaction had arisen, some of them of a character requiring prompt remonstrance and ample and immediate redress. I trust, however, by tempering firmness with courtesy and acting with great forbearance upon every incident that has occurred or that may happen, to do and to obtain justice, and thus avoid the necessity of again bringing this subject to the view of Congress.

The patient and friendly efforts of President Jackson, to induce Mexico to change her course, were of no avail.

In the following February, as I have already stated, Mr. Ellis returned to the United States and reported the status of our affairs with Mexico to President Jackson, who, on February 6, made it the subject of a special message to Congress, in which he said:

At the beginning of this session Congress was informed that our claims upon Mexico had not been adjusted, but that notwithstanding the irritating effect upon her councils of the movements in Texas I hoped, by great forbearance, to avoid the necessity of again bringing the subject of them to your notice. That hope has been disappointed. Having in vain urged upon that Government the justice of those claims and my indispensable obligation to insist that there should be "no further delay in the acknowledgment, if not the redress, of the injuries complained of," my duty requires that the whole subject should be presented, as it now is, for the action of Congress, whose exclusive right it is to decide on the further measures of redress to be employed. The length of time since some of the injuries have been committed, the repeated and unavailing applications for redress, the wanton character of some of the outrages upon the property and persons of our citizens, upon the officers and flag of the United States, independent of recent insults to this Government and people by the late extraordinary Mexican minister, would justify in the eyes of all nations immediate war. That remedy, however, should not be used by just and generous nations, confiding in their strength, for injuries committed, if it can be honorably avoided; and it has occurred to me that, considering the present embarrassed condition of that country, we should act with both wisdom and moderation by giving to Mexico one more opportunity to atone for the past before we take redress into our own hands. To avoid all misconception on the part of Mexico, as well as to protect our own national char-

acter from reproach, this opportunity should be given with the avowed design and full preparation to take immediate satisfaction if it should not be obtained on a repetition of the demand for it. To this end I recommend that an act be passed authorizing reprisals, and the use of the naval force of the United States by the Executive against Mexico to enforce them, in the event of a refusal by the Mexican Government to come to an amicable adjustment of the matters in controversy between us upon another demand thereof made from on board one of our vessels of war on the coast of Mexico.

The documents herewith transmitted, with those accompanying my message in answer to a call of the House of Representatives of the 17th ultimo, will enable Congress to judge of the propriety of the course heretofore pursued and to decide upon the necessity of that now recommended.

If these views should fail to meet the concurrence of Congress, and that body be able to find in the condition of the affairs between the two countries, as disclosed by the accompanying documents, with those referred to, any well-grounded reasons to hope that an adjustment of the controversy between them can be effected without a resort to the measures I have felt it my duty to recommend, they may be assured of my cooperation in any other course that shall be deemed honorable and proper.

President Jackson was unable to secure redress for the wrongs committed against American citizens. Mexico continued her acts of spoliation and treated with the utmost disdain and contempt the pacific and pleading efforts of our Government to maintain friendly relations.

On May 27, 1837, Martin Van Buren in the meantime having become President of the United States, and it being deemed inadvisable to resume regular diplomatic relations with Mexico, the Secretary of State dispatched a special messenger, Robert Greenhow, to Mexico with instructions to deliver to the minister of foreign affairs a diplomatic package containing a letter from the Secretary and a categorical statement of pending American claims, and to obtain a written acknowledgment of its receipt. In his letter to the minister of foreign affairs of Mexico the Secretary of State said:

The direction of the President of the United States has made it the duty of the undersigned, the Secretary of State of the United States, to address the minister of foreign affairs of the Mexican Republic for the purpose of inviting for the last time the serious attention of the Government of that country to the numerous, various, and long-standing complaints of injuries to the citizens and insults to the officers, flag, and Government of the United States by Mexican authorities, and to make a solemn and final demand of satisfaction for them.

I pause to direct the attention of Senators to the indictment contained in the foregoing communication against the Mexican Government. This strong State paper points out the continued misconduct of the Mexican Government and its insults to the flag and to the Government of the United States. But then, as now, the protests of our Government were unheeded and the outrages and indignities continued.

Recurring again to this subject, in his annual message of December 5, 1837, President Van Buren said:

A sincere believer in the wisdom of the pacific policy by which the United States has always been governed in their intercourse with foreign nations, it was my particular desire, from the proximity of the Mexican Republic and well-known occurrences on our frontier, to be instrumental in obviating all existing difficulties with that Government and in restoring to the intercourse between the two Republics that liberal and friendly character by which they should always be distinguished. I regret, therefore, the more deeply to have found in the recent communications of that Government so little reason to hope that any future reference of mine for the accomplishment of these ends would be successful, although the larger number, and many of them aggravated cases of personal wrongs, have been now for years before the Mexican Government, and some of the causes of national complaint, and those of the most offensive character, admitted of immediate, simple, and satisfactory replies, it is only within a few days past that any specific communication in answer to our last demand, made five months ago, had been received from the Mexican minister. * * * On a careful and deliberate examination of their contents, as considering the spirit manifested by the Mexican Government, it has become my painful duty to return the subject as it now stands to Congress, to whom it belongs, to decide upon the time, the mode, and the measure of redress.

It was the view of Congress that any affirmative action by our Government would have to be that of war. Facing this eventuality, a convention was finally signed on September 11, 1838, to settle the American claims by arbitration. Mexico, however, true to her dilatory character, did not ratify this convention and it was necessary to make a new convention in 1840 before the arbitration could proceed. The commissioners of Mexico and the United States could only agree on the amount of \$450,000, but the umpire, appointed by the King of Prussia, awarded \$2,026,149.68, and it must be remembered that these claims had accrued within the first 10 years after the recognition of the independence of Mexico by the United States.

Senators will note that the award made by the umpire appointed by the King of Prussia embraced but a few claims which had arisen during the first 10 years following the independence of Mexico. The numerous claims arising during nearly two decades, following this 10-year period, were not considered, and Mexico refused to meet these claims or to compensate for the wrongs done by her to American nationals and to the American Government during this period of nearly 20 years.

But the mere liquidation of these claims did not assure their payment by Mexico. It seemed that the only way by which payment could or would be obtained was by the cession of territory. To this effect Mr. Thompson, the American minister to Mexico, wrote Webster, Secretary of State, under date of April 29, 1842:

I believe that this Government would cede to us Texas and the Californias, and I am thoroughly satisfied that that is all we shall ever get for the claims of our merchants on this country. As to Texas, I regard it of very little value compared to California, the richest, the most beautiful, and the most healthy country in the world. Our Atlantic border secures us a commercial ascendancy there, with the acquisition of upper California we should have the same ascendancy on the Pacific. * * * It is a country in which slavery is not necessary, and therefore, if that is made an objection, let there be another compromise. France and England both have their eyes upon it.

Great Britain was approached on this subject, and Lord Ashburton replied that England would make no objection to it. In 1845 John Slidell was appointed minister to Mexico, and in his instructions from Buchanan, Secretary of State, is the following:

Under these circumstances it is the desire of the President that you shall use your best efforts to obtain a cession of that Province from Mexico to the United States. Should you accomplish this object you will render immense service to your country and establish an enviable reputation for yourself. * * * Should you, after consulting the Mexican authorities on the subject, discover a prospect of success the President would not hesitate to give, in addition to the assumption of the just claims of our citizens on Mexico, \$25,000,000 for the cession.

In his first annual message to Congress on December 2, 1845, the President reviewed the situation as to Mexican claims and said:

The independence of Texas is a fact conceded by Mexico herself, and she had no right or authority to prescribe restrictions as to the form of government which Texas might afterwards choose to assume. But though Mexico can not complain of the United States on account of the annexation of Texas, it is to be regretted that serious causes of misunderstanding between the two countries continue to exist, growing out of unredressed injuries inflicted by the Mexican authorities and people on the persons and property of citizens of the United States through a long series of years. Mexico has admitted these injuries but has neglected and refused to repair them. Such was the character of the wrongs and such the insults repeatedly offered to American citizens and the American flag by Mexico, in palpable violation of the laws of nations and the treaty between the two countries of the 5th of April, 1831, that they have been repeatedly brought to the notice of Congress by my predecessors. As early as the 6th day of February, 1837, the President of the United States in a message to Congress declared that "the length of time since some of the injuries have been committed, the repeated and unavailing application for redress, the wanton character of some of the outrages upon the property and persons of our citizens, upon the officers and flag of the United States, independent of recent insults to this Government and people by the late extraordinary minister of Mexico, would justify in the eyes of all nations immediate war." * * * Since these proceedings, more than eight years have elapsed, during which, in addition to the wrongs then complained of, others of an aggravated character have been committed on the persons and property of our citizens.

A special agent was sent to Mexico in the summer of 1838 with full authority to make another and final demand for redress. The demand was made; the Mexican Government promised to repair the wrongs of which we complained, and after much delay a treaty of indemnity with that view was concluded between the two powers on the 11th of April, 1839, and was duly ratified by both Governments. By this treaty a joint commission was created to adjudicate and decide on the claims of American citizens on the Government of Mexico. The commission was organized at Washington on the 25th day of August, 1840. Their time was limited to 18 months, at the expiration of which they had adjudicated and decided claims amounting to \$2,026,139.68 in favor of citizens of the United States against the Mexican Government, leaving a large amount of claims undecided. Of the latter the American commissioners had decided in favor of our citizens claims amounting to \$928,627.88, which were left unacted on by the umpire authorized by the treaty. Still further claims, amounting to between three and four millions of dollars, were submitted to the board too late to be considered and were left undisposed of. The sum of \$2,026,139.68 decided by the board was a liquidated and ascertained debt due by Mexico to the claimants and there was no justifiable reason for delaying its payment according to the terms of the treaty. It was not, however, paid. Mexico applied for further indulgence, and in that spirit of liberality and forbearance which has ever marked the policy of the United States toward that Republic, the request was granted, and on the 30th of January, 1843, a new treaty was concluded. By this treaty it was provided that the interest due on the awards in favor of claimants under the convention of the 11th of April, 1839, should be paid on the 30th of April, 1843, and that—

"The principal of the said awards and the interest accruing thereon shall be paid in five years, in equal installments every three months, the said term of five years to commence on the 30th day of April, 1843, aforesaid."

It was postponed practically five years.

The interest due to the 30th day of April, 1843, and the first three of the twenty installments have been paid. Seventeen of these installments remain unpaid, seven of which are now due.

The claims which were left undecided by the joint commission, amounting to more than \$3,000,000, together with other claims for spoliations on the property of our citizens, were subsequently presented to the Mexican Government for payment, and were so far recognized that a treaty providing for their examination and settlement by a joint commission was concluded and signed at Mexico on the 20th day of November, 1843. This treaty was ratified by the United States with certain amendments to which no just exception could have been taken, but it has not yet received the ratification of the Mexican Government. In the meantime, our citizens, who suffered great losses—and some of whom have been reduced from affluence to bankruptcy—are without remedy unless their rights be enforced by their Government. Such a continued and unprovoked series of wrongs could never

have been tolerated by the United States had they been committed by one of the principal nations of Europe. * * * We have, therefore, borne the repeated wrongs she has committed with great patience, in the hope that a returning sense of justice would ultimately guide our councils and that we might, if possible, honorably avoid any hostile collision with her. Without the previous authority of Congress the Executive possessed no power to adopt or enforce adequate remedies for the injuries we had suffered, or to do more than to be prepared to repel the threatened aggression on the part of Mexico.

Not only did the succeeding months not bring any adjustment of our difficulties with Mexico, but on May 11, 1846, President Polk in a special message advised Congress that a state of war existed with Mexico because of the aggression of Mexican forces upon American territory and the shedding of American blood in Texas. The President referred to "the long-continued and unredressed wrongs and injuries committed by the Mexican Government on citizens of the United States in their persons and property," as briefly set forth in his annual message of the preceding December.

The President further said:

In communicating to Congress a succinct statement of the injuries which we have suffered from Mexico, and which have been accumulating during a period of more than 20 years, every expression that could tend to inflame the people of Mexico or defeat or delay a pacific result was carefully avoided. An envoy of the United States repaired to Mexico with full powers to adjust every existing difference. But though present on the Mexican soil, by agreement between the two Governments, invested with full powers, and bearing evidence of the most friendly dispositions, his mission has been unavailing. The Mexican Government not only refused to receive him or listen to his propositions but after a long-continued series of menaces have at last invaded our territory and shed the blood of our fellow citizens on our own soil. * * * Thus the Government of Mexico, though solemnly pledged by official acts in October last, to receive and accredit an American envoy, violated their pledged faith and refused the offer of a peaceful adjustment of our difficulties. Not only was the offer rejected but the indignity of its rejection was enhanced by the manifest breach of faith in refusing to admit the envoy who came, because they had bound themselves to receive him, nor can it be said that the offer was fruitless from the want of opportunity of discussing it; our envoy was present on their own soil. Nor can it be ascribed to a want of sufficient powers; our envoy had full powers to adjust every question of difference. Nor was there room for complaint that our propositions for settlement were unreasonable; permission was not even given to our envoy to make any proposition whatever. Nor can it be objected that we, on our part, would not listen to any reasonable terms of their suggestion; the Mexican Government refused all negotiations and had made no proposition of any kind. * * * The grievous wrongs perpetrated by Mexico upon our citizens throughout a long period of years remain unredressed, the solemn treaties pledging her good faith for redress have been disregarded. A government either unable or unwilling to enforce the execution of such treaties fails to perform one of its plainest duties. * * * Our commerce with Mexico has been almost annihilated.

It was formerly highly beneficial to both nations, but our merchants have been deterred from prosecuting it by a system of outrage and extortion which the Mexican authorities have pursued against them, whilst their appeals through their own Government for indemnity have been made in vain. Our forbearance has gone to such an extreme as to be mistaken in its character. Had we acted with vigor in repelling the insults and redressing the injuries inflicted by Mexico at the commencement, we should doubtless have escaped all the difficulties in which we are now involved. * * * In the meantime we have tried every effort at reconciliation. The cup of forbearance had been exhausted even before the recent information from the frontier of the Del Norte. But now, after reiterated menaces, Mexico has passed the boundary of the United States, has invaded our territory and shed American blood upon American soil. She has proclaimed that hostilities have commenced and that the two nations are now at war. As war exists, and notwithstanding all our efforts to avoid it, exists by the act of Mexico herself, we are called upon by every consideration of duty and patriotism to vindicate with decision the honor, the rights, and the interests of our country. * * * The most energetic and prompt measures and the immediate appearance in arms of a large overpowering force are recommended to Congress as the most certain and efficient means of bringing the existing collision with Mexico to a speedy and successful termination. In making these recommendations I deem it proper to declare that it is my anxious desire not only to terminate hostilities speedily but to bring all matters in dispute between this Government and Mexico to an early and amicable adjustment; and in this view I shall be prepared to renew negotiations whenever Mexico shall be ready to receive propositions or to make propositions of her own.

At that time there were outstanding against Mexico liquidated claims in the sum of \$2,026,139.68 and unliquidated claims in the sum of \$8,491,603, making a total of outstanding claims of \$10,517,742.68, together with the interest thereon. These claims had accumulated in the 20 years succeeding the recognition of the independence of Mexico by the United States. The result is well known. Santa Anna, the Mexican President, who had provoked the war, was decisively defeated at Buena Vista by the forces of Gen. Zachary Taylor on February 22 and 23, 1847.

Later General Scott captured the city of Mexico, and the war ended. A treaty of peace was signed at Guadalupe Hidalgo on February 2, 1848, and subsequently ratified by the two Governments. The independence of Texas had been achieved in 1836, and the outstanding dispute as to the Texas boundary was definitely fixed at the Rio Grande. California, independent of the American occupation, had declared its independence of Mexico, and its separation from that country was inevitable without any intervention on the part of the United States. The new boundary of Mexico followed the Rio Grande to the southern boundary of New Mexico near El Paso; thence by the

line of the south boundary of New Mexico and the Gila River to its junction with the Colorado and thence westward to the Pacific Ocean. For the cession of New Mexico, barren and unoccupied as it was, and of California, which would have been independent of Mexico without the United States, the United States paid Mexico \$15,000,000 in gold—a greater sum than was paid France for the cession of the imperial domain of Louisiana. No money indemnity was exacted from Mexico covering the American cost and losses in the war and as part of the settlement the United States assumed and paid in addition thereto outstanding claims of its own citizens against Mexico for illegal outrages and spoliations in the sum of more than \$11,000,000.

The result was that American honor received a tardy vindication by a last resort to force that the principles of American liberty and law, of order and progress, were extended over the Territories of New Mexico and California for the assurance of the wealth of these territories and the welfare of their inhabitants, whether of Mexican or American antecedents. California was admitted into the Union in 1850 and Arizona and New Mexico were admitted into the Union in 1912. It goes without saying that the good people of Mexican antecedents within these States are infinitely better off with respect to their lives, the enjoyment of liberty, and the occupation and use of their lawful possessions than they would be under the present Mexican régime, and that the States of Arizona and New Mexico have a much more satisfactory status from every standpoint as members of the American Union than they could possibly have as members of the Mexican confederation.

Mr. President, in referring to the benefits derived by the inhabitants of those States, now a part of the Union, but which at one time constituted a part of Mexico, I have no intention of conveying the thought that the United States should annex a single foot of Mexico's territory. I have merely stated a fact which is easily demonstrable if one looks at the growth and progress of that great domain now a part of the United States, and which was ceded by Mexico under the terms of the treaty of Guadalupe Hidalgo. In the very nature of things this last domain could not have remained a part of Mexico unless the latter kept pace with the civilization, development, and liberal thought of the nineteenth and twentieth centuries. That great territory was destined to be inhabited by a progressive and civilized people. California has more wealth than all Mexico. Notwithstanding Mexico's failure to discharge her duties as a civilized State and despite the wrongs which she has committed in respect to American citizens, I am opposed to any policy which contemplates the annexation of any Mexican territory. Our Government has no lust for territory. It seeks no conquest. It has no imperialistic ambitions. We will soon withdraw from the Philippine Islands, and that archipelago will be governed by the people who inhabit it and to whom it belongs. And we will not retain control over Santo Domingo or Haiti, but our military occupation will soon terminate, as it should, and the people of those States will be permitted to establish such governments as they desire.

This Republic, more than any other nation, must be the outstanding figure demanding justice for weak peoples and for all races. Because of the wealth and power of the United States, it must scrupulously regard the rights of all peoples and respect the sovereignty and integrity of the lowliest of nations. This Republic must help by sympathy and in every proper way the oppressed in all lands.

It must exhibit the most disinterested friendship in behalf of all people and regard with genuine sympathy the efforts and aspirations of peoples who are struggling for freedom and advancement, nor must we with smug complacency and with contempt and disdain look upon the culture and racial characteristics of other peoples.

I have sometimes thought we have been intolerant of racial differences and have ascribed to ourselves virtues which we may not claim. Mexico has no reason to fear this Republic. All that we desire is that Mexico shall do her duty to her own people and to other nations. We have no desire to interfere with her internal affairs or to superimpose upon her a form of government not desired by the Mexican people. We have a right to demand that she shall pursue a course of justice toward American citizens who have interests in Mexico. We ask no greater rights for American citizens in Mexico than we accord to Mexican citizens who have interests within the United States.

I have no disposition to exploit the distress of Mexico in the 30 years following the Mexican peace until the advent of Porfirio Diaz in 1877. These years were but a recurrence of the revolutions and disorders which had characterized the history of Mexico from the beginning. Dictator after dictator seized political power by violence and in turn himself came to a vio-

lent end, so that the history of Mexico from 1810 until 1877 was a history of successions of revolution, disorders, and dictatorships following each other as year succeeded year.

With the accession of Diaz to political power a new era opened for that country. There was continued peace with the United States and all the world. Commerce flourished and expanded. Americans entered the country and built thousands of miles of railroads, opened the forests and the mines, constructed great smelters, built public works, redeemed great plantations from jungle and desert, and by their efforts increased the wealth of Mexico a thousandfold and the welfare of the Mexican people to an unprecedented degree. The mines of Mexico developed by Americans had in many instances been properties that had been abandoned by Spaniards and Mexicans as incapable of profitable operation. They were in all cases private properties, the legal titles of which were obtained from the legal owners and were not dependent since upon concessions or favors from the Mexican Government.

The same is true of the forest and the oil lands upon which Americans developed the great oil production of Mexico. These were all private lands purchased by Americans from the legal owners and with the legitimate use, occupation, development, and exploitation of which the Mexican Government had no right to interfere. The rents, issues, and profits of these lands belonged to their American owners without concession or favor from the Mexican Government. The lands had for centuries been in the possession of Mexican citizens who were unable, because of lack of knowledge, lack of enterprise, and lack of capital, to exploit or develop their potential uses and productiveness. The passing of these lands into the hands of Americans and their consequent development and improvement was a great benefit to Mexico and to the Mexican people. There was nothing illegal or impolitic or detrimental about it. The whole history of Americans in Mexico has been one of benefit to that country. Americans have not impoverished Mexico. There is no Mexican who is the poorer because of the presence or property of Americans in that country.

I call attention later to the fact that thousands of Americans have small landed interests in Mexico. They have converted barren deserts into fruitful fields and thus added to the wealth of Mexico. Thousands of Mexicans have received profitable employment at the hands of Americans at wages much in excess of those formerly paid, or paid by Mexican employers, and it may be truthfully said that where Mexicans have been employed by Americans they have been treated better by their American employers than they were by their Mexican taskmasters. The wages paid in Mexico have steadily risen since the advent of Americans, and particularly since they have become interested in the development of mines, railroads, and other important enterprises. It is quite likely that lands have been acquired from the Government or from Mexican citizens at relatively small prices, but no American has acquired lands that might not have been obtained by others, including Mexicans themselves, under the same conditions and at the same values.

I have referred to the fact that thousands of Mexicans have taken up their residence in the United States, and many have become naturalized citizens. There have been no obstacles interposed to the acquisition by Mexicans of property in the United States. In the States of California, Arizona, New Mexico, and Texas, as well as other Western States, thousands of Mexicans own real estate and other property, and are protected in their enjoyment of the same to the same extent as are Americans. Their rights are vindicated as quickly by the courts as are the rights of American citizens. They rejoice in the blessings of peace and liberty under the flag of this Republic. American citizens desire only the same protection upon Mexican soil as is granted to Mexicans upon American soil.

It was suggested to me this morning, when I remarked that I expected during the day to speak upon conditions in Mexico, that Americans should remain at home and not make investments in other lands.

Well, Mr. President, that would seem to be the policy of our Republican friends, because the tariff bill reported by them and which is now before us seeks to cut off our trade with all nations. The Fordney-McCumber bill is calculated to bring about economic isolation and to commit the American people to the greed and avarice of domestic producers and manufacturers. While boasting of the greatness of America and its importance as a world power, they seek to cripple its influence and to drive its commerce from the seas. The schedules found in the bill range from 150 per cent to 1,000 per cent above the rates found in the Payne-Aldrich law, and Republican orators shudder with fear when the suggestion is made that

there is a possibility of the products of other lands being brought to our shores for consumption by the American people.

But let me analyze for a moment this suggestion that Americans should stay at home. If that be a sound principle, it is equally applicable to foreigners and they should not come to the United States or make investments in our country, and if that view is to prevail, then each country should withdraw from all intercourse with all other lands and erect impassable barriers so that there may be no migration or immigration, no imports of commodities, and no exports of surplus products. That would lead to a condition of Nirvana, sought by East Indians—rest, stagnation, inanimateness. But the world is vibrant with a broad and generous spirit of internationalism. We send our thoughts and our intellectual wealth to other lands and receive in return the intellectual riches produced beyond the seas. We more and more appreciate that we belong to a glorious cosmogony which is bound together by ethical and moral and spiritual ties which in their development bring us closer together industrially and economically and confirm the thought of great teachers and philosophers that humanity is governed by the same laws and united by indestructible ties.

Millions of American citizens were born in other lands, but are now a part of this Republic and have made contributions to the progress and development of our country. Hundreds of millions of foreign capital found investment in the United States, in mines and smelters and railroads and mills and factories and great enterprises which added to the wealth of the Nation and the prosperity of the people. There may be investment without robbery and exploitation. Who shall say that Holland and Belgium and other nations who invested millions in the United States robbed and oppressed the American people?

Americans have invested in Europe more than \$7,000,000,000, and European nations owe our Government eleven billions. We therefore are interested in other nations. It ought not to be said that our interest is only that of creditors. Is it to be the policy that Americans may not invest in other lands? Is it morally wrong to trade with China and Japan and the nations of Europe? Is it in contravention of the principles of justice and righteousness that our overflowing wealth should not in part be used to aid in the development of other countries? Is it to be the future policy of this Republic that we will make no investments of capital beyond the limits of the United States?

I concede that there have been many instances in the history of the world where capital has sought undue advantages when invested in impoverished countries. I have no doubt hard bargains have been driven between capitalists and bankrupt Governments, and undoubtedly there are instances where foreigners have sought to interfere with the governments in which they had investments and to instigate internal strife, if not revolution. These things, of course, are to be condemned. They should not be tolerated. They are not in harmony with that true and genuine international spirit which should bind peoples and nations together in amity. There are buccaneers and profiteers within every land, and there are international buccaneers and pirates who attempt to prey upon weak and defenseless peoples. But these odious instances, which are exceptions, must not be regarded as the rule nor the basis for future relations among peoples and nations.

Americans are investing in Canada. They have invested hundreds of millions in Mexico and have holdings in many other countries. If we are to become a great factor in international trade and commerce, we must make capital investments in other countries. Germany's phenomenal growth is due in part to her large investments in other countries. Great Britain has sent her sons into every land and clime, and they have been advance agents of British goods and products.

I am not prepared to indorse a policy that forbids Americans from making investments in other countries, nor am I willing to approve a policy which prohibits foreign investments being made in the United States. Indeed, I would like to see reciprocal investments and treaties entered into which would guarantee private property of nationals from seizure in the event of war between nations. Our country has always contended for the immunity of private property from seizure or confiscation when international conflicts arose. One may be truly nationalistic and devoted to country and yet promote the intimate relations which do and must exist between races and peoples. Devotion to one's family broadens one's sympathies and increases affection and love for humanity. We can be Americans in all that the term implies, loving our country with a devotion that leads to the sacrifice of life itself, and yet feel the spirit of world union and international concord and amity.

Of course, our Government can warn Americans against going to other lands or acquiring property therein, although we might deny its power and authority so to do, and it can refuse to protect them or to vindicate their rights against wanton attacks by other nations. Such a course, however, would be universally regarded as cowardly and unworthy of a self-respecting and independent nation.

The question, may I add at this point, will soon be presented to the Government, and it will have to determine it, whether Americans will be protected in their persons and in their property against wanton and malicious assaults and the expropriating policies of nations in which such Americans have investments or may temporarily reside.

If it is to be the policy not to protect citizens of the United States when they are beyond its shores, and if they are to visit other lands or make investments therein at their peril, then announcement of that policy should be made.

Mr. FLETCHER. Mr. President—

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

Mr. KING. I yield.

Mr. FLETCHER. Before the Senator proceeds along that line of thought, I wish to ask him with reference to the situation in Mexico. He spoke about the rights of our nationals, and so forth. What is the situation to-day? Can the Senator tell me whether or not there are prospects of recognizing the Government of Mexico and how far proceedings have progressed in that direction? What have we to look forward to in that connection? Without violating any confidences or any State secrets or anything of that sort, if the Senator can enlighten us on the subject, I would like for him to do so.

Mr. KING. I was diverted by the suggestion of Americans remaining at home, and I return to a discussion of the Mexican situation. I intended before concluding my remarks to refer to some of the matters involved in the questions propounded by the Senator from Florida.

Replying briefly to his questions, I think I am accurate in my statement when I say that the situation in Mexico to-day is wholly unsatisfactory, not only to the Mexican people but to all foreigners, and particularly those who have interests in Mexico. As I view the situation, conditions have improved, if at all, but little since Obregon seized the reins of power. On the surface at times there seems to be some improvement, but fundamentally conditions are bad, and in my opinion there is no promise of any immediate reforms. There is still brigandage, rapine, and murder and the confiscation of property, both that of Mexicans as well as of foreigners. As I have already said, thousands of the best people of Mexico have sought refuge in the United States and in other countries and dare not return to their homes. Brutal and ignorant soldiers and venal and corrupt politicians control many of the States as well as the Federal Government.

Communists control a number of the States and their influence is powerful in the affairs of the Mexican Government. Poverty and distress exist among the great mass of the people. Disease and pestilence have carried hundreds of thousands to an untimely death. Indeed, it seems as if there is a dark and deadly pall over the entire land. The property of Americans is still being stolen and confiscated. Nothing is being done by the Mexican Government to right the wrongs committed in the past or to make reparations for the hideous crimes and the confiscations which have taken place.

I receive many letters from American citizens inviting attention to the anarchy and brigandage existing in Mexico and to their inability to obtain any redress for the outrages to which they have been subjected. Our own Government seems to be powerless to protect Americans or to secure for them any compensation for the property of which they have been despoiled. Valuable plantations which have been developed by Americans and upon which they have expended large sums have been destroyed, houses and mills have been burned, peaceful Mexican employees have been driven from homes which were built by their American employers, and lands that have been developed have grown up to weeds and underbrush.

A friend of mine advised me by letter, which I received this morning, that he desired to return to Mexico to try and save his real estate, but dared not do so. He spent 18 years in developing this property, and he and his father expended thereon perhaps hundreds of thousands of dollars.

They took wild and sterile lands and converted them into cane fields and producing farms and plantations. They built commodious houses and erected suitable structures for hundreds of employees. They built a schoolhouse and mills and other extensive improvements. They were driven from their lands a number of years ago. Their buildings were burned, their cattle

and horses and all personal property were stolen or destroyed, and their fine fields and farms and plantations have reverted to their original state. He was notified by the Government that he must pay immediately \$58,000 or the real estate would be confiscated. He was driven out by the Carranza government and he has been afforded no protection by the Obregon government.

Mr. WATSON of Georgia. Mr. President—

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

Mr. WATSON of Georgia. I remind the Senator in that connection that because the Greeks in a certain riot attacked the dwelling of one English subject and ransacked the house, destroying the furniture, the British Government compelled the Greek Government to pay that man fourfold, sent warships into the Greek harbor, and would have gone to war if the money had not been paid.

Mr. KING. And the Senator will remember what happened to China. Various nations combined and imposed upon China indemnities and conditions which I think were unjust and too oppressive.

Recently my attention was called to the action of the Mexican Government in ordering the confiscation of 100,000 acres of land upon which Americans had lived and upon which they had placed valuable improvements. Many of the Americans had been driven out of Mexico, but some had returned, and, as I understand, were endeavoring to rebuild their homes and restore the cultivated land to its former productivity. The act of confiscation was an executive order and made no provision for compensation to the owners. The State Department, at my request, made representations to the Mexican Government, and it was finally restored to the owners; but within the past few weeks, I have been advised, another order has been issued which results in the confiscation of a portion of this tract of land.

The hearings conducted by the Senate committee in 1920 show that Americans have sustained damages to their properties in Mexico amounting to at least \$500,000,000. Real estate is now being taken under the form of law, but no compensation is awarded to the owners. Industrially perhaps Mexico is in as serious a situation now as ever before, and the illegal and confiscatory decrees, both of States and the Federal Government, are obstacles to the rehabilitation of the country.

Mr. WATSON of Georgia. Mr. President—

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

Mr. WATSON of Georgia. If what the Senator from Utah says is true—and I have no doubt in the world that it is—have we not now at least as strong a cause for war against Mexico as we had against Germany?

Mr. KING. Mr. President, Germany wronged American citizens, but Germany did not do the damage to American property that Mexico has done, nor did she kill as many American citizens as has Mexico. So if the standard be life and property, and those be put in the scale as determining whether there is cause for war, then I am inclined to the view that we have as great cause for war against Mexico as we had against Germany.

Mr. WATSON of Georgia. Mr. President—

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

Mr. WATSON of Georgia. I ask the Senator from Utah whether he remembers the "olive-branch" speech which our ambassador, Mr. Gerard, made to the Kaiser's ministers in Berlin on the night of January 28, 1917; and I will also ask him to state, if he can, what causes of war arose after that speech was made?

Mr. KING. Mr. President, I esteem my friend from Georgia, and pay tribute to his historical knowledge. I have some recollection of the speech referred to; but my good friend, I am sure, will pardon me if I do not digress too far from the subject which I am attempting to discuss. Already I have been led into digressions, so that there will be no continuity in my remarks and no concise or logical presentation of matters under discussion.

Mr. FLETCHER. Mr. President, if I may, I desire to ask the Senator from Utah a question. He has referred to certain destruction of property and life in Mexico and he has also referred to the Obregon government. I desire to ask whether or not that destruction has taken place through the operations of irresponsible groups of people here and there—

Mr. KING. No—

Mr. FLETCHER. Or whether all of the destruction to which he refers may be attributed to the Government of Mexico as it exists—in other words, the Obregon government—and whether or not that government is responsible for these things which have happened?

Mr. KING. In 1917, when Carranza was in power, a constitution was adopted which contained provisions authorizing

the expropriation of private property. The constitution has been declared by many to be communistic, or at least to evidence a spirit of Bolshevism upon the part of those who drafted it. Under this constitution, and particularly since Obregon became President, hundreds of thousands of acres of land have been confiscated, not alone by the Federal Government but by a number of the States constituting the Mexican Republic.

As I have heretofore stated, many Mexicans have suffered through the application of this constitution, and their property has been taken from them, as the property of Americans and other aliens have been taken. These acts of spoliation can not be denominated judicial. Indeed, they are forcible seizures and confiscations of privately owned property. Obregon's government has confiscated large areas, and State governments have also seized and disposed of vast tracts of land, the title to which no one could question. Let me say to the Senator that under this constitution Americans and, for that matter, foreigners are denied the right to acquire any property; that is, land, streams, mines, and so forth, within a hundred kilometers of the northern and southern boundaries of Mexico, and within 50 kilometers of the seashore.

It is within these prohibited areas that most of the real property owned by Americans is situated. If the Senator from Florida had acquired by his toil and efforts a tract of land within 62½ miles of the northern boundary of Mexico, or within 31½ miles of the Gulf of Mexico, or the Gulf of California, he could not, under the provisions of this constitution, transmit it to his children or dispose of it to a citizen of the United States. Indeed, if permitted to sell at all, the sale could be made to a Mexican only.

Mr. FLETCHER. Mr. President, has the Mexican Government manifested no disposition to get away from that harsh and absurd provision of the Mexican constitution?

Mr. KING. As I interpret the actions of the Obregon government, I am compelled to answer in the negative.

Mr. FLETCHER. I had understood that they would probably change that provision of the constitution.

Mr. KING. I think the Senator refers to the interpretation placed upon article 27 of the constitution, which is construed to be retroactive and which deprives persons of property which they lawfully own and the title to which can not be challenged. The Senator will recall that Carranza attempted, under the retroactive provisions of this constitution, to seize the oil lands owned by Americans and others. These lands were acquired in good faith many years ago, and under laws and a constitution which recognized private ownership in lands and a complete and indefeasible title thereto. Our Government has insisted that the constitution should not be given a retroactive interpretation. What will finally be done by the Mexican Government, no one can determine. The courts have held that the constitution was retroactive, but in the Texas case it was decided in favor of the private owner of the property. However, that decision is not final, or at least it constitutes no precedent and may not be relied upon by any owner of property or regarded as any assurance that the validity of his title may not at any moment be assailed.

I repeat, the Mexican Government is constantly seizing private property. In some instances it pretends to divide it among the peons. However, as I am advised, in most instances where they have been placed in possession they have not been satisfied and have evinced no great interest in retaining or holding the lands parceled out to them.

The Senator asked me what the prospects were of recognizing the Government of Mexico and what progress had been made in that direction. I do not think I can give any satisfactory answer to the Senator, but he will recall that Secretary Colby and Secretary Hughes have indicated to Mexico upon what conditions recognition would be accorded the Obregon régime. The suggestions contained in the notes referred to were such as any fair and honest government should promptly accede to. Indeed, many think the conditions named did not sufficiently provide for the protection of Americans or require sufficient assurance that citizens of the United States would be recompensed for the injuries sustained and for which the Mexican Government, upon principles of justice, should be held accountable.

Mr. President, when interrupted by the Senator from Florida I was speaking, by way of digression, of the policy of the Republicans to cut off our trade with other nations. I was combating the thought that Americans should not make investments abroad and that a policy of national isolation should be adopted by this Republic. That view belongs to the Dark Ages and the days of the troglodytes. Our prosperity has resulted from trade and commerce. Great Britain's supremacy for so many centuries grew out of her world commerce, and Germany,

when she began to trade with all nations, became a powerful factor in the industrial and financial world.

We have built a mighty fleet that our products may be carried to all lands. Our ships will rot while tied to our wharves if we follow the reactionary policies of those who now control the Republican Party. President Harding is demanding an enormous ship subsidy and we will be asked to appropriate tens of millions of dollars annually from the Treasury to meet the expenses of our merchant marine.

Why build ships and why retain them if we have no commerce? The world is moving forward not backward. Antedeluvian policies do not meet the present-day situation, and fossilized leaders in the political arena must give place to men of vision and enterprise, who properly visualize the world's problems and the responsibilities of great nations. We must send argosies to all lands and bring back the treasures of those beyond the seas. Young men of genius and courage will go into other lands. They will seek the oil fields of South America, of Asia, and of far-off lands. They will find markets for our surplus products and be messengers of the American agriculturists and business men and the great industries whose success largely depends upon foreign markets.

Recently we passed a bill permitting the formation of corporations to engage in business in far-off China. It was defended by the able Senator from Iowa [Mr. CUMMINS], as well as other Senators, and the avowed purpose was to enable American business men to secure a fair share of China's trade. It was contended that we were not obtaining our share of the oriental trade and would be unable to unless corporations were formed in which the Chinese could participate.

We must have an outlet for our surplus products. With our inexhaustible resources, particularly those comprising the primary and fundamental products, our prosperity will be arrested unless we can secure a large share of the world's commerce. Shall we penalize Americans who are endeavoring to carry the American flag to the ports of the world? Shall we announce that neither they nor their property will receive governmental protection in foreign lands or upon the high seas? Shall we say to Americans, "You did wrong in building railroads and smelters, mills, and electric plants, and waterworks in Mexico and in turning the streams out upon the deserts and causing the latter to blossom as the rose"? Shall we say to the more than 475,000 Mexicans who are living in the United States, not to speak of the several hundred thousand who are refugees, that they have no right upon American soil and must return to Mexico? Shall we say to Americans who had real and personal property in Mexico of the value of more than \$1,000,000,000, as found by the Senate committee, that they must abandon Mexico and their property? Shall we say to the widows and children whose husbands and fathers have been ruthlessly murdered in Mexico that the dead were trespassers and that no reparation can be exacted for their foul and cowardly assassination? These questions, sooner or later, this Government must determine.

Mr. President, I do not want my position misunderstood. I am not advocating or defending the exploitation of any country or the adoption of any imperialistic policy, but I am contending in favor of a broad and liberal international policy which encourages international trade and commerce, which brings the peoples of all nations into closer relations, which not only justifies but approves of legitimate and proper investments being made by the nationals of all countries outside the boundaries of their own States. An American is no less a patriotic American because he builds an electric light plant in Canada or in Mexico, nor does a Mexican lose his citizenship or his right to protection from his Government because he acquires property in the United States or in Guatemala.

I am told that a former Secretary of State declared that Americans should keep out of Mexico and should make no investments therein. If he did, I do not approve of his position. I repeat that the narrow and provincial spirit of the past, which locked persons within their own country, is not the spirit which should guide the nations to-day. Knowledge is bringing the people together; ignorance divides. Our great philosophers and teachers recognized the unity and solidarity of the human race, and the efforts of great statesmen and prophets and leaders should be directed toward world peace and fellowship.

The United States clings to the Monroe doctrine as a national policy. Without discussing the reason for this doctrine or its limits and implications, I most earnestly submit that, in any aspect of the case, it is the duty of the United States to seek the most cordial and friendly relations in dealing with the Latin American Republics. Our Nation should pursue a course that will secure their confidence, respect, and, indeed, affection in all our dealings with them; diplomatic, official, or otherwise. It

should not be forgotten that by reason of propinquity, as well as other reasons, this Nation feels a special interest in the Republics to the south of it.

While this is not germane to the subject under consideration, permit me to say that I have felt that American business men have not cultivated as they might have done the peoples of Latin America, nor have they adopted the wisest course to secure a larger and more enduring trade. Inquiry will confirm the statement so often made by our ministers and consular agents that European business houses have pursued a course in their dealings with South and Central America which has resulted in giving to them much of the trade and commerce arising therein which the United States might have secured.

European business houses, in the development of their foreign trade, have sent representatives to various countries, where they resided for limited or indefinite periods. They thus came into contact with the people and constituted a binding link between them and their own countries. Germans and Britishers and representatives of European countries before the war could be found in large numbers in practically all the Latin-American Republics. They pushed the trade and commerce of their respective countries. They identified themselves to a greater or less degree with the communities to which they went and thus secured for the business enterprises which they represented much of the commerce to which we were entitled and which we could have obtained if we had sought it in a proper and effective manner.

I return to the matter which I was discussing before the last interruption, namely, the interests of Americans in Mexico. At the overthrow of the Diaz government in May, 1911, there were 75,000 Americans resident in that country, not including transients and visitors. There were 2,000 Americans engaged in the railway, 5,000 engaged in mining, 8,000 engaged in other lines of business or residing in the country for reasons of health or diversion. There were 4,000 Americans engaged in agriculture in the American colonies of Chihuahua alone, and perhaps 15,000 more in other parts of Mexico.

There have always been more Mexicans in the United States than Americans in Mexico, but the relatively few Americans in Mexico have exercised an interest in the commerce, industry, and economy of the country of much greater proportions than would be indicated by their numbers. Those who may be interested in the activities of Americans in Mexico and who desire to learn the conditions which have existed in Mexico for a number of years past should acquaint themselves with the report of the subcommittee of the Foreign Relations Committee appointed to investigate conditions in Mexico.

Pursuant to a resolution which I had the honor of offering in the Sixty-sixth Congress, second session, this subcommittee, consisting of Senators Albert B. Fall, of New Mexico, Frank B. Brandegee, of Connecticut, and Marcus A. Smith, of Arizona, was named. The resolution is as follows:

Resolved, That the Committee on Foreign Relations, or any subcommittee thereof, is authorized and directed to investigate the matter of damages and outrages suffered by citizens of the United States in the Republic of Mexico, including the number of citizens of the United States who have been killed or have suffered personal outrages in Mexico at the time Porfirio Diaz retired from the Presidency of Mexico, outrages, the quantity of damages suffered on account of the destruction, confiscation, and larceny of personal property and the confiscation and deprivation of the use of lands and the destruction of improvements thereon; the number of citizens of the United States residing in Mexico at the time Porfirio Diaz retired from the presidency of Mexico, and the number of citizens of the United States at present residing in Mexico, and the nature and amount of their present holdings and properties in said country; and in general any and all acts of the Government of Mexico and its citizens in derogation of the rights of the United States or of its citizens; and for this purpose to sit at any time or place during the sessions of Congress or during recess and with authority to subpoena such witnesses and documents as may be necessary, and to make a report of its findings in the premises to the Senate; and the said committee shall further investigate and report to the Senate what, if any, measures should be taken to prevent a recurrence of such outrages.

The subcommittee conducted a most thorough and searching examination extending over a number of months. Scores of witnesses, both Mexicans and Americans, were examined, and many documents of importance obtained and made a part of the record. The record consists of more than 3,200 pages of closely printed matter, and was submitted to the Senate, accompanied by the report of the subcommittee, in May, 1920. The facts presented to the committee conclusively establish that Mexico failed in the discharge of her international obligations and robbed and pillaged and murdered American citizens. These pages constitute a strong indictment of Mexico and the Mexican Governments.

The testimony established, and the committee so find, that between 1910 and 1920, 461 Americans were killed in Mexico, and 126 along the border but within the United States. In addition, a large number were wounded and subjected to cruel and

brutal treatment. Since that time a number of Americans have been murdered in Mexico. Perhaps the number of Americans who were killed in Mexico during the past 15 years will never be accurately known.

The committee report that the value of all property in Mexico at the outbreak of the Madero revolution exceeded the amount reported by Marion Letcher, American consul at Chihuahua, and which was filed with the State Department. That statement is as follows:

Valuations.

Class.	American.	English.	French.	Mexican.	All other.
Railway stocks.....	\$235,464,000	\$81,237,800		\$125,440,000	\$75,000
Railway bonds.....	408,926,000	57,680,000	\$17,000,000	12,275,000	38,535,380
Bank stocks.....	7,850,000	5,000,000	31,000,000	31,950,000	3,250,000
Bank deposits.....	22,700,000			161,963,042	18,560,000
Mines.....	223,000,000	43,600,000	5,000,000	7,500,000	7,830,000
Smelters.....	26,500,000			7,200,000	3,000,000
National bonds.....	52,000,000	67,000,000	60,000,000	21,000,000	
Timberlands.....	8,100,000	10,300,000		5,800,000	750,000
Ranches.....	3,150,000	2,700,000		14,000,000	
Farms.....	960,000	760,000		47,000,000	1,250,000
Live stock.....	9,000,000			47,450,000	3,800,000
Houses and personal.....	4,500,000	680,000		127,020,000	2,760,000
Cotton mills.....		450,000	19,000,000	6,000,000	4,750,000
Soap factories.....	1,200,000			2,780,000	3,600,000
Tobacco factories.....			3,238,000	4,712,000	895,000
Breweries.....	600,000		178,000	2,822,000	1,250,000
Factories.....	9,600,000	2,780,000		3,270,200	3,000,000
Public utilities.....	760,000	8,000,000		5,155,000	275,000
Stores:					
Wholesale.....	2,700,000	110,000	7,000,000	2,800,000	14,270,000
Retail.....	1,780,000	30,000	680,000	71,235,000	2,175,000
Oil business.....	15,000,000	10,000,000		650,000	
Rubber industry.....	15,000,000			4,500,000	2,500,000
Professional.....	3,600,000	850,000		1,500,000	1,100,000
Insurance.....	4,000,000			2,000,000	3,500,000
Theaters.....	20,000			1,575,000	500,000
Hotels.....	250,000			1,730,000	710,000
Institutions.....	1,200,000	125,000	350,000	74,000,000	200,000
Total.....	1,057,770,000	321,302,800	143,446,000	792,187,242	118,535,380

NOTE.—From the testimony taken and other evidence in the possession of the committee, the committee reports that the total amount of American investments in Mexico in 1911 were more nearly \$1,500,000,000 than the total set forth in the column above, \$1,057,770,000.

The committee report that from the testimony taken, and other evidence which came to them, they find that the total amount of American investments in Mexico in 1911 was approximately \$1,500,000,000. However, referring to the above report, the committee state:

The total wealth of Mexico, as it appears in this table, was \$2,434,241,422, of which Americans owned \$1,057,770,000; English, \$321,302,800; and the Mexicans, \$793,187,242. The figures given in the table as to British ownership should, from the best information in my possession, be increased from \$321,000,000 to at least \$800,000,000. The figures for American investment in mines should be increased very largely.

The committee further state that the American investments are in tax-paying and labor-employing operations. An examination of the report will show that millions have been invested in railroads, mines, factories, oil, rubber-producing property, and so forth. Seventy-eight per cent of the mines were owned by the Americans and 72 per cent of the smelters. There were 16,000 miles of railroads (national), in which American and English capital was invested to the extent of about 88 per cent.

The committee further state that that part of Mr. Letcher's report dealing with the American investments in ranches, timberlands, farms, houses, lots, and personal property is incorrect, and say that the testimony before their committee shows that more than 3,000 American families, of an average of five members each, owned their own homes either in colonies or in separate locations and were engaged in agriculture.

They further find that the actual average loss to such families has been \$30,000,000, not taking into consideration the value of the land or the houses and other improvements which have not been destroyed.

The committee also find that in addition to the thirty millions lost by the smaller agriculturists who have been driven out of Mexico, and but few of whom have been able to return, the losses to the railroads have been eighty millions through the destruction of rolling stock and injury to the actual corpus of the property.

In addition, the committee find that the nonnational railroads have suffered damage to the extent of \$60,000,000, so that it would require one hundred and forty millions to place the 24,000 kilometers of railways in Mexico in the condition in which they were found in 1911.

From the evidence taken by the committee it is apparent that the amount of damages sustained by Americans, which I have said was at least \$500,000,000, has greatly increased since

then. It is difficult, and, indeed, impossible at this time, to determine the aggregate, because many of the owners have been unable to return to Mexico and have not been advised of the status of their property.

As I have indicated, many of the great properties of Americans in Mexico have been abandoned under the compulsion of brigands masquerading in the uniform of soldiers of the country and of the various governments, de facto and de jure, which have controlled the Republic. These properties have been overrun by military leaders and their armies, and everything which could be carried away has been appropriated by the Government or its military forces or marauding and thieving Mexicans. A categorical narration of the outrages to which Americans have been subjected would make no impression upon the political authorities of Mexico.

Unfortunately, because of the venality and corruption of many public men, their ears are closed to any appeals for relief, and their sense of morality or justice is so unresponsive that there would seem to be no hope of a favorable response to the appeals for a rectification of these wrongs. Many of the Mexican courts are corrupt and impotent, and afford no protection either to Mexicans or to aliens. Proof of assassination of Mexican officials, or of aliens, excites no indignation and brings no punishment.

Senators are familiar with the callous indifference exhibited by Huerta when it was incontrovertibly established that he caused the assassination of Madero and Suarez, the vice president. It has been repeatedly charged that Carranza was assassinated, pursuant to orders of Obregon. I recall reading some time ago in the *La Tribuna*, an illustrated Spanish weekly, published in New York, a charge by Emeterio de La Garza that Carranza was assassinated. His letter is almost equivalent to an indictment of Obregon himself. Carranza's daughter charged openly that Obregon was responsible for the murder of her father, and the officer in command of the troops has in effect declared that he was obeying the orders of Obregon. And yet this situation, which should scourge from place and power any person so charged, is regarded indifferently by those in control in Mexico and the groups to which they belong.

Ybanez, who visited Mexico within a recent period, describes Obregon. He is not a lovely figure, and in but a few countries in the world could such a person rule, even for a day.

Secretary Lansing, in a remarkable note dated June 20, 1916, addressed to the Secretary of Foreign Relations of the de facto Government of Mexico, submits an indictment of the then Government of Mexico which shows how little progress had been made from the days when Andrew Jackson and other American Presidents were endeavoring to protect Americans from outrages by Mexican authorities. Mr. Lansing in his note declares that the lives of citizens of the United States have been—

barbarously taken, and the murderers have neither been apprehended nor brought to justice. It would be difficult to find in the annals of the history of Mexico conditions more deplorable than those which have existed there during these recent years of civil war.

He refers to American garrisons which have been attacked at night, and the killing of American soldiers, the robbing of American ranches, the wrecking of trains, and the plundering of American citizens. He refers to the attacks on Brownsville and to other places on American soil, and declares that these attacks on American territory were—

participated in by the supporters of Carranza and that his soldiers took part in looting, burning, and killing.

Secretary Lansing declares that notwithstanding representations made and the promise by the Mexican Government to prevent further wanton attacks, a passenger train was wrecked and persons killed, and that—

the Mexican Government was so far indifferent to the atrocities that the leaders were not only received but protected and encouraged by the Government.

Reference is made to the—

barbarous slaughter of inoffensive Americans, and that the Government of Mexico made no effectual attempt to frustrate hostile designs against Americans.

Reference is also made to the recognition by the United States of the Carranza government, but that, notwithstanding this evidence of its desire for friendly relations—

the Government of the United States has waited in vain for protection for American citizens and for the Mexican Government to discharge international obligations toward citizens of the United States.

The efforts of Mr. Wilson to secure protection for citizens of the United States, who were interested in Mexico, were unavailing. Helpless men and women were killed and American citizens suffered unspeakable indignities. We know the names of more than 600 Americans who have been the victims of murder

and hundreds who have been subjected to personal outrages in Mexico by the Mexican authorities or Mexican nationals, besides thousands who were exiled from their homes and possessions and who have suffered poverty and distress untold. Many have gone to their graves without a shroud to cover them, having been robbed of their possessions by the Mexican Government, or as a result of its indifference to its international obligations.

Claims on behalf of individual American citizens for debts, personal outrages, and spoliation in the sum of \$65,000,000 have been filed with the State Department, and besides this the damage suffered by railroad, mining, and oil corporations, by stock ranches, coffee, sugar, and rubber plantations, factories, banks, power plants, irrigation systems, and so forth, are estimated at more than \$500,000,000.

The Senate committee above referred to reported that the railroads of Mexico had suffered a loss conservatively estimated at \$80,000,000 through destruction of railroad stock, the burning of bridges and railroad stations, and the tearing up of sidings and track. The committee states:

Power lines have been cut; power plants destroyed; irrigation works dynamited; canals cut; factories burned; railroad and mining contractors and subcontractors' supplies, tools, stock, and equipment destroyed; banks, trust companies, investment companies, money exchanges, etc., looted of cash and put out of business; brokers, commission men, general agents, wholesale and retail merchants have lost their investments and as well their books of trade, implements of their profession, and their stocks of merchandise, etc. Those who have tended to continue business by going back to their locations when temporary peace appeared to justify their return have been held up and compelled to pay blackmail to every new bandit and tribute to every old one in their community.

An eyewitness, describing the condition in the agricultural colonies in Chihuahua, said:

The stores were broken into and looted of hundreds of thousands of dollars' worth of merchandise. Private homes were treated in the same manner. Live stock was appropriated until almost every available thing was carried away or destroyed. At Colonia Diaz the better part of the residences and public buildings were burned.

Senators will recall that in the closing days of Mr. Taft's administration it was suggested that the threatening condition in Mexico justified, if it did not demand, that citizens of the United States depart from Mexico. Following this suggestion, many Americans returned to the United States. They were compelled to abandon their possessions, and upon reaching American soil were wholly without means of support. Appropriations were made by Congress to grant temporary relief and to feed for a limited period many of those who had been driven from Mexico. All personal belongings of those who were compelled to leave were appropriated by Mexican military authorities, or in some instances by guerrilla bands. Houses were burned and destroyed by Mexicans and a determination manifest to not only drive Americans from Mexico but to deprive them of all their property and possessions found therein.

If time permitted I would show the connection between those who committed crimes and offenses against citizens of the United States and the Mexican Government and examine the authorities and the writers in international law in support of the proposition that the Mexican Government is responsible for such offenses and outrages and must respond in damages therefor.

Theodore Roosevelt, in a speech made at Detroit on May 19, 1916, spoke of the indignities suffered by our people in Mexico in these words:

We have tamely submitted to the murder of our men and the rape of our women. We have permitted foreigners to be plundered in Mexico and our own people to be plundered in Mexico; and murder has been added to plunder. Many of our troops have been shot. While we have been nominally at peace with Mexico, the Mexicans have killed more American citizens than the Spaniards have killed in the entire Spanish War. Moreover, when the Spanish War was through, it was through; and Cuba, Porto Rico, and the Philippines were started on a career of peace and prosperity such as had never been known in all their history. But in Mexico, after all the bloodshed, the trouble has only begun, and we are no nearer a solution than we were three years and a quarter ago.

On the 18th of September, 1912, a Mexican general, in threatening death to a small party of Americans at San Jose, declared:

Your President Howard Taft is a vile dog, a low-down coward. Your Nation is rotten. * * * We are going to run all the Americans out of Mexico. We will kill those who do not run before us. The plan of our revolution is simply to run the American dogs out of this country, confiscate their property, and divide it among Mexicans. * * * Mexico is for the Mexicans, and the United States for the gringos. * * * Now, we are going to kill them or run them out of the country. We have executed their men, we have ravished their women, we have insulted their men and their women in every possible way to force them to take up arms and fight us. They do not fight because they are cowards and afraid of us. Their own Government despises them and abandons them and dares not protect them and orders them to run away and to escape. In Colonia Dublan and all the other American colonies in Chihuahua we have taken all the homes of Americans, killing some of them, and we have outraged their women, seized their

lands and their houses, and all of their other property, and we force them to flee from the country with nothing but the clothes they had on. But they do not wish to fight and run like dogs. We will not let them return. We will kill all who try to return to their lands. We divided their lands and their property among Mexicans and now they have nothing to return to Mexico for. We are going to do the same in Colonia Morelos, Colonia San Jose, and Colonia Oaxaca. We are going to divide all their property among the Mexicans, among those who will swear to kill every gringo that returns here.

And the soldiers shouted in response—

Muera los gringos (murder the gringos) and "Chinga."

We have in these words a reflex of the animus of the so-called Mexican revolution, and vile and cowardly and contemptible as these declarations are, they were spoken without shame in Mexico and were blinked and indeed condoned and connived at by those in authority in that country. It has been said that one of the purposes of the revolutionary leaders was to drive Americans from Mexico and to confiscate their property. The protection of American property in Mexico was not of the slightest concern to any of the 101 generals who were operating in that country. Plunder and brigandage was their principal passion and occupation, and the incapacity of the country to sustain progressive and unlimited brigandage is the one thing that diminished this wicked business. But the field of the brigands has only been transferred from that of the country to that of the Mexican courts and the chambers of legislation and the offices of executives, and we now have confiscation under the guise of law, as distinguished from the spoliation under the guise of the uniform of the Mexican "generals." It is vain for the Government of Mexico to attempt to evade the responsibility for the damages done by their marauding military commands, because not only did the Government wink at and directly connive at and condone, not to say encourage, such unlawful outrages and larcenies, but the Government, in the so-called constitution of Queretaro, January 31, 1917, has confirmed and attempted to legalize the anti-American program which, as many believe, has been the motive and the main-spring of the murders, arson, larcenies, spoliations, and outrages to which Americans have been subjected in that country for the last 10 years. The Queretaro constitution was designed to make Carranza dictator of Mexico. He was given power to expel any American from Mexico by his arbitrary order, without hearing and without recourse to law.

Under the Queretaro constitution the Government of Mexico was given the right to expropriate private property without indemnification for reasons which the Government regarded as of public utility. And among these reasons was the division of large landed estates. There is hardly any land owned by Americans in Mexico that is not for sale in whole or in part at reasonable prices and which can not be obtained by honest men without the arbitrary and confiscatory intervention of the Mexican Government. The Queretaro constitution seeks to invest in the Government all metalliferous minerals, mineral deposits, petroleum, coal, and natural gas, as well as of rivers, lakes, and streams. These provisions, I concede, may legally be applied to lands within the public domain of Mexico and may well operate to interdict the alienation by the Government of such species of property within its domain. The mining and oil lands owned by Americans in Mexico, however, have not been acquired from the Government, and it is not believed that any considerable area of mining or oil lands are within the public domain of Mexico. The purpose of this provision was to confiscate the oil measures and the mines which had been discovered and developed by Americans upon their own private lands, and was a part of the anti-American program. The Queretaro constitution provides that only Mexicans may acquire ownership in lands, waters, or their appurtenances or obtain concessions to develop mines or mineral fuel. This also is a parcel of the shortsighted and spiteful anti-American program. It need not be said that there will not be any notable exploitation and development of oil or mining properties if no concessions are to be granted to Americans, especially if it were the rule that no mines or oil properties could be developed without a concession from the Government. In our own country we have been so anxious to have the metalliferous minerals extracted from the veins, lodes, and deposits that we have freely given such minerals to any person who, on the public domain, might discover, locate, and extract them. But metalliferous minerals and deposits of whatsoever nature within the lands of a private owner are an intrinsic part of his property and not subject to any restrictions as to their extraction, separation, use, and sale by the owner.

The foolish policy announced by the Mexican Government of impeding the extraction of minerals from private lands is not only confiscatory and illegal but is contrary to every dictate of sound policy. The Queretaro constitution undertakes to enact

that no American shall under any conditions acquire the lands within a hundred kilometers of the American frontier and within 50 kilometers of the seacoast. This is also part of the vindictive anti-American program. The interdicted area comprises the great part of the American-owned lands in Mexico. It is a part of this scheme that Americans shall not be permitted to sell their lands to other Americans and that such lands shall not pass by inheritance or devise to their American heirs.

This is but another example of the anti-American malice which found expression in this impossible socialistic constitution. And this seems to be the only result of the Mexican revolution—the enactment of futile, nugatory, and impolitic decrees against foreigners and the inauguration of impossible and destructive socialistic schemes; and for this we have borne and suffered upon the theory that revolution was the way of liberty and that there was no other way for a democratic readjustment of Mexican affairs and politics.

But we may have expected as much in view of the fact that Madero was a socialistic zealot, that Carranza was only a captious casuist dominated by anti-American malice and Mexican vanity, and that the other leaders of the revolution were all to a greater or lesser extent affected with the virus and fallacies of a European socialism and bolshevism.

Salvador Alvarado became governor of Yucatan during the days of Carranza. Yucatan at that time was a rich State and her people were prosperous and giving evidence of cultural development. He attempted to convert their State into a soviet government and imposed upon the people a cruel and relentless despotism, such as Lenin and Trotski imposed upon Russia four years ago. Bolshevism has invaded the States of Tabasco, San Luis Potosi, as well as other political subdivisions of Mexico, with most disastrous consequences. Alvarado, Villareal, De la Huerta, Calles, and other communists influence, if they do not control, Obregon and are spreading the poison of their pernicious economic policies throughout the entire Republic. The fallacies and pernicious policies adopted by Obregon and the rulers of Mexico have not only brought Mexico, but great States like Yucatan, Campeche, Pueblo, and Sonora, to the verge of economic ruin and poverty.

If time permitted, I would call attention to statements made by Obregon indicating his communistic views and his hatred of America and Americans. He shared with Carranza the latter's pro-German views and his antipathy toward the United States. Senators will remember that Carranza hoped to unite the Central American States and to become an ally, secret or open, of Germany. Testimony offered before the subcommittee of the Senate furnishes interesting information in regard to this conspiracy as well as the uncompromising attitude of Obregon toward the United States.

It has been said by some that Obregon has seen a new light and that he is intent upon leading Mexico back into the comity of civilized States and is resolved that Mexico shall keep her international obligations and progress with firm step and upon sound principles into a position of stability and national self-reliance. I wish that were true. However this may be, we must face the facts that the Obregon government has inherited all the liabilities and responsibilities which had been fastened upon Mexico by the imprudent, improvident, and illegal acts and neglects of his predecessors in the government of that country.

Our business with the Mexican Government is of a great deal more importance than the mere resumption of diplomatic relations. Our Government refrains from the use of force for the protection and vindication of American life and American rights on the theory that Mexico should have liberty of action and responsibility for the events which adversely affect American rights and interests.

And we expect that Mexico shall make indemnification for the damages which have been visited upon our people and their property in that country. It has been said that the United States might easily have occupied Chihuahua and all of northern Mexico down to the latitude of the mouth of the Rio Grande and thus have avoided untold suffering and unspeakable outrages which have been perpetrated almost within sight and in many cases within one or two days' marches of the frontier. And the claim has been made that the United States could thus have protected many thousands of Americans in their lives and peace and in the possession, use, and occupation of their lands, and relieved them of insufferable outrages as well as have vindicated its dignity and commanded the respect of the Mexican people.

However, as I have indicated, I did not advocate such a policy, nor do I now. But Mexico's treatment of citizens of

the United States has not only resulted in the injuries and wrongs to which I have referred but it has imposed upon the United States a very heavy financial burden.

Yesterday I telephoned to the War Department and asked for information as to the cost of maintaining American troops on the Mexican border and in Mexico since 1911. I am in receipt of a communication from Robert C. Davis, Acting Adjutant General, in which he states that—

There are no exact figures available as to these costs, but it is believed that the nearest approximation to such costs can be made by assuming that that part of the expenditures under "Military Establishment, support of the Army and National Guard" for each year, which was devoted to troops on the border, was proportional to the strength of the troops on the border. These figures are as follows:

Then follows a table which I ask to insert in the RECORD.

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

The table is as follows:

Fiscal year.	Active Army, ¹ June 30.	Troops on border on June 30.	Per cent of troops on border.	Expenditures for "Support of the Army and National Guard."	Per cent for troops on border.	Amount for troops on border.
1911.....	80,300	19,000	23.7	\$100,251,142.44	23.7	\$23,759,520
1912.....	88,000	7,000	8.0	96,677,086.82	8.0	7,734,230
1913.....	92,000	16,000	17.4	98,641,559.12	17.4	17,163,630
1914.....	98,000	25,000	25.5	105,686,730.94	25.5	26,950,120
1915.....	106,000	24,000	22.6	106,732,218.30	22.6	24,121,480
1916.....	290,000	150,000	57.7	116,222,492.49	57.7	67,066,150
1917.....	418,000	125,000	29.9	1,882,691,868.08	29.9	562,924,890
1918.....				4,209,611,619.35		
1919.....				5,926,201,274.62		
1920.....				620,648,766.51		
1921.....	227,000	15,800	7.0	501,120,687.17	7.0	35,073,450

¹ Includes Regular Army, Philippine Scouts, National Guard in Federal service, reserves on active duty, and emergency officers.

² Includes National Guard in Federal service.

³ Includes National Guard in Federal service and Reserve Corps.

⁴ Includes Maneuver Division.

⁵ Includes Second Division at Texas City.

⁶ Includes Second Division and troops at Vera Cruz, except marines.

Mr. KING. Briefly, the table shows this:

In 1911 we had 19,000 troops on the border, or we had to maintain on the Mexican border 23.7 per cent of all of our Army. The cost was \$23,759,520.

In 1912 only 8 per cent of our troops were on the border, and the cost that year, under these figures, was nearly \$8,000,000.

In 1913, 17.4 per cent of our troops were on the border, at a cost of more than \$17,000,000.

In 1914, 25.5 per cent of all the American troops were on the border, at a cost of \$26,950,120.

In 1915, 22.6 per cent of the Army was maintained on the border, at a cost of more than \$24,000,000.

In 1916, 57.7 per cent of all the Army of the United States were on the Mexican border, at a cost of \$67,066,150.

In 1917, 29.9 per cent of our troops were upon the border, at a cost of \$562,924,890.

I have not the figures for 1918, 1919, and 1920; but during 1921, 7 per cent of our Army, or 15,800 troops, were upon the Mexican border, at a cost of \$35,073,450. It is somewhat paradoxical that during that period, when we were presumed to be at peace with Mexico, we were compelled to keep 15,800 troops along the international boundary for the protection of the lives and property of Americans. In 1916 we had 150,000 troops on the border. In 1917 we had 125,000 troops on the border. Aside from the years 1918, 1919, and 1920—and I have not the costs for those years—we have expended for the maintenance of military forces along the border \$762,798,470.

Mr. President, there is another interesting item here:

No amounts are given for the fiscal years 1918, 1919, and 1920, due to the fact that there are no reliable figures as to what troops were regarded as on border duty. For example, one division which was organized with a view to its use on the border was later diverted to France.

The Acting Adjutant General further states:

The total cost of the expeditionary forces engaged in the punitive expedition under General Pershing was approximately \$59,000,000, including regular maintenance, cost of subsistence, and equipment of the troops involved.

The total, as shown in the table above, as the cost for maintenance of troops on the border, not including the years 1918, 1919, and 1920, amounts to \$762,798,470. It is quite apparent, if we were furnished the costs for those years the aggregate amount would approximate \$1,000,000,000. Thus it appears that to protect our territory from Mexican invasion and to protect American citizens and their property within the confines of the United States our Government has been compelled to maintain thousands of military forces along its southern border, at

a cost of approximately \$1,000,000,000, for the years 1911 to 1921, inclusive. But there was no protection for citizens of the United States in Mexico, nor was their property therein immune from seizure and confiscation.

Recurring to the Mexican constitution of 1917 and its confiscatory provisions I have been asked upon a number of occasions whether I denied the right of the Mexican people to adopt that or any other constitution which they desired. I have uniformly replied that I believed in the right of peoples to determine the form of government under which they live. It is for them to determine whether they shall have a monarchy, an oligarchy, a communistic form of government, or an enlightened and progressive republic. I concede the right of the Mexican people to frame such organic law as they desire, even though it may be reactionary or communistic, nor has the United States or any other government the right to superimpose upon the Mexican people a government which they do not approve.

The Mexican people, if they wish, may deny the rights of aliens to enter Mexico or to acquire property therein. In my opinion, however, the Mexican people have not legally adopted the 1917 constitution nor do they approve of many of its provisions. Undoubtedly the Bolshevik element of which Carranza and Obregon and De la Huerta and Calles were the representatives approved of the terms of the constitution and hoped thereunder to despoil Americans and other foreigners of their possessions in Mexico.

The intellectuals and the patriotic Mexicans have disapproved of the communistic provisions of the Queretaro constitution, and perhaps millions of the people of Mexico are either unfamiliar with its terms or are so apathetic as a result of years of revolution and oppression that they are indifferent to their situation or the political forms under which they are forced to exist.

I desire to insert into the RECORD at this point an excerpt from an "Essay on the reconstruction of Mexico," which, as I understand, was written by a number of distinguished Mexicans in collaboration, among them being Mr. Manuel Calero, who was secretary of foreign affairs and at one time ambassador to the United States; Mr. Francisco S. Carvajal, who was at one time chief justice of the Federal supreme court; and Mr. Jorge Vera Estanol, at one time secretary of public instruction. The excerpt is from chapter 4 on "The naturalization and civil status of aliens," and is as follows:

Article 27 of the Queretaro constitution embodies the principle that aliens may not own real estate, nor be granted concessions covering waters, mines, and the like, except by the grace of executive authority, after the interested party has made formal waiver of the right to invoke the protection of his government.

While it is true that certain countries do not grant aliens the right to acquire real estate, we are, nevertheless, of the opinion that Mexico should return to the liberal system that prevailed under the constitution of 1857. Having due regard for the cultural and economic situation of our native population, coupled with the facts of its sparseness, it appears advisable to encourage the establishment of foreigners in Mexico. Experience has shown them to be elements of moral progress and factors in the development of public and private wealth.

Provisions fixing the civil capacity of aliens have no place in the political constitution of the Republic. They belong in general statutes, in special laws on naturalization, and in international treaties. In the absence of express treaty stipulations, Mexico must accept, in general terms, the principle of equality of civil capacity of Mexicans and aliens, excepting limitations required by the principle of reciprocity, and such other limitations as arise out of the needs of domestic safety or of insurance against international complications.

With regard to foreign corporations, we believe that the incapacities placed on them by the Queretaro constitution, in provisions similarly incongruous in a constitution, reveal in the framers a mistaken appreciation of the present-day needs of the country. We are not opposed in principle to the establishment of the incapacities in so far as they are confined to the ownership of real property, but at the same time we believe that the legislator should mitigate the severity of his theories when the great interests of the nation so demand. The position in which Mexico now finds herself as the result of the internecine strife and the condition of the world money market caused by the European war compel the Mexican statesmen to adopt a generous policy which shall attract to the country capital to develop our resources and contribute to the moral and economic betterment of our downtrodden people. In harmony with this policy, it is necessary to return to the former system and to permit foreign companies to enjoy the same rights they enjoyed before the Queretaro constitution as the most practical method of inducing foreign capital to engage in Mexican enterprises. At a later date, when the political equilibrium has been restored, when the methods of government admit of no question as to their probity, when, in a word, we have conquered the confidence abroad which we once enjoyed, the time will have come slowly to force foreign capital to operate in Mexico within the forms of association prescribed by Mexican law; but everything which at the present moment is done in this regard will affect adversely the economic progress of Mexico.

There is no doubt but what the constitution of 1917 never received the approval of but an insignificant fraction of the Mexican people. Carranza before he was controlled by his anti-American animus and by his Bolshevik associates, and before he became military dictator, declared that he intended to restore the constitution of 1857, which, I may add, was a reasonably progressive and liberal organic act. Under it, as well

as by the provisions of laws enacted by the Mexican Federal Congress, real property had been acquired, including all forms of mineral lands, by Mexicans, Americans, and citizens of various countries, and the titles held by the owners were recognized as valid and as granting indefeasible rights to the same.

Senators know that during Diaz's régime the Federal Government of Mexico and the courts recognized the fee simple title under which not only Mexicans but aliens had acquired land, agricultural and mineral.

Foreigners were invited by Diaz to make investments in Mexico and to acquire lands and engage in mining operations. They were guaranteed protection by the constitution and by the law, as well as by proclamations of the President of the Republic. Carranza, in order to secure adherence to his revolutionary movement, contended that the constitution of 1857 had been abrogated and he purposed restoring it. However, when success was achieved he renounced his intention to restore the constitution and the rights of the people and forced upon Mexico the constitution of 1917. By decree of December 12, 1914, he provided that those only could vote upon the question of its adoption who had demonstrated their adhesion to the constitutionalists' cause, meaning, of course, his revolutionary cause.

Speaking of the animus of Carranza and the purpose of his Bolshevik confederates to confiscate the property of Americans, I desire to briefly refer to the testimony of Mr. W. W. Canada, former American consul at Vera Cruz. His statements will be found in the committee's hearings. In substance Mr. Canada stated that at a banquet given to Carranza in October, 1914, Mr. Luis Cabrera, who held a cabinet position under Carranza, stated that they, speaking of the Carranza régime, "were going to drive Americans out and take their property and not allow them to buy any more." The evidence, in my opinion, is conclusive that the communistic element in Mexico prepared and forced upon Mexico the 1917 constitution. Many of its objectionable features are denounced by the patriotic and enlightened elements in Mexico, as well as by thousands of the intelligent Mexicans who had been banished from their country, and its enforcement is condemned by many honorable and patriotic Mexicans who dare to express their views.

In the issue of May 21, 1921, of the *El Informador*, of Guadalajara, the following statement is made editorially:

Right at this moment, when the Government, as well as the workmen, should dedicate all their efforts to reconstruction of what has been destroyed, to repair the damages of the past, and to better general conditions, the Government is trying to disorganize the agricultural industry of the country, dividing the farms in common amongst the villages, which will result in the destruction of cultivation and abandonment of the lands, leaving the real farmers with only an absurdly small plot of land to cultivate in order to allot the lands to those who have never been and never will be farmers. The result of this ridiculous policy is beginning to show its effects in the increased prices of cereals, cattle, etc., and the people are leaving the farms on account of the suspension of work and the paralysis of agriculture. Nobody will lend money on mortgage on these properties, and all of the disillusioned ranchers are preparing to reduce, and in some cases entirely stop, planting for the coming season.

But, as though this did not signify in itself the complete ruin of the country, the tendency to deposit savings in banks of other countries, principally in the United States, is well known, and when they sell their interests or make money, this also goes to American banks. And our ablest men are taking this precaution in order to be able to leave the country where everything is against them and where they have no guaranties.

One of the leading newspapers published in the city of Mexico is the *El Universal*. Its editor, Mr. Palavicini, has frequently criticized the Obregon government and the Mexican Congress—as incompetent, divided against itself, and wasting its time in personalities and petty matters, forgetful of the needs of the nation.

Referring to the radical constitution of 1917, he states:

The right to property has disappeared in Mexico, and no landowner considers his titles valid. Land is now of no value in Mexico and there is no agricultural credit. If there is no guaranty for the possession of land, what hope is there for any citizen of fair legislation and justice? What incentive is there to work and save? If this is a communist State, then we should amend our laws to conform. The department of agriculture is Mexico's greatest deterrent to amicable foreign relations, and the department of commerce and industry is of the same type.

It is known to everyone that this statement of this distinguished Mexican editor is true; that private property is being confiscated, either under direct constitutional sanction or by taxation, and, indeed, by direct seizure. Many of the States of Mexico have under executive decree or legislative enactments entered upon the seizure and confiscation of private property. Measures have been enacted in an adroit and subtle way intended to facilitate, under the guise of law, the expropriation of private property. Estates of Mexicans are being taken from them and no compensation awarded. Worthless State bonds have been promised in some instances for valuable properties forcibly taken from their owners.

As stated, I concede the right of the Mexican people to adopt such constitution as they may desire, but they have no right to rob, under the guise of law or otherwise, citizens of the United States or nationals of other countries of property which they had lawfully acquired in Mexico. It would be as immoral and illegal to take the property of aliens by force as it would be to take it under the guise of a federal constitution or legislative enactments. Undoubtedly, Mexico has the right to provide that the title to all mineral deposits within lands belonging to the Government shall be reserved and that purchasers shall acquire no right to such deposits. But I deny the right of Mexico, by constitutional provision, legislative enactment, or executive decree, to deprive either Mexicans or aliens of property, either real or personal, which they own. I admit that the Mexican Government would have the right to condemn private property, either of Mexicans or aliens, for public use upon giving just compensation therefor.

Nations may adopt many policies with respect to the acquisition and ownership of property by aliens which are inexpedient and unwise, but upon the question of expediency such nations are to be the exclusive judges. But among civilized peoples governments have no right to confiscate the property of aliens who have acquired the same under treaty rights or under the sanction of international law. Neither the United States nor any State of the Union would have the right to seize or confiscate property owned by Mexicans within the United States, nor would the Federal Government or any State have the right to enact retroactive laws for the purpose of depriving Mexicans of their property rights in this country.

Undoubtedly a nation has the technical right to forbid aliens from entering or residing therein. I am assuming, of course, that no treaty obligation is violated. Such law might be inexpedient and unwise; and a Government has the technical right to expel, in the absence of treaty, any alien from its borders without cause or hearing. But such a course would be not only impolitic but inconsistent with the liberal and enlightened spirit which is obtaining in the world to-day.

Article 33 of the Mexican constitution of 1917 gives to the executive exclusive right to expel forthwith, and without judicial process, any foreigner whose presence he may deem inexpedient. Of course, this is a despotic power to confer upon the chief executive and can not be defended in morals. Under this same constitution only Mexicans by birth or naturalization and Mexican companies have the right to acquire ownership in lands, waters, and other appurtenances, or to obtain concessions to develop mines, waters, or mineral fuels in the Republic of Mexico. It is provided, however, that the nation may grant this right to foreigners provided they agree before the department of foreign affairs to be considered Mexicans in respect to such property and not to invoke the protection of their Governments in respect to the same, under penalty of forfeiture. The same article of the constitution contains the provision which I have referred to which prohibits, within a zone of 100 kilometers from the frontiers and 50 kilometers from the seacoast, any foreigner, under any conditions whatever, from acquiring direct ownership of lands and waters. I have conceded the right of Mexico to adopt a constitution containing these oppressive and impolitic provisions, but I have denied her right to give retroactivity to the same.

Much could be said in condemnation of the provision requiring an alien to waive protection at the hands of his own government in order to avail himself of the right to acquire property. Of course, it is obvious that the provisions of the constitution constitute a cloud upon the title of properties owned by Americans. Carranza and other officials have attempted to deprive the owners of oil lands of their holdings, and have insisted that under the provisions of article 27 of the constitution the petroleum deposits belonged to the State. Americans are forbidden to sell their farms or their real estate holdings to any persons other than Mexicans, and the latter have no need to purchase from the owners, because the Federal Government or the States are rapidly confiscating the same. As a matter of fact, the federal constitution and the organic law of the States of the Mexican union are deliberately framed to effectuate the confiscation of foreign investments by taxation or direct seizure or under constitutional sanction or the forms of law.

If time permitted, I should call attention in detail to the provisions of the constitution of 1917, as well as to executive decrees and to State enactments and decrees which fully sustain the statements which I have made. So oppressive has become the conduct of the political authorities of Mexico that not only are aliens being robbed and plundered but, as I have stated, Mexicans as well.

The following protest to the National Congress and to the President of Mexico was sent on April 7, 1921, by a number of Mexican landowners who resided in Jalisco:

AN APPEAL TO PUBLIC OPINION.

It is not our desire to write at length with regard to the prejudicial effect which this nefarious national agrarian commission is causing to the Nation and to the landowners. Such commissions are nothing more than partisan centers where laws, reason, and justice are mocked.

This atrocious work will be judged by public opinion as soon as the deep and serious damage which has been done is known, and history will in time establish the responsibility. Suffice it to say that in every case it has been a work of destruction and never of construction.

It is useless to contend that the agrarian law at least be correctly applied. Not even this can be obtained, and obstinate authorities, blinded by prejudice, have threatened the social order by attacking it at its foundation and seemingly with a desire to destroy it for their own personal benefit and pleasure.

The local agrarian commission are inventing fantastic plaps of taxation, confiscating large and small properties, and sugar, mescal, and orange plantations, which have cost their legitimate owners years of toil and the investment of considerable capital. The Federal tribunals, deaf to all appeals, follow an invariable line of conduct in every case against the landowners. Should the landowner invoke in his behalf the same doctrines which have been applied to the benefit of others, he finds out that these same doctrines are never interpreted in his favor. The authorities only favor those they wish to favor, and to accomplish this end they do not hesitate to override justice and reason.

AGRICULTURAL ASSOCIATION OF JALISCO,
By A. G. ARCE, Director.

Obregon is making frantic efforts to obtain recognition at the hands of this Government. Various persons in the employ of the Mexican Government have been extensively canvassing the United States to develop sentiment favorable to a de jure recognition of the Obregon régime. A former State Senator from Arizona has visited the legislatures of a number of our States and secured the adoption of resolutions asking for recognition. Notwithstanding the character of Obregon, his hatred of our Government and the American people, and his communistic views, it might perhaps be wise to accord recognition to the present Mexican Government, provided certain conditions were complied with.

Secretary Hughes, on the 7th of June last, declared that—the fundamental question confronting the United States is the safeguarding of property rights against confiscation.

He stated that—

Mexico was free to adopt any policy which she pleases with respect to her public lands—

But was—

not free to destroy, without compensation, valid titles obtained by American citizens under Mexican laws.

The Secretary further declared:

A confiscatory policy strikes not only at the interests of particular individuals but at the foundations of international intercourse, for it is only on the basis of the security of property validly possessed under the laws existing at the time of its acquisition that commercial transactions between the peoples of two countries and the conduct of activities in helpful cooperation are possible.

This question should not be confused with any matter of personalities or of the recognition of any particular administration. Whenever Mexico is ready to give assurances that she will perform her fundamental obligation in the protection both of persons and of rights of property validly acquired, there will be no obstacles to the most advantageous relations between the two peoples.

This question is vital because of the provisions inserted in the Mexican constitution promulgated in 1917. If these provisions are to be put into effect retroactively the properties of American citizens will be confiscated on a great scale. This would constitute an international wrong of the gravest character and this Government could not submit to its accomplishment. If it be said that this wrong is not intended, and that the constitution of Mexico of 1917 will not be construed to permit, or enforced so as to effect, confiscation, then it is important that this should be made clear by guaranties in proper form. The provisions of the constitution and the executive decrees which have been formulated with confiscatory purposes make it obviously necessary that the purposes of Mexico should be definitely set forth.

Accordingly this Government has proposed a treaty of amity and commerce with Mexico, in which Mexico will agree to safeguard the rights of property which attached before the constitution of 1917 was promulgated. The question, it will be observed, is not one of a particular administration but of the agreement of the nation in proper form, which has become necessary as an international matter because of the provisions of its domestic legislation. If Mexico does not contemplate a confiscatory policy, the Government of the United States can conceive of no possible objection to the treaty.

The proposed treaty also contains the conventional stipulations as to commerce and reciprocal rights in both countries. It also provides for the conclusion of a convention for the settlement of claims for losses of life and property, which, of course, means the prompt establishment of a suitable claims commission in which both countries would be represented, in order to effect a just settlement. There is also a provision for a just settlement of boundary matters.

The question of recognition is a subordinate one; but there will be no difficulty as to this, for if General Obregon is ready to negotiate a proper treaty, it is drawn so as to be negotiated with him, and the making of the treaty in proper form will accomplish the recognition of the Government that makes it. In short, when it appears that there is a government in Mexico willing to bind itself to the discharge of primary international obligations, concurrently with that act its recognition will take place. This Government desires immediate and cordial relations of mutual helpfulness, and simply wishes that the basis of international intercourse should be properly maintained.

Accordingly, on the 27th of May last, Mr. Summerlin, American chargé d'affaires at Mexico City, presented to General Obregon a proposed treaty covering the matters to which reference has been made. The matter is now in the course of negotiations, and it is to be hoped that when the nature of the precise question is fully appreciated the obstacles which have stood in the way of a satisfactory settlement will disappear.

It will be observed that no conditions are suggested by the able Secretary of State which should not be promptly complied with by Obregon if he were animated by a proper spirit and with a desire to observe the principles that should govern nations desiring justice.

Carranza sought recognition, and finally obtained it. We had the right to believe that the generous treatment accorded Mexico by Mr. Wilson would inspire Carranza and those in authority to adopt a policy of justice and fair treatment to American citizens. His course, however, following recognition was reprehensible in the highest degree. He persisted in his bigoted and intolerant and dishonest course and executed his oppressive and confiscatory policies. He was unworthy his high position, and did not deserve either de facto or de jure recognition at the hands of the United States. He treated with scorn and contumely the pacific efforts of our Government to establish cordial relations and to promote international fellowship and good will. There is no assurance that Obregon, if recognition were accorded to his Government, would pursue a different course or make reparations for the wrongs done to citizens of the United States.

There is no promise that American rights will be respected or that protection will be accorded to American citizens. At the present time neither the lives nor the property of citizens of the United States are safe in Mexico, nor is the Obregon government willing, if we are to judge by its refusal to enter into the treaty suggested by Secretary Hughes, to give any guaranties that Mexico will shape its course in harmony with those policies which govern enlightened and civilized nations.

An important question suggests itself in considering the question of recognition of the Obregon government. Senators will remember that several months ago a trade agreement was entered into between Great Britain and the soviet régime at Moscow. Some timbers were sold by the Russian owners before the soviet government was formed, but later a decree of confiscation was entered by the soviet régime and the timber was exported and sold by it in Great Britain. Thereupon the owner instituted proper proceedings to recover the property, and the question arose in the English courts as to whether the trade agreement constituted recognition, and if so, whether the owner could maintain his action. The lower court found for the plaintiff, holding that the soviet régime had not been recognized, and that the owner of the property could therefore recover. Upon appeal the judgment of the lower court was reversed. The appellate court held that the trade agreement was tantamount to a recognition of the soviet régime, and its acts were therefore validated, and its seizure of the property and subsequent sale could not be questioned, and that therefore the vendee obtained a valid title.

The same principle was announced in the case of *Oetjen v. Central Leather Co.* (246 U. S. 297), wherein it was held that the recognition by the United States of the Carranza government validated the confiscatory acts of Villa when acting as a military commander under the orders of Carranza. Villa had seized the property in question in the State of Coahuila, and upon its being brought into the United States the Mexican owner brought an action in replevin upon the ground that the property had been unlawfully seized and confiscated. The Supreme Court of the United States, in view of the recognition of the Carranza government, felt compelled to deny the plaintiff relief, holding that—

Recognition by the political department of the United States of a government which originates in revolution or revolt as being the de jure government of the country in which it is established is retroactive in effect, and validates all the actions and conduct of the government so recognized from the commencement of its existence.

Before the United States recognizes the Obregon régime it should canvass the results of such recognition and be entirely satisfied as to the effect of such act upon the confiscatory decrees and proceedings of the Mexican Government. Can this Government afford to ratify these illegal seizures and the countless acts of robbery and spoliation committed by State and National authorities in Mexico? I can not comprehend how we could justify before the bar of public opinion a course which would involve the recognition of Obregon without effective safeguards and conditions which would protect American citizens. In my opinion it would be highly improper for President Harding to give recognition to Obregon until the controversies between the two Governments are adjusted and until

American citizens are fully protected and their rights guaranteed and assured.

We can not afford to be put in the attitude of legalizing the robberies and the acts of pillage committed by the Mexican Government. American citizens, if the Obregon régime were recognized without adequate steps being taken for the protection of their persons and property rights, could with much justice demand that the United States make good to them the losses which they had sustained by reason of the trespasses and robberies committed by the Mexican Government or the political subdivisions of the Mexican Republic.

Under our form of government the States have no right to enter into diplomatic relations with Mexico or seek reparation for the wrongs committed against Americans residing within their borders. It is the duty of the National Government to throw around citizens of the United States its shield of protection and power. American citizenship is not a mere shadow, a tenuous, intangible thing. Citizens owe allegiance to the Government, but the Government owes a duty to protect its citizens. A Roman citizen did not appeal in vain to the Cæsars. Shall the appeals of American citizens to their President and the constituted authorities of their National Government fall upon deaf ears?

I submit that before the Obregon régime or any other government in Mexico is recognized, not only assurances but unequivocal and satisfactory guaranties be given that such government is willing to fulfill its international obligations and is competent to maintain law and order within its own borders.

Writers upon international law point out with great clearness the conditions which may be exacted precedent to either a de facto or de jure recognition of a government.

Mr. Seward, writing to Mr. Foster in 1877, stated that in view of the difficulties on the Rio Grande he should—

wait before recognizing General Diaz as President of Mexico until it shall be assured that his election is approved by the Mexican people and that his administration is possessed of stability to endure and of disposition to comply with the rules of international comity and the obligations of treaties.

As I stated a few moments ago, recognition of Carranza was accorded, and subsequent events demonstrated that perhaps such a course was unwise. Carranza by proclamation declared that the—

constitutional government shall afford to foreigners residing in Mexico all the guaranties to which they are entitled by our laws and shall amply protect their lives, their freedom, and the enjoyment of their rights of property.

And his representative, Arredondo, in his note to Secretary Lansing, gave assurances that the Carranza government would afford guaranties to foreigners and would observe its international obligations and protect the lives and property, in accordance with the practice established by civilized nations, of all aliens.

Following these protestations the Carranza government was recognized, but in no respect did it observe its solemn assurances. It failed to pay its international debts or to protect its own citizens or the lives and property of foreigners.

Mr. President, the time is come when there should be a reckoning with Mexico and when Mexico and the Mexican people must be made to understand that restitution and reparation must be made for the murder of Americans and the citizens of other lands, for the ransoms that have been exacted and the kidnaping, torture, and imprisonment of innocent men, for the outrages committed upon women and children, for the arsons and larceny and destruction of property, and for the vicious anti-American policy pursued by the Government.

The fact that the demand that Mexico pay her debts and make restitution and reparation for her offenses and the offenses of her people may be offensive to the Mexican Government and the vanity of those Mexicans who assume to speak for the country, does not invalidate the claim for the rendition of that which is due or afford any reason why our demands may be denied or ignored. Offenses are not to be paid in offenses but by reparation and restitution.

And this is the business that we have presently to settle with Mexico, and it must have precedence over any question of the resumption of diplomatic relations with the Government of that country. We do not question the legality of the present Mexican Government. Prudence, indeed, might dictate that we wait a seemly time until the stability of the Government should be firmly demonstrated, but that is not the reason that we are waiting. We are waiting for an adjustment of American grievances against that country, the confirmation of American rights in that country, a proper indemnification for the damages our people have suffered, and a settlement of all outstanding controversies so that we may look forward to a day of better relations of amity and of peace.

The Republic of Mexico has recently celebrated the hundredth anniversary of its political independence. As I have shown, the United States recognized the new Republic January 1, 1825, and ever since has recognized the existence of Mexico as an independent nation. The real situation is therefore not the failure on the part of the United States to recognize the present Government of Mexico but rather the withholding by the United States of diplomatic relations with the present Obregon government. We all know perfectly well that Obregon is President of Mexico and there will never by any disposition on the part of the United States to question the legality of the Obregon government or interfere with its jurisdiction or powers in Mexico. That is not the question.

The question is one of the resumption of diplomatic relations and for reasons which are to the Government of the United States sufficient, we have not seen fit, or have not regarded it as advantageous or politic, to enter into regular diplomatic relations with the present Government of Mexico. There have been, however, informal exchanges and correspondence which are perhaps tantamount to a de facto recognition of the existence of the present Obregon government and of its authority in Mexico. The impediment to the resumption of diplomatic relations consists of outstanding differences and unsatisfactory conditions which this Government desires to have rectified both as to indemnification for past wrongs and assurances as to the future which this Government regards as imperative to any just resumption of relations and of the continuance of amity and peace with Mexico. There is no desire to impose upon Mexico humiliating conditions or to make unreasonable exactions, but only to apply to the outstanding controversies the principles of international obligation and morality which Mexico herself professes to recognize and respect.

We had ample evidence of the tenacity of Mexico as to the technical forms and niceties of diplomatic correspondence, all of which has been accompanied by a profound disdain of the substantial duties and moral precepts of international law and custom. We have grown tired of deference to diplomatic forms and discussion, and the necessities of the case now require that we get behind these formalities at the substance of the facts and the essence of Mexico's national duty and responsibility under the facts of the existing situation.

The ratification of a treaty of amity with Mexico and including the settlement of all outstanding controversies will constitute a resumption of diplomatic relations and a formal recognition of the Obregon government. This treaty, which is really necessary to the amity and good relations of the United States and Mexico, should as primary and irreducible conditions—

First. Stipulate that the native or natural-born citizens of the respective parties shall enjoy within the territories of the other party the right to acquire and hold without reservation or limitation estates in lands, tenements, and hereditaments, including the natural resources and appurtenances that go with the free tenure of land, with full rights of occupation, use, and enjoyment, together with the rent issues and profits thereof, and including the inalienable rights of inheritance, testamentary devolution, and contractual disposition.

Second. That the title and possession of lands in Mexico which at the resignation of the Diaz government on May 10, 1911, was vested in citizens of the United States, shall be recognized and confirmed notwithstanding any facts in court or in pais which have intervened in the meantime; that in all cases American citizens shall be restored to the possession, use, and occupation of such lands and protected in such rights.

Third. That in cases where lands, tenements, or hereditaments were actually occupied and subjected to profitable use by citizens of the United States at the fall of the Diaz government, or subsequent thereto, and such citizens of the United States had been constrained to leave Mexico or their tenants had abandoned or been expelled from such lands, that the annual use, value, or proper rent for such lands shall be ascertained and that Mexico shall indemnify such citizens of the United States in an amount equal to the use value of the same during the period of dispossession and disuse.

Fourth. That in all cases where buildings, appurtenances, fixtures, or other improvements have been destroyed or damaged the cost of the restoration or reparation for such damages at the present time shall be ascertained and that Mexico shall indemnify such citizens on account of such restorations and reparation.

Fifth. That in all cases where chattels or personal property have been appropriated, carried away, destroyed, or damaged the value of such property or the damages thereto shall be ascertained and that Mexico shall indemnify the owners of the same accordingly.

Sixth. That in all cases where American citizens have suffered death or have been subjected to detention, imprisonment, insult, abuse, batteries, wounds, suffering, or other outrages of a personal nature that Mexico shall make proper and adequate indemnification as well as apology and regret for such wrongs.

Seventh. That citizens of the United States shall be confirmed in all rights, easements, franchises, concessions, liberties, privileges, or other rights of an incorporeal nature with which they were invested at the fall of the Diaz government.

Eighth. That the Government of Mexico shall make expression of its intention of taking adequate measures in the future to prevent a recurrence of the wrongs for which indemnification is provided to be made in the treaty.

Mr. President, I would not have undertaken to discuss this vexed and vexatious question except for the fact that the efforts to secure recognition for Obregon are so persistent, and so many statements are made which I regard as inaccurate, attributing to the Obregon régime a willingness to do justice to our Government and to those who have been wronged at the hands of the Mexican Government. I repeat what I stated at the outset, that Mexico presents a problem—one which is serious and difficult of solution. To speak dogmatically of what should be done may be highly imprudent and unwise. That conditions, as they exist, should continue indefinitely can not be tolerated. If Mexico refuses to make reparation to citizens of the United States and persists in her policy of spoliation and robbery, and denies to Americans protection of their persons, then the United States, by every principle of national honor, must take the necessary steps to protect the lives of its citizens as well as their rights. This is necessary in vindication of its rights and honor as a nation. Undoubtedly there is a sentiment in Mexico that the United States will resent no affront, nor will it interpose to protect its citizens. Mexico must be taught that it may go too far; indeed, that the time has now arrived when it must adopt a course toward the United States and its citizens that is demanded of civilized nations and those States which claim a standing among the enlightened nations of the world.

I am not here to denounce the present administration or to embarrass it in any way in dealing with a question which presents perplexing and difficult angles.

But we have a practical question to deal with, and the time has come to deal with it in a practical way. In my opinion, there should be no recognition of Obregon or any government in Mexico until assurances and guaranties such as I have indicated have been given. I am sure those upon this side of the Chamber will support the administration in any policy that will conform to the standards of international justice and comity and vindicate the rights of American citizens and the honor of this Republic.

ADDRESS OF SENATOR MOSES IN NEW YORK CITY.

Mr. HARRISON. Mr. President, on last evening in the city of New York the distinguished Senator from New Hampshire [Mr. MOSES] made a very important address. I notice from the New York Times of this morning that in introducing the Senator from New Hampshire, George Henry Payne referred to him "as a man whom the country would like to see in the White House." Because of that introduction, and because of the remarks made on that occasion, I think the article appearing in the New York Times of this morning should be read into the RECORD, and I ask that it may be read at the Secretary's desk.

The PRESIDING OFFICER (Mr. LADD in the chair). Without objection, the Secretary will read as requested.

The Assistant Secretary read as follows:

MOSES DENOUNCES CONGRESS COWARDS—APPEALS TO WOMEN TO "THROW A SCARE" INTO THEM TO AID TAX REFORM—ATTACKS THE FARM BLOC—CALLS THE BONUS "AN OUTRAGE" AND SAYS "NOISY MINORITIES" CONTROL OUR DESTINY—WANTS STATES LET ALONE—ONCE "THE LAND OF THE FREE," AMERICA NOW "THE REGION OF THE REGULATED."

Nothing short of a thorough revision of our system of taxation will enable this country to return to "normalcy" and American business to prosper anew. United States Senator GEORGE H. MOSES, of New Hampshire, told some 300 women who assembled yesterday afternoon at the residence of Mr. and Mrs. Otto H. Kahn, 1100 Fifth Avenue. They had come at the invitation of the committee of American business men. Senator MOSES, a follower of the late Colonel Roosevelt, urged his feminine audience to throw a big scare into Congress in the interest of necessary reform.

Senator MOSES denounced Congress as cowardly. He insisted that far too large a proportion kept their eyes constantly on the ballot box. As a result, Senator MOSES said, this country was now ruled by well-organized, aggressive, and noisy minorities, of which he singled out as the noisiest and consequently most powerful the so-called "farm bloc."

"That bloc, composed of 19 lawyers, 1 editor, 1 well driver, and 1 manufacturer of sewer pipes," Senator MOSES said, "is now, through sheer terrorization of cowardly Members of Congress, able to control the economic destiny of the United States."

CALLS BONUS "AN OUTRAGE."

In pointing his object lesson, Senator MOSES made passing reference to the Republican Senate caucus held in Washington yesterday. "Every Senator who comes up for reelection this year and attended that caucus voted in favor of the bonus bill, which will saddle more than \$4,000,000,000 in taxes on the already overburdened taxpayer," he said. "I was one of the nine Republican Senators voting against that outrage. All these things take place because of the cowardice of men in public life in America at this moment." He then appealed to his women hearers to "throw a scare into as many cowardly Congressmen as have been terrorized by any other group. And I implore you to go out and try it for the good of your country."

The women applauded this appeal with unwonted vigor. Then one woman arose and asked a little timidly:

"Will a frightened Congressman be better than a Congressman who is not frightened?"

"On the contrary," Senator MOSES said in flashing back his answer. "I prefer the other kind. But if we must have the kind we now have in Congress, I would rather have them scared into doing the right than into doing the wrong thing."

Senator MOSES admitted that while he personally had benefited by direct primaries and the election of United States Senators by popular vote, he had reached the conclusion that they did not make for good government.

"It has been said," he remarked, "that a country deserves the sort of government it gets. But when I look on the performances of some of my colleagues and listen to their ravings, I can not help but wonder why my country should have had visited upon it such an awful affliction."

"As a result of the sort of government we have, our statute books are cluttered up with legislation wholly socialistic, and, in my opinion, entirely mischievous in deference to the desires of minorities aggressive enough to make themselves felt and become the masters of legislative bodies."

THE LAND OF THE REGULATED.

"There was a time when this was the land of the free; now it is the region of the regulated," said Senator MOSES. "With Congress meddling in the business of the States more and more, the House of Representatives has become as parochial as the House of Commons ever was. Nothing is left to the initiative or the determination of the individual any longer."

"A man goes to work. The fare he pays on the trolley car is fixed by a commission. When he gets to the factory his hours are fixed by the statute and his wages and the amount of work he is permitted to produce by the even more dictatorial rules of a labor union. If he goes to the movies in the evening, the picture he sees has been censored by a commission whose good taste generally is in doubt. And the chances are he sleeps in a bed made up according to directions in a pamphlet issued by some department of the Federal Government."

Senator MOSES criticized "the so-called dollar-for-dollar system under which the Federal Government contributes one dollar for some State purpose, such as road building, for every dollar raised by the State itself."

"For the building of roads," he continued, "the Federal Government had already spent under this plan some \$350,000,000, and \$1,250,000,000 more will be spent. This will work special hardships to the taxpayers of New York."

In introducing Senator MOSES, Secretary George Henry Payne had referred to him as a man whom the country would like to see in the White House.

"In regard to that flattering allusion to the future, I must enter a disclaimer," said Senator MOSES in beginning his speech. "I have no hopes and no ambitions. There are too many candidates now. In the Senate alone there are not less than 95 of them. The nomination of Mr. Harding while a Member of the United States Senate has played irreparable havoc with the morale of that body."

Mr. HARRISON. I ask that that article be dedicated to the next Republican campaign textbook.

MESSAGE FROM THE HOUSE—ENROLLED JOINT RESOLUTION SIGNED.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 309) appropriating \$1,000,000 for the preservation, protection, and repair of levees under the jurisdiction of the Mississippi River Commission, and it was subsequently signed by the Vice President.

THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7456) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, and for other purposes.

The PRESIDING OFFICER. The Secretary will proceed with the reading of the tariff bill.

The ASSISTANT SECRETARY. The first amendment of the Committee on Finance—

Mr. KING. Does the Senator from North Dakota wish to proceed with the consideration of the bill at this time? If so, I shall have to make a speech upon another subject.

Mr. HARRISON. Mr. President, the Senator from North Dakota, I am sure, realizes the situation confronting us. The pending tariff bill was reported out of the Committee on Finance only a few days ago, and the minority members of that committee have since been working day and night in order to prepare themselves for the consideration of the bill. The minority members of the committee were not permitted to be in conference with the majority members. There is no desire on the part of any Senator on this side of the aisle unnecessarily to delay the consideration of the bill at all. On the contrary, it is the desire on this side of the Chamber to cooperate with Senators

on the other side of the aisle and to get the bill out of the way as soon as we can, of course, after full and free discussion. The ranking member of the minority of the committee, the Senator from North Carolina [Mr. SIMMONS], is now in his office working with experts and other minority members of the Committee on Finance, as the Senator from North Dakota knows, in order to prepare for the discussion of the bill. Under those circumstances I was wondering if the Senator from North Dakota would not consent to the Senate adjourning over until Monday, in order to give minority Senators further time to prepare for the consideration of the bill? I am sure time will be saved in the consideration of the tariff bill if my suggestion is followed, and that the consideration of the measure will thereby be expedited.

Mr. McCUMBER. Mr. President, I certainly join with the Senator from Mississippi in the desire to facilitate the passage of this bill. I do not wish to do anything or to say anything that would delay discussion. My expectation was that we should proceed with the discussion of the bill to-day and perhaps dispose of some of the committee amendments. If I felt that an adjournment over until Monday would facilitate the passage of the bill, I should gladly agree to that. However, while the able speech made by the Senator from Utah [Mr. KING] was most interesting—and I think he was nearly four and a half hours in delivering that enlightening address—somehow I failed to connect it with the pending tariff bill.

Mr. KING. If the Senator from North Dakota will permit me to interrupt him, I desire to say that if the Senator had been here he would have discovered that about an hour of my address was devoted to a discussion of the effects of the high tariff bill which has been reported to the Senate. I commented upon the purpose of the Republicans to become troglodytes and to cut off all trade with other nations. I called attention to the manifest effects of the bill. I am sorry the Senator was not present, because had he been here he would have found that I was discussing the tariff bill a part of the time.

Mr. McCUMBER. After listening for about two and a half hours to the Senator, I concluded that he was not coming back to the tariff bill at all, and consequently I must have missed the hour's discussion upon the tariff bill to which he refers; but I shall read with pleasure what the Senator said, if I find it in the RECORD to-morrow.

Mr. KING. The Senator will later find it in the RECORD; but, perhaps, not to-morrow morning.

Mr. HARRISON. Of course, if it is desired to consider other business to-morrow—for instance, the calendar—we might take it up for consideration; but will not the Senator from North Dakota withhold the discussion of the tariff bill until Monday? I am informed by the Senators on the subcommittee that in all probability they will be ready on Monday to begin the discussion of the tariff bill.

Mr. McCUMBER. Does the Senator from Mississippi think that, should we adjourn over, we would have a continuous discussion of the tariff bill then until disposed of, or would we spend a great deal of time in the discussion of many questions outside of the tariff?

Mr. HARRISON. There are many questions outside of the tariff which probably would be discussed, but there will be a disposition on this side to try to facilitate the consideration of the tariff bill.

Mr. WILLIAMS. Mr. President, will the Senator from North Dakota pardon me for a moment?

Mr. McCUMBER. Certainly.

Mr. WILLIAMS. If either one of the two theories which seem to rest within the Senator's mind be true it would still follow that we should make time by doing what my colleague [Mr. HARRISON] suggests. If, as the Senator seems to think, some of the Senators on this side are trying to consume time, he must know that they are trying to do so in order that Democratic Senators on the Finance Committee, who are studying and trying to analyze the bill, may be prepared to proceed with the discussion, so that it may be carried on in a continuous manner. If, upon the other hand, it is merely one of those chronic habits of the Senate which has been illustrated of some Senator talking about something which is not before the Senate at the time, that can not be helped either; but if the object is to give minority Senators the time to study and analyze the bill—and frankly I am partially of that opinion myself—it would not be at all helped by other Senators speaking upon something else to-morrow. I am satisfied that by Monday morning it will be possible for the Senators on this side of the Chamber to proceed with the discussion of the bill.

It will be remembered that I requested the senior Democratic Senator upon the committee not to place me upon the subcommittee which is carrying forward this work, because I did not

feel well enough to assume the immense amount of intense and quick labor that I saw would be necessary in order to be ready within a reasonable time; and so my place was taken by another Senator, who is now cooperating with the Senator from North Carolina [Mr. SIMMONS].

In all candor, I really think that it would be better all around and less time would be wasted and less time misconsumed, and discussion would begin under better auspices and would proceed upon the bill more continuously, if my colleague's request be acceded to, than if we get into a sort of a bad disposition with one another at the very beginning.

Mr. CURTIS. Mr. President, I hope the Senator from Mississippi will not ask for an adjournment over to-morrow. I promised the other day, in open session, that we would devote some time to the calendar. If the Senator wants to let the matter of the tariff go over until Monday we could take up the calendar under Rule VIII to-morrow by unanimous consent, and probably finish it.

Mr. WILLIAMS. Why could we not take up the calendar for an hour now, and then adjourn immediately after that?

Mr. CURTIS. It is half-past 4 now.

Mr. SMOOT. We shall have to meet to-morrow anyway.

Mr. McCUMBER. Mr. President, I am very much impressed with the expressions of good faith and good purpose to hurry the discussion and final passage of this bill through the Senate. We have been engaged on it in committee for a long time, I will admit; but it required very long and careful consideration. Conditions were so abnormal that we had nothing of the past to guide us to any great extent, and every schedule and every item was fought most bitterly by those having opposing views upon it.

When the Senator from North Carolina made a suggestion for further time the other day, when we reported the bill, his first suggestion was for 10 days. Afterwards some of his colleagues thought that was too short a time, but we accepted that finally as the basis for the time which would be necessary. The Senate committee has had at its disposal two of probably the most thoroughly equipped experts in the country upon tariff matters, and I had hoped very much that we could go on with the bill to-day, but I will accept the suggestion of the Senator from Kansas to dispose of other matters to-morrow and let us all get ready to go right on with the tariff bill on Monday.

Mr. SMOOT. Mr. President, let me suggest to the Senator from North Dakota that I think myself we ought to run through the calendar and clear the calendar of the bills to which there is no objection. I think the calendar ought to be disposed of, as far as possible, before we begin the daily discussion of the tariff bill. Why not have it understood, then, that we will recess to-day until to-morrow, and take up the calendar at that time, and go through with it, and consider bills to which there is no objection?

Mr. LODGE. Do not limit it to that.

Mr. SMOOT. Then, of course, we will not get very far with the consideration of unobjected bills, because if one bill to which there is objection is taken up that will settle it for the day. I do not know whether it is best to limit it or not, but I really think that there are so many bills here to which there is no objection that they ought to be gotten off the calendar.

Mr. KING. May I say that I understand that there will be an effort to take up certain pension bills to-morrow. If that is the desire, they will have to be discussed, and I shall have to be here and discuss them. I prefer that we should take up just the unobjected matters. I want to say further that I expect to discuss the chemical schedule. That is the first schedule, and I am ready to go on this afternoon, but I could not go very far; and if I shall have to be here to-morrow to discuss the pension bills it will not give me the opportunity which I should like to examine the chemical schedule. The Senators of the majority have had the advantage of weeks of study, and have had the assistance of experts. Some of us have had neither.

Mr. CURTIS. Mr. President, I suggest that we agree by unanimous consent to take up the calendar to-morrow, beginning at the first of it and go through the calendar, and dispose of unobjected bills. Then, if there is any time left, I suggest that it be devoted to the consideration of other bills which may be taken up on motion.

Mr. KING. That is all right.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kansas? The Chair hears none, and it is so ordered.

Mr. SIMMONS. Mr. President, I wish to say to the Senator from North Dakota that while his statement made a few moments ago was technically correct—I did consent to the 10

days—before that I had asked for a longer time, and it became evident that I could not get it when I said I would try to content myself with 10 days and do the best I could to get ready.

Mr. McCUMBER. The Senator is correct.

Mr. SIMMONS. And I have been doing that. I do not know what may have been said by the junior Senator from Utah before I came into the Chamber, but I judge from what the Senator from North Dakota has stated that something was said about the facilitation of the consideration of this bill. I want to say again—I said it, I think, yesterday—that I think, so far as this side of the Chamber is concerned—I am sure so far as the minority of the committee is concerned—we have not the slightest disposition to resort to any dilatory tactics whatever in connection with the consideration of this bill. We are anxious that it shall be considered and disposed of as soon and as speedily as possible consistent with a proper discussion of the important questions which it involves. I assure the Senator from North Dakota that I shall cooperate with him fully within those limitations.

Mr. McCUMBER. I thank the Senator. I think we shall have no trouble in speeding up as rapidly as possible.

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.

RECESS.

Mr. CURTIS. I move that the Senate take a recess until to-morrow at 12 o'clock.

The motion was agreed to; and (at 4 o'clock and 42 minutes p. m.) the Senate took a recess until to-morrow, Saturday, April 22, 1922, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 21 (legislative day of April 20), 1922.

COLLECTOR OF CUSTOMS.

A. R. Noble, of Anniston, Ala., to be collector of customs for customs collection district No. 19, with headquarters at Mobile, Ala., in place of Joseph H. Lyons.

APPOINTMENT IN THE COAST AND GEODETIC SURVEY.

Wilbur Oscar Manchester, of New York, to be aid, with the relative rank of ensign in the Navy, in the Coast and Geodetic Survey, vice A. G. Katz, promoted.

APPOINTMENT IN THE REGULAR ARMY.

GENERAL OFFICER.

Col. Paul Bernard Malone, Infantry, to be brigadier general from April 27, 1922, vice Brig. Gen. Charles Gould Treat, who is to be retired from active service April 26, 1922.

PROMOTIONS IN THE REGULAR ARMY.

To be captains.

First Lieut. Ernest Andrew Thompson, Signal Corps, from February 22, 1922.

First Lieut. William Andrew Gray, Air Service, from February 22, 1922.

First Lieut. Franz Joseph Jonitz, Quartermaster Corps, from February 24, 1922.

First Lieut. William Valery Andrews, Air Service, from February 24, 1922.

First Lieut. George Stetekluh, Quartermaster Corps, from February 25, 1922.

First Lieut. Frank Marion Barrell, Quartermaster Corps, from February 28, 1922.

First Lieut. Stanton Higgins, Cavalry, from February 28, 1922.

First Lieut. Holden Spear, Quartermaster Corps, from February 28, 1922.

First Lieut. Frank Merrill Bartlett, Air Service, from March 2, 1922.

First Lieut. Benson Glenwood Scott, Field Artillery, from March 2, 1922.

First Lieut. Redding Francis Perry, Cavalry, from March 2, 1922.

First Lieut. Walter Arthur Metts, jr., Field Artillery, from March 5, 1922.

First Lieut. Frank Camm, Field Artillery, from March 6, 1922.

First Lieut. Robert Morgan Burrowes, Infantry, from March 7, 1922.

First Lieut. Richard Oscar Bassett, jr., Infantry, from March 9, 1922, subject to examination required by law.

First Lieut. Percy Stuart Lowe, Coast Artillery Corps, from March 12, 1922.

First Lieut. Lewis Alonzo Murray, Corps of Engineers, from March 14, 1922.

First Lieut. Rene Edward deRussy, Coast Artillery Corps, from March 23, 1922.

First Lieut. Marion Gardner Putnam, Air Service, from March 27, 1922.

First Lieut. Clyde Grady, Infantry, from March 29, 1922.

First Lieut. Walter Drake Williams, Air Service, from March 29, 1922.

First Lieut. William Henry Payne, Quartermaster Corps, from April 1, 1922.

First Lieut. Thomas Tilson Conway, Infantry, from April 2, 1922.

First Lieut. Edgar Ambrose Jarman, Infantry, from April 4, 1922.

First Lieut. Regeon Victor Love, Coast Artillery Corps, from April 5, 1922.

First Lieut. Svening Johannes Bang, Cavalry, from April 6, 1922.

First Lieut. Allan Sheldon Willis, Infantry, from April 6, 1922.

POSTMASTERS.

ALABAMA.

Charles E. Brooks to be postmaster at Fort Deposit, Ala., in place of C. E. Brooks. Incumbent's commission expired January 24, 1922.

ARKANSAS.

Carl J. Lauderdale to be postmaster at Stamps, Ark., in place of A. P. Massey, resigned.

CALIFORNIA.

George A. Weishar to be postmaster at Hanford, Calif., in place of F. V. Dewey, resigned.

COLORADO.

Pearle L. Gabbett to be postmaster at Orchard, Colo. Office became presidential January 1, 1921.

CONNECTICUT.

Mary H. Newton to be postmaster at Uncasville, Conn., in place of M. E. Tooker, resigned.

GEORGIA.

Awtrey C. Moore to be postmaster at Powder Springs, Ga. Office became presidential October 1, 1920.

Stevens R. Owen to be postmaster at Gordon, Ga., in place of J. A. Stokes. Incumbent's commission expired February 5, 1922.

Charles H. Travis to be postmaster at Senoia, Ga., in place of B. A. Nolan. Incumbent's commission expired May 2, 1921.

ILLINOIS.

Charles H. Collins to be postmaster at Casey, Ill., in place of Ross Lee. Incumbent's commission expired February 4, 1922.

Charles E. Van Buren to be postmaster at Victoria, Ill., in place of M. B. Sloan. Incumbent's commission expired January 31, 1921.

IOWA.

James V. Frew to be postmaster at Hiteman, Iowa, in place of W. H. Frew. Incumbent's commission expired January 24, 1922.

KANSAS.

John L. Lee to be postmaster at Atlanta, Kans. Office became presidential January 1, 1921.

Francis B. Brungardt to be postmaster at Victoria, Kans. Office became presidential April 1, 1921.

KENTUCKY.

Melvin C. Bray to be postmaster at Hindman, Ky. Office became presidential January 1, 1921.

Grant North to be postmaster at Hustonville, Ky. Office became presidential April 1, 1920.

Allen E. Bell to be postmaster at Moreland, Ky. Office became presidential January 1, 1921.

Phoebe Howard to be postmaster at Salyersville, Ky. Office became presidential January 1, 1921.

Harvey B. Ogden to be postmaster at Worthville, Ky. Office became presidential January 1, 1922.

Marvin L. Whitnell to be postmaster at Murray, Ky., in place of E. C. K. Robertson, removed.

Samuel C. Hedden to be postmaster at Shelbyville, Ky., in place of O. D. Todd. Incumbent's commission expired July 21, 1921.

Henry Hall to be postmaster at Waynesburg, Ky., in place of Cora Singleton, resigned.

MARYLAND.

Charles R. Day to be postmaster at Marlon Station, Md., in place of E. A. Lankford, removed.

MASSACHUSETTS.

Helen K. Hoxie to be postmaster at Sunderland, Mass. Office became presidential July 1, 1921.

William F. Searle to be postmaster at Peabody, Mass., in place of D. J. Dullea. Incumbent's commission expired January 24, 1922.

MICHIGAN.

John H. Boehm to be postmaster at Fountain, Mich. Office became presidential April 1, 1921.

MISSOURI.

Jessie F. Huff to be postmaster at Des Arc, Mo. Office became presidential April 1, 1921.

NEW MEXICO.

Ernest A. Hannah to be postmaster at Artesia, N. Mex., in place of G. U. McCrary, resigned.

NEW YORK.

John A. Rapelye to be postmaster at Flushing, N. Y., in place of A. J. Kennedy. Incumbent's commission expired July 21, 1921.

Henry C. Windeknecht to be postmaster at Rensselaer, N. Y., in place of W. I. Williams. Incumbent's commission expired March 22, 1920.

Joseph W. Kratoville to be postmaster at Riverhead, N. Y., in place of O. E. Griswold, resigned.

NORTH DAKOTA.

Martin H. Weber to be postmaster at New Leipzig, N. Dak., in place of A. E. Briggs, resigned.

OHIO.

George S. Laskey to be postmaster at Custer, Ohio. Office became presidential October 1, 1921.

Ruth G. McWilliams to be postmaster at Grand Rapids, Ohio, in place of W. J. Connolly. Incumbent's commission expired March 16, 1921.

Everett F. Funk to be postmaster at Warsaw, Ohio, in place of R. E. Clark, resigned.

OKLAHOMA.

Cosmo Falconer to be postmaster at Cheyenne, Okla., in place of W. P. Madden. Incumbent's commission expired February 4, 1922.

Robert R. Sutton to be postmaster at Claremore, Okla., in place of A. L. Kates. Incumbent's commission expired February 4, 1922.

Hiram H. Snow to be postmaster at Sand Springs, Okla., in place of V. A. Schiefelbusch, resigned.

OREGON.

Ora S. Banister to be postmaster at Paisley, Oreg. Office became presidential January 1, 1922.

PENNSYLVANIA.

Ralph V. Parthemore to be postmaster at High Spire, Pa. Office became presidential October 1, 1920.

William B. Baker to be postmaster at Claysburg, Pa., in place of C. E. Burket. Incumbent's commission expired March 16, 1921.

Zola K. Rodkey to be postmaster at Spangler, Pa., in place of J. B. Esch. Incumbent's commission expired February 5, 1922.

SOUTH DAKOTA.

Susan E. Endicott to be postmaster at Hill City, S. Dak., in place of E. E. Blight; appointee failed to qualify.

TENNESSEE.

Clyde A. Jamison to be postmaster at Millington, Tenn., in place of V. E. Williams, resigned.

Claris E. Akin to be postmaster at Rutherford, Tenn., in place of L. W. Davidson. Incumbent's commission expired August 26, 1920.

TEXAS.

Velma Scott to be postmaster at Graford, Tex. Office became presidential April 1, 1921.

John C. Beaver to be postmaster at Perryton, Tex. Office became presidential January 1, 1921.

Herman C. Feist to be postmaster at Rowena, Tex. Office became presidential October 1, 1920.

Joseph D. Powell to be postmaster at Archer City, Tex., in place of H. L. Robertson, deceased.

Wyatt O. Selkirk to be postmaster at Blessing, Tex., in place of J. H. Logan, resigned.

Roy B. Nichols to be postmaster at Houston, Tex., in place of T. W. House. Incumbent's commission expired January 24, 1922.

Thomas B. White to be postmaster at Rogers, Tex., in place of B. T. Gardner. Incumbent's commission expired July 21, 1921.

UTAH.

Claude C. McGee to be postmaster at Lewiston, Utah, in place of J. M. Anderson, deceased.

VERMONT.

William H. Startup to be postmaster at Proctor, Vt., in place of J. L. Welsh, resigned.

VIRGINIA.

Mary P. Moon to be postmaster at Cartersville, Va. Office became presidential October 1, 1920.

WASHINGTON.

Amy E. Ide to be postmaster at Outlook, Wash. Office became presidential October 1, 1920.

WEST VIRGINIA.

Daniel M. Shakley to be postmaster at Hollidays Cove, W. Va. Office became presidential July 1, 1920.

Winnie O. Law to be postmaster at Mount Clare, W. Va. Office became presidential October 1, 1920.

WISCONSIN.

Leslie H. Thayer to be postmaster at Birchwood, Wis. Office became presidential July 1, 1920.

John A. Mathys to be postmaster at Casco, Wis. Office became presidential January 1, 1921.

Oliver R. Weinandy to be postmaster at Cochrane, Wis. Office became presidential July 1, 1920.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 21 (legislative day of April 20), 1922.

POSTMASTERS.

ALABAMA.

James D. Segars, Carbon Hill.

ILLINOIS.

May S. Williams, Hanover.
Herman W. Behrens, Kampsville.
Paul P. Shutt, Paris.
Walter A. Foster, Steward.
John J. Barton, Sublette.

KANSAS.

Robert B. Slavens, Lecompton.

MICHIGAN.

Wynne C. Garvin, Millington.

MINNESOTA.

Alton E. Martin, Woodlake.

NEBRASKA.

Henry J. Steinhausen, Creighton.
Ray H. Surber, Davenport.
Earl R. Lewis, Humphrey.
James E. Scott, Osmond.
James D. Finley, Sargent.

NEW YORK.

May M. Ferry, Edwards.
Arthur H. Wyatt, Hulets Landing.
Raymond C. Green, Sanquoit.

OKLAHOMA.

Guy E. Reece, Braggs.

PENNSYLVANIA.

Elwood S. Rothermel, Fleetwood.
Elwood M. Stover, Kulpville.
Mabel M. Myer, Ronks.

WASHINGTON.

John L. Harris, Kelso.
William R. Wells, Mount Vernon.

HOUSE OF REPRESENTATIVES.

FRIDAY, April 21, 1922.

The House met at 12 o'clock noon.

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

Our Father in heaven, we approach Thee not with protest but with willing submission. We do not murmur nor complain, for Thy gracious providences are so manifold. O may they preserve in us the high instinct to live at our best. We beseech Thee to keep the power of our moral resistance unbroken. Bless us each day with the right attitude of mind toward life, with its urgent duties and its countless mercies. Ever keep before us our country's need. May our past be our inspiration, the present the call of opportunity, and in the discharge of every obligation direct us to do the best we know and give the best we have. Through Jesus Christ our Lord. Amen.

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

SWEARING IN OF A MEMBER.

Mr. DUNN. Mr. Speaker, I ask unanimous consent that Mr. LEWIS HENRY, who has been elected a Member of the House of Representatives from the thirty-seventh district of New York, be allowed to take the oath of office.

The SPEAKER. The gentleman from New York asks unanimous consent that Mr. HENRY, recently elected a Member from the State of New York, whose certificate of election has not yet been received by the Clerk, be allowed to take the oath of office. Is there objection?

There was no objection.

Mr. HENRY appeared at the bar of the House and took the oath of office.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had agreed to the conference report on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10740) authorizing the use of special canceling stamps in certain post offices.

The message also announced that the Senate had agreed to the amendment of the House to Senate Concurrent Resolution 21 providing for printing as a Senate document with an index the bill (H. R. 7456) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, and for other purposes, as reported to the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 1075. An act giving permanent rank to district superintendents of the Coast Guard on the retired list;

S. 1405. An act for the relief of William Collie Nobors; and

S. 2885. An act to authorize the acquisition of lands for military purposes in certain cases and making appropriations therefor, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 1075. An act giving permanent rank to district superintendents of the Coast Guard on the retired list; to the Committee on Interstate and Foreign Commerce.

S. 1405. An act for the relief of William Collie Nabors; to the Committee on Claims.

S. 2885. An act to authorize the acquisition of lands for military purposes in certain cases and making appropriations therefor, and for other purposes; to the Committee on Military Affairs.

CONTESTED-ELECTION CASE—PARRILLO *v.* KUNZ.

The SPEAKER laid before the House a letter from the Clerk of the House transmitting testimony, papers, and documents relating to the contested-election case of Parrillo against Kunz, which was referred to the Committee on Elections No. 1 and ordered to be printed.

CONTESTED-ELECTION CASE—GOLUMBIEWSKI *v.* RAINEY.

The SPEAKER laid before the House a letter from the Clerk of the House transmitting testimony, papers, and documents relating to the contested-election case of Golumbiowski against Rainey, which was referred to the Committee on Elections No. 2 and ordered printed.

MONTHLY PAYMENT OF PENSIONS.

Mr. BLAND of Indiana. Mr. Speaker, I call up the bill (H. R. 2158) to provide for the monthly payment of pensions, with Senate amendments thereto, and move to concur in the Senate amendments.

Mr. GARNER. Mr. Speaker, a parliamentary inquiry. Is not that a bill that should be considered in the Committee of the Whole House on the state of the Union in order to agree to the Senate amendments? Is not that a charge on the Treasury?

The SPEAKER. The rule does not require that every bill which must be considered in Committee of the Whole House on the state of the Union, when it comes back from the Senate with a Senate amendment thereto, must be considered in the Committee of the Whole House on the state of the Union for the consideration of the Senate amendment, unless the Senate amendments require such consideration. The Chair is informed that these amendments do not require such consideration. The Clerk will report the Senate amendments.

The Clerk reported the Senate amendments.

The SPEAKER. The question is on agreeing to the Senate amendments.

The Senate amendments were agreed to.

MISSISSIPPI FLOOD DISASTER.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution, which I send to the Clerk's desk.

The Clerk read as follows:

House Joint Resolution 309.

Be it resolved, etc., That there be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000,000, to be immediately available as an emergency fund to be expended by the Mississippi River Commission during the present flood in the Mississippi River, for the purpose of preserving, protecting, and repairing the levees under its jurisdiction: *Provided,* That the Secretary of the Treasury shall deduct \$1,000,000 from the appropriation that shall first hereafter be made for the use of said Mississippi River Commission under the terms of the flood control act of March 1, 1917, said \$1,000,000 to be carried to the surplus fund and covered into the Treasury: *And provided,* That any unexpended balance of the sum hereby appropriated, remaining after present flood emergency has passed, may be expended by the Mississippi River Commission under the authority and subject to the provisions of the said flood control act.

Mr. MADDEN. Mr. Speaker, in that connection I ask to have read a letter from the Secretary of War.

The SPEAKER. Without objection, the Clerk will read.

There was no objection.

The Clerk read as follows:

WAR DEPARTMENT,
Washington, April 21, 1922.

HON. M. B. MADDEN,
Chairman Committee on Appropriations,
House of Representatives.

MY DEAR CONGRESSMAN: The Mississippi River is in extreme flood, the water being higher at many places than ever known before, and the condition is such that the levees protecting extensive tracts of the States of Illinois, Missouri, Arkansas, Tennessee, Mississippi, and Louisiana are seriously threatened.

The water of the river is above the tops of the levees in some places for 20 miles at a stretch, and it is only by the utmost vigor and watchfulness on the part of the people that these levees are not overtopped or breached. The loss of life and property, should a break in the levees occur, would be incalculable and would amount to a national disaster.

The funds under the control of the Mississippi River Commission have been practically exhausted, and breaks in the levees at various points are certain to occur unless funds are immediately provided to keep up the work now being carried on. It is known that the local levee boards and parties interested have already made as great sacrifice in the fight against the water as they have been able and can not furnish funds longer.

I therefore most urgently recommend the passage of the joint resolution, copy of which is inclosed, which makes immediately available the sum of \$1,000,000 from the pending appropriation for the Mississippi River. This amounts to nothing more than an advance of funds for the purpose, and I urge its adoption at the earliest possible moment.

Very respectfully,

JOHN W. WEEKS,
Secretary of War.

Mr. MADDEN. Mr. Speaker, I think it is proper that I should explain the situation. Under the flood control act of 1917 appropriations are authorized to be placed at the disposal of the Mississippi River Commission. The bill for the Military Establishment recently passed by the House carries an appropriation for this purpose amounting to \$6,670,000, to be available after the 1st of July next. This resolution provides that out of that \$6,670,000, \$1,000,000 shall be taken. It may be that the Senate in the consideration of the military bill will deduct the million dollars, but if the Senate should fail to do that, then the power is in the Secretary of the Treasury to take it out of that bill. So that in the consideration of the resolution before us we are not appropriating any money but are

simply making available for immediate use the \$1,000,000 which would be at the disposal of the Mississippi River Commission after the 1st of July in any event. I hope the resolution will be passed.

The SPEAKER. Is there objection to its present consideration?

Mr. WALSH. Mr. Speaker, reserving the right to object, is this million dollars that is to be expended to be used for any different work than the \$6,670,000 which is carried in the bill?

Mr. MADDEN. Exactly the same.

Mr. WALSH. Are we making any headway in this work on the Mississippi to overcome these annual or biennial floods?

Mr. MADDEN. I understand that great progress is being made, that sooner or later the danger will be obviated by the construction of such levees as are adequate.

Mr. WALSH. Of course, it is apparent that there must be no delay in this, if this money is to be of some use, that it ought to be had to-day.

Mr. MADDEN. There ought not to be any delay.

Mr. WALSH. Mr. Speaker, I have no objection to the consideration of the resolution.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. GARNER. If progress had not been made in this work, the flood would now cover the entire valley, would it not?

Mr. MADDEN. I have not any doubt about that.

Mr. GARNER. The loss of life and property would be tremendous?

Mr. MADDEN. Yes. Mr. Speaker, I ask for a vote.

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

The question was taken, and the joint resolution was passed.

On motion of Mr. MADDEN, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

BILLS ON THE PRIVATE CALENDAR.

Mr. EDMONDS. Mr. Speaker, this being the day set aside for the consideration of bills upon the Private Calendar, I ask unanimous consent that the House take up unobjected bills upon the Private Calendar and consider them in the House as in Committee of the Whole House.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that unobjected bills on the Private Calendar be taken up in order in the House as in Committee of the Whole House. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the first bill.

LUKE RATIGAN.

The first business in order on the Private Calendar was the bill (H. R. 2614) for the relief of Luke Ratigan.

The Clerk read the title of the bill.

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

Mr. WALSH. Mr. Speaker, reserving the right to object, I would like to have some explanation of this bill. It was objected to once before, and I would like to know something in regard to it.

Mr. KAHN. Mr. Speaker, Luke Ratigan is a man who is 80 years of age at the present time. He was formerly in the revenue service at San Francisco. I want to say frankly that he was a very faithful employee, and one day the commander of the vessel on which he was acting attempted to jump overboard—tried to commit suicide. Luke Ratigan, an oiler on the vessel, jumped and caught him and saved him. They wrestled around the deck for quite a little while. His back was badly strained in the struggle. He had been appointed an oiler only a few weeks before and was acting in that capacity. Then he was put temporarily in the appraiser's building, so as to be able to regain his strength. While he was feeding the furnaces a crazy man came down there, attacked him, and tried to blow up the furnaces. Ratigan held the man until relief could come to him. The man was arrested and sent to the insane asylum. Ratigan had to resign from the higher position of oiler and serve in the lower position of fireman because he had defended the property of the United States. That is all there is in the matter, and I certainly hope the House will allow this bill to pass. It will give him a rating a little higher than he would get otherwise.

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

The Clerk will report the bill.

The Clerk read as follows:

Whereas Luke Ratigan, of San Francisco, Calif., was employed in the United States Revenue-Cutter Service as fireman for a period of over 25 years; and

Whereas the said Luke Ratigan, while in the discharge of his duty in said service and in the saving of human life, received physical injuries which compelled him to relinquish the position of a petty officer, to which he had just been promoted, and continue in the said United States Revenue-Cutter Service at the lower rating; and

Whereas by act of Congress approved January 28, 1915, the Revenue-Cutter Service and the Life-Saving Service were combined as the Coast Guard; therefore

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to place the name of Luke Ratigan on the retired list of petty officers of the Coast Guard with the retired pay and allowances of a petty officer in said Coast Guard.

The committee amendment was read, as follows:

Strike out all after the enacting clause and insert: "That the Secretary of the Treasury be, and he is hereby, authorized and directed to place the name of Luke Ratigan on the retired list of the Coast Guard as an oiler, first class, retired, at the rate of pay he would be entitled to receive had he held the rating of oiler, first class, when retired."

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.

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

DR. O. H. TITTMANN.

The next business on the Private Calendar was the bill (H. R. 6245) for the relief of Dr. O. H. Tittmann, former superintendent of the United States Coast and Geodetic Survey.

The Clerk read the title of the bill.

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

Mr. WALSH. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

EDWARD J. SCHAEFER.

The next business on the Private Calendar was the bill (H. R. 1723) authorizing the payment of compensation to Edward J. Schaefer for the death of Ruth Stone Schaefer through an unlawful shot fired by a soldier in the service of the United States at Camp Alexander, Va.

The Clerk read the title of the bill.

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

Mr. WALSH. Mr. Speaker, reserving the right to object, I objected to this measure before. I do not know whether there are any other facts connected with the incident which have been developed, and unless there are I shall feel constrained again to object.

Mr. MACGREGOR. Mr. Speaker, if the gentleman will permit, I have never had a chance to explain. It seems to me a very meritorious bill.

Mr. WALSH. Well, of course, the gentleman and I have a sharp difference of opinion right there—

Mr. MACGREGOR. Usually.

Mr. WALSH. And I am afraid anything further he might say to elucidate the measure would probably not be very convincing. I suggest that the gentleman make a brief statement, if he desires, and I will reserve the right to object.

Mr. MACGREGOR. Mr. Speaker, in July, 1919, Mr. Schaefer and his wife in an automobile went into Camp Alexander, Va. While they were upon one of the roads of that camp one of the sentries shot at the automobile. The shot went through the back of the automobile and killed Mrs. Schaefer. Now, it appears from the Inspector General's report that this sentry had never fired an Army rifle before in his life. He had never been instructed as to guard duty. Ball ammunition was issued to this sentry instead of guard ammunition. There were no signs posted with reference to the entry of people into this camp. No warning had been given or restrictions made in reference to people going into this camp. These people and many other people had for months before that been going into this camp. It was in time of peace, it was not in time of war, and this sentry, not properly instructed by the officers, without having been properly instructed as to the use of firearms or as to the time to use them, not properly instructed in guard duty, fired the shot which resulted in the death of this woman, a young woman less than 30 years of age, leaving two children, one 8 and one 3 years old. I think that under those circumstances the United States Government, having placed a man on duty at that camp in such a negligent manner, should make reparation to some extent for depriving this man of his wife and those children of their mother.

Mr. MILLER. Will the gentleman yield for a short question?

Mr. MacGREGOR. Certainly.

Mr. MILLER. On what theory of law or otherwise do you ask the United States to make reparation?

Mr. MacGREGOR. My theory is that the Government placed this man there. Of course, there is no legal obligation.

Mr. MILLER. On what theory do you claim the Government should pay for the loss of this very estimable lady, even though the Government did place this man on guard duty?

Mr. MacGREGOR. We do it in many, many other cases. We have done it in the cases of military drivers of trucks running down people in the streets of our cities. We have recompensed them for the injuries received. We have recompensed other governments for the killing of their subjects by men of our Navy. Now, certainly in such a case as this, which is far greater than doing some slight injury to some individual by an automobile truck, we should go to that length in recompensing this family for the loss of the mother and wife.

Mr. SNELL. How long had this man that did the shooting been a member of the United States Army?

Mr. MacGREGOR. I think for two or three months.

Mr. SNELL. He knew nothing whatever about the case—

Mr. MacGREGOR. Never fired an Army rifle before, and never had been instructed.

Mr. BARBOUR. Did the guard warn these people that they could not travel on this particular road?

Mr. MacGREGOR. He claims he called to them; but the fact is that they did not hear any calling or warning to stop.

Mr. BARBOUR. And then he just deliberately shot at them?

Mr. MANN. He shot at the wheel.

Mr. BARBOUR. Shot at the automobile?

Mr. MANN. Yes.

Mr. BARBOUR. He took the chances of hitting the occupants?

Mr. MANN. Surely.

Mr. MacGREGOR. I think there ought to be some recompense to these people. If you will allow, on page 5 of the report of the Inspector General you will see the conclusions:

It is believed that the shooting and killing of Mrs. E. J. Schaefer * * * would probably not have occurred had the military authorities at Camp Alexander exercised due diligence to prevent indiscriminate shooting on the part of the guards and military police, nor is it believed that had guard ammunition been issued Mrs. Schaefer would have met her death.

And he states with reference to this particular sentry:

Though he had never fired any Army rifle, nor been taught the proper use of the same, he was issued ball ammunition and prior to going on post on the tour of guard above referred to loaded his rifle with the same. Private Nichols had been on duty at Camp Alexander two and one-half months before the occurrence of the fatal affair in which he figured. His company commander and his commanding officer both professed ignorance, to a greater or lesser degree, of exactly what instruction he had received in the handling of a rifle. The administration of the Headquarters Company and of Companies H and I, Twelfth Infantry, to which organizations Private Nichols had at various times belonged, appeared to be lax and recruit instruction in preparation for guard duty indifferently prosecuted.

Mr. MANN. Mr. Speaker, I ask for the regular order.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 1723) authorizing the payment of compensation to Edward J. Schaefer for the death of Ruth Stone Schaefer through an unlawful shot fired by a soldier in the service of the United States at Camp Alexander, Va.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money not otherwise appropriated, to Edward J. Schaefer the sum of \$50,000 as compensation for the death of his wife, Ruth Stone Schaefer, who was unlawfully shot by a soldier in the service of the United States at Camp Alexander, Va., on July 7, 1919.

Also the following committee amendments were read:

In line 6, page 1, strike out "\$50,000 as compensation" and insert in lieu thereof "\$5,000 in full settlement of damages."

Line 2, page 2, strike out the words "unlawfully" and insert in lieu thereof the word "accidentally."

The SPEAKER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The title was amended to read as follows: "A bill for the relief of Edward J. Schaefer."

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

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

FRED H. GALLUP.

The next business on the Private Calendar was the bill (H. R. 6966) to authorize the President of the United States to appoint Fred H. Gallup major of Field Artillery in the United States Army.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 6966) to authorize the President of the United States to appoint Fred H. Gallup major of Field Artillery in the United States Army.

Be it enacted, etc., That the President of the United States, in his discretion, be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, Fred H. Gallup, formerly a captain of Field Artillery, whose nomination as major of Field Artillery was confirmed by the Senate in June, 1916, a major of Field Artillery, to take rank at the foot of the list of majors of Field Artillery, and that no back pay or allowances shall accrue as a result of the passage of this act, and there shall be no increase in the total number of majors of Field Artillery now authorized by law by reason of the passage of this act.

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

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

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

TORAHACHI URATAKE.

The next business on the Private Calendar was the bill (S. 1077) to authorize the payment of \$5,000 to the Government of Japan for the benefit of the family of Torahachi Uratake, a Japanese subject, killed at Schofield Barracks, Hawaii, on November 25, 1915.

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

Mr. MILLER. Mr. Speaker, I shall object to this bill without some explanation. There have been a number of bills that have gone through without explanation, and I shall object to this bill unless there is some explanation by the party who introduced the measure or the committee who made the report. Hearing none, I object.

Mr. MANN. Will the gentleman reserve that for a moment?

Mr. MILLER. If there is any explanation coming.

Mr. MANN. This is a case where there was a Japanese subject killed by the War Department. Of course, the Government has no liability. The practice of the Government has been for a number of years, where Congress would make compensation for the death of an American citizen without admitting liability to the Government, as a matter of grace, on the recommendation of the State Department, to make the appropriation to pay for the death of a foreign citizen. It has been done in a good many cases. I think probably it is the proper thing to do. We obtain the same consideration from foreign Governments for citizens of the United States who are killed under such circumstances abroad.

Mr. BEGG. Will the gentleman permit a question?

Mr. MANN. Yes.

Mr. BEGG. Why is it that S. 1077 is for \$5,000 and S. 1078 for \$2,000. They seem to be very much alike to me.

Mr. MANN. I presume for the reason that the State Department has recommended \$5,000 in one case and \$2,000 in another. The gentleman might ask me why a moment ago we passed a bill to pay \$5,000 for the death of somebody, when there might be a bill on the calendar to pay \$151 for the death of somebody else.

Mr. BEGG. I did not mean that. What are the extenuating circumstances in one case that warrant \$5,000 and in the other case only \$2,000. It seems to me if they are parallel cases equity would say to give them both \$5,000 or both \$2,000.

Mr. MANN. The \$5,000 is not excessive, and in the other case they ask for only \$2,000, and they are satisfied with that amount.

Mr. BEGG. Then I am satisfied.

Mr. MANN. I think it is desirable to do these things graciously. It undoubtedly would be done sooner or later. We have quite a long line of precedents for this thing. It is a matter of friendly intercourse between our Government and foreign governments.

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

Mr. MILLER. Mr. Speaker, the explanation of the gentleman from Illinois [Mr. MANN] is not full. I know nothing, and I doubt if any other Member of the House knows, of the circum-

stances under which this citizen of Japan lost his life, whether it was by his own negligence or by what other means, and in the absence of advice on that point I shall take it to be my duty to object.

The SPEAKER. The gentleman from Washington objects. The Clerk will report the next bill.

TATSUJI SAITO.

The next business on the Private Calendar was the bill (S. 1078) to authorize the payment of \$2,000 to the Government of Japan for the benefit of the family of Tatsuji Saito, a Japanese subject, killed at Camp Geronimo, Mexico, May 15, 1916.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. MILLER. On the same ground, I shall object to this one unless there is a fuller explanation of the circumstances under which this death occurred.

The SPEAKER. The gentleman from Washington objects. The Clerk will report the next bill.

J. W. LA BARE.

The next business on the Private Calendar was the bill (H. R. 4845) for the relief of J. W. La Bare.

The title of the bill was read.

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

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers, J. W. La Bare, late of Company B, Forty-third Regiment Ohio Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a member of said company and regiment on the 23d day of February, 1865: *Provided,* That no bounty, pay, or allowance shall accrue prior to the passage of this act.

Mr. MANN. Mr. Speaker, I move to amend by inserting after the word "no" in line 10 the word "pension."

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amendment offered by Mr. MANN: On page 1, line 10, after the word "no" insert the word "pension."

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

The amendment was agreed to.

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

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

The SPEAKER. The Clerk will report the next bill.

ALBERT HAMILTON.

The next business on the Private Calendar was the bill (H. R. 5820) to place Albert Hamilton on the retired list of the United States Marine Corps.

The title of the bill was read.

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

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the President of the United States is hereby authorized to place Albert Hamilton, formerly first lieutenant, United States Marine Corps, on the retired list of the Marine Corps, with the rank and retired pay of a first lieutenant of the Marine Corps: *Provided,* That in computing his pay credit shall be given for all his continuous service in the Marine Corps: *Provided further,* That no pay shall accrue prior to the passage of this act.

With a committee amendment as follows:

On page 1, line 10, after the word "act," insert: "And provided further, That the retired pay allowed the said Albert Hamilton pursuant to this act shall be in lieu of the pension which he is now receiving."

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

The committee amendment was agreed to.

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

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

Mr. TREADWAY. Mr. Speaker, I move to amend the title of the bill just passed so as to read: "On the retired list of the United States Navy," rather than "on the retired list of the Marine Corps."

The SPEAKER. Without objection, the amendment will be agreed to.

There was no objection.

Mr. TREADWAY. Mr. Speaker, I move to reconsider the vote whereby the bill was passed, and move to lay that motion on the table.

Mr. MANN. You put it in the title and leave it unchanged in the bill.

Mr. TREADWAY. The Navy Department has made that request in the report.

Mr. MANN. Why put it in the title and not in the bill itself? Why not recite the fact when the bill provides to put the man on the retired list of the Marine Corps? I was wondering why they did not also put it in the bill.

Mr. TREADWAY. The Secretary of the Navy—

Mr. MANN. Oh, that is expert advice. [Laughter.]

Mr. TREADWAY. Then I withdraw my request.

Mr. MADDEN. It was argued the other day that the Marine Corps was not in the Navy. I want to inquire now if it has been changed? [Laughter.]

The SPEAKER. The Clerk will report the next bill.

CORNELIUS DUGAN.

The next business on the Private Calendar was the bill (H. R. 1290) for the relief of Cornelius Dugan.

The title of the bill was read.

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

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the President is hereby authorized to appoint Cornelius Dugan, who served with distinction as chief gunner in the United States Navy during the War of the Rebellion, a lieutenant commander in the United States Navy, and to retire him and place him on the retired list of the Navy as a lieutenant commander with the retired pay and allowances of that grade.

With a committee amendment as follows:

Strike out all after the enacting clause and insert: "That the President is hereby authorized to advance on the retired list of the Navy, to the rank of lieutenant commander, Cornelius Dugan, who served with credit in the United States Navy during the Civil War and the war with the German Government: *Provided,* That the said Cornelius Dugan shall not in consequence of such advancement be entitled to any increase in the pay which he is now receiving as a retired officer of the Navy."

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

The committee amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

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

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

The SPEAKER. The Clerk will report the next bill.

LIEUT. COL. HENRY C. DAVIS.

The next business on the Private Calendar was the bill (H. R. 5210) for the relief of Lieut. Col. Henry C. Davis.

The title of the bill was read.

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

Mr. MANN. Reserving the right to object, Mr. Speaker, I notice that at one time the Navy Department recommended that this bill be not passed. I think perhaps it had better go over. I ask that it be passed over.

The SPEAKER. Without objection, this bill will be passed over.

There was no objection.

The SPEAKER. The Clerk will report the next one.

ALVAH B. DOBLE.

The next business on the Private Calendar was the bill (H. R. 5768) to amend and correct the military record of Alvah B. Doble.

The title of the bill was read.

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

Mr. MANN. Reserving the right to object, this form of bill is very unusual. Has anybody on the Committee on Military Affairs examined the form?

Mr. MILLER. I have examined the form, and it should be amended after the word "That," in line 3 of the bill, so as to read—

Mr. MANN. And not provide that the Secretary of War is directed to issue an honorable discharge as of that date.

Mr. MILLER. That should be eliminated.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That Alvah B. Doble shall hereafter be held and considered to have been honorably discharged as a private of Company F, Seventh Regiment Maine Volunteer Infantry, as of the date of January 28, 1863; and that the Secretary of War be, and he is hereby, authorized and directed to issue to said Alvah B. Doble an honorable discharge as of that date: *Provided,* That no pay, bounty, or other emoluments shall accrue or become payable by virtue of the passage of this act.

Mr. MILLER. Mr. Speaker, I move to amend the bill in line 3, after the word "that," by inserting the words "in the construction of the pension laws."

Mr. MCKENZIE. Should not the word "administration" be used instead of "construction?"

Mr. MILLER. I will accept that amendment.

The SPEAKER. The gentleman from Washington offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MILLER: In line 3, after the word "that," insert "in the administration of the pension laws."

The amendment was agreed to.

Mr. MILLER. Mr. Speaker, I offer a further amendment, in lines 6, 7, and 8, to strike out the words "and that the Secretary of War be, and he is hereby, authorized and directed to issue to said Alvah B. Doble an honorable discharge as of that date."

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

The amendment was agreed to.

Mr. WALSH. Mr. Speaker, may I direct the attention of the gentleman from Washington to the language of the proviso? The proviso usually reads that no pay, bounty, or other emoluments shall accrue or become payable prior to the passage of this act.

Mr. MILLER. That is correct.

Mr. WALSH. Will the gentleman accept an amendment to that effect?

Mr. MILLER. I will.

Mr. WALSH. Mr. Speaker, I offer an amendment, in line 9, after the word "no," insert the word "pension" and a comma, and in line 10 strike out the words "by virtue of" and insert "prior to."

The SPEAKER. The gentleman from Massachusetts offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 2, line 9, after the word "no," insert the word "pension," and in line 10, after the word "payable," strike out the words "by virtue of" and insert in lieu thereof the words "prior to."

Mr. MANN. Aside from the changes made by these amendments, I take it the bill as reported was in very good form. [Laughter.]

Mr. MILLER. I think that as amended it is a perfectly good bill.

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

The amendment was agreed to.

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

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

The SPEAKER. The Clerk will report the next bill.

ROBERT RUSSELL.

The next business on the Private Calendar was the bill (H. R. 5791) for the relief of Robert Russell.

The Clerk read the title of the bill.

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

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby is, authorized and directed to pay to Robert Russell, a citizen and resident of St. Cloud, Minn., who, without fault on his part, was, on the 16th day of February, A. D. 1920, severely injured by reason of the icy condition of the steps leading to the Federal building, or post-office building, at St. Cloud, Minn., the sum of \$1,000, and the sum of \$1,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry out the provisions of this act.

With the following committee amendment:

On page 1, line 9, strike out the figures "\$1,000" and insert in lieu thereof the figures "\$218"; and on page 1, line 10, strike out the figures "\$1,000" and insert in lieu thereof the figures "\$218."

The amendment was agreed to.

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

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

The SPEAKER. The Clerk will report the next bill.

RUPERTO VILCHE.

The next business on the Private Calendar was the bill (H. R. 5251) for the relief of Ruperto Vilche.

The Clerk read the title of the bill.

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

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,000 to Ruperto Vilche, of Guantanamo City, Cuba, in full compensation for the loss of his daughter, Idelisa Vilche, and for injury to his daughter, Ofelia Vilche, the former having been killed and the latter injured by a bullet fired from his rifle by Pvt. Ralph E. Carter, United States Marine Corps, who became suddenly insane while on sentry duty at the marine camp near Guantanamo City, and for all expense incurred by the said Ruperto Vilche in connection with the said death and injury.

With the following committee amendment:

Page 1, line 4, after the word "authorized," insert "and directed," and in line 4, after the word "pay," insert "out of any money in the Treasury not otherwise appropriated."

Mr. MANN. Mr. Speaker, this is to pay a citizen of Cuba for being shot by a soldier of the United States who was in Cuba. I think it is a proper payment. A few moments ago the gentleman from Washington objected to a bill for the payment of a Japanese who was killed by a lot of American soldiers who got drunk in Mexico. I suppose he thinks it is more according to regulations for the soldiers to get drunk and kill some one that it is to be killed by an insane man, but I hope the Japanese will not hold it up against all of us, because he was a Japanese, and the gentleman comes from where they do not like Japanese.

Mr. MILLER. Oh, Mr. Speaker, I did not object on so narrow a ground as the gentleman from Illinois would seem to indicate. I stated in my objection that unless there was some one on the floor who could explain the circumstances of the death I should object. The gentleman from Illinois came forward with nothing to comply with my suggestion. Whether it is a Mexican, a Japanese, or citizen of the United States, or whether it is in Mexico or in Cuba, it makes no difference to me. I simply want to correct the impression that I objected because it was a Japanese who was killed. I asked the gentlemen on the floor of the House if any of them knew any of the circumstances. Now, if the gentleman had stated the facts and circumstances to the membership, I would have had no objection.

Mr. ROGERS. Will the gentleman yield?

Mr. MILLER. Yes.

Mr. ROGERS. I think one of the two Japanese bills—my attention was diverted at the time it was called up—is particularly meritorious. I refer to the bill for the benefit of Torahachi. As to the other I know less and feel very much less interest. I wonder if the gentleman would permit me to say a word as to the Torahachi bill?

Mr. MILLER. I should be very glad to have the gentleman do so.

Mr. ROGERS. This is the situation: Some years ago, I think in 1915—I have not refreshed my memory lately—this Japanese laborer was lying asleep in a cabin near Schofield Barracks, in Honolulu. An American sentry a mile away was at his post. He fancied that there was something suspicious, became, apparently, a little bit excited, and discharged his rifle, which was loaded with ball. That bullet sped on its way into the cottage where the Japanese laborer was lying asleep and killed him. The bill is to provide a sum of money for the widow and, I think, four or five children of the killed Japanese. The Secretary of State now in office and at least two former Secretaries of State have represented in the strongest possible way to the Committee on Foreign Affairs that it would be an extremely gracious and courteous thing for the American Congress to see that some compensation was made.

Mr. MILLER. In answer to the gentleman from Massachusetts I will say that if he had made that statement prior to my making the objection there would have been no objection on my part. I simply asked for some information concerning the bill.

Mr. MANN. I would like to butt in long enough to apologize to the gentleman from Washington. The fact is that the report does not sufficiently state the facts. I remembered the case, but I could not have told it as well as the gentleman from Massachusetts.

Mr. ROGERS. After the present bill is disposed of, I should like to ask unanimous consent to return to this particular bill.

The SPEAKER. The question is on the committee amendment.

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.

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

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed without amendment joint resolution (H. J. Res. 309) appropriating \$1,000,000 for the preservation, protection, and repair of levees under the jurisdiction of the Mississippi River Commission.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the amendment of the Senate No. 29 to the bill (H. R. 9981) making appropriations for the Executive and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1923, and for other purposes, had further insisted upon its amendments Nos. 21, 31, and 35 to said bill, had agreed to the further conference asked by the House thereon, and had appointed Mr. WARREN, Mr. SMOOT, Mr. JONES of Washington, Mr. OVERMAN, and Mr. GLASS as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 11065) making appropriations for the Departments of State and Justice and for the Judiciary for the fiscal year ending June 30, 1923, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CURTIS, Mr. WARREN, Mr. LODGE, Mr. OVERMAN, and Mr. HITCHCOCK as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 10730) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1923, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. McNARY, Mr. JONES of Washington, and Mr. OVERMAN as the conferees on the part of the Senate.

GEORGE W. POSEY.

The next business on the Private Calendar was the bill (H. R. 4894) for the relief of George W. Posey.

The SPEAKER. Is there objection?

Mr. CLARKE of New York. Mr. Speaker, reserving the right to object, I would like to have a little explanation of this bill. No one seems to offer any information, and I object.

Mr. MANN. This is an old soldier—

Mr. CLARKE of New York. Mr. Speaker, I withdraw the objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to remove the charge of desertion against George W. Posey, late of Company A, Twentieth Regiment, and Company B, Thirty-fifth Regiment, Wisconsin Volunteer Infantry, and issue to him an honorable discharge.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That in the administration of the pension laws George W. Posey, late a private in Company A, Twentieth Regiment, and a private in Company B, Thirty-fifth Regiment, Wisconsin Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States: *Provided*, That no pension shall accrue prior to this act."

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.

W. W. McGRATH.

The next business on the Private Calendar was the bill (H. R. 2722) for the relief of W. W. McGrath.

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object, this is a bill for damage to an automobile. I notice that the committee has an amendment, and I would like to ask how it arrived at the sum of \$459.50?

Mr. EDMONDS. The department recognized that the damage to the car amounted to \$180.50. Doctor McGrath had to employ an automobile, at \$3 a day, for 93 days. That would amount to \$279, which, added to the \$180.50, makes \$459.50.

Mr. WALSH. I do not believe the committee ought to report bills giving damages on that basis. He might claim that the automobile he hired could not travel as fast as the one he owned and, therefore, he should receive a little extra compensation.

Mr. EDMONDS. We thought that \$3 a day was very reasonable compensation for the use of an automobile for a doctor

in active practice. We did not think he was out of the way in the amount that he asked.

Mr. WALSH. The gentleman is satisfied that he was deprived of the use of this machine, and that this is not an exorbitant allowance in that section of the country with which to hire one of the products that has made the State of Michigan famous in order to help this doctor out?

Mr. EDMONDS. The committee felt that was fair compensation for the damage that he suffered.

Mr. WALSH. I shall not object.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the United States Treasury not otherwise appropriated, the sum of \$930 to W. W. McGrath, in full of all claims he may have against the Government for damages done to his automobile by a United States Army truck on October 21, 1918.

With the following committee amendment:

Line 6, strike out "\$930" and insert "\$459.50."

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

The committee amendment was agreed to.

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

Mr. MANN. Mr. Speaker, I move to strike out the last word. The War Department has authority to settle this claim up to the sum of \$500.

Mr. EDMONDS. They offered to settle the claim upon the basis of the actual damage, \$180.50, to the automobile. The doctor refused to accept that because he felt that he should receive proper reimbursement.

Mr. MANN. I understand why he refused.

Mr. EDMONDS. The department could not pay the balance.

Mr. MANN. When we passed the law giving authority to the War Department to settle claims up to \$500, and giving to certain other departments the same authority, it was the understanding that the committee on claims would cease to report to the House bills for claims which the War Department was authorized to settle. I do not object to this claim, but I hope the Committee on Claims, after urging Congress to pass legislation to relieve them from looking after these small bills, will not start in to consider all those bills because the War Department will not settle for the amount that the man claims.

Mr. EDMONDS. I hope so, too.

Mr. MANN. And if any more of them come in while I am here I think they shall have to be contested. That would have been the case with this probably, except that I did not want to quarrel with my most estimable colleague [Mr. McKENZIE].

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

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

JAMES T. FARRILL.

The next business on the Private Calendar was the bill (H. R. 1482) for the relief of James T. Farrill.

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

There was no objection.

The Clerk reported the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers James T. Farrill, alias James Toy, alias James Butler, who served as a private in Company E, Sixteenth Regiment New York Volunteer Cavalry, and in Company D, Fifth Regiment Maryland Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a member of that organization the 1st day of May, 1895.

With the following committee amendment:

Page 2, line 1, strike out the figures "1895" and insert in lieu thereof "1865: *Provided*, That no pension, pay, or bounty shall be held to have accrued prior to the passage of this act."

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

The committee amendment was agreed to.

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

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

JOHN B. H. WARING.

The next business on the Private Calendar was the bill (S. 667) for the relief of John B. H. Waring.

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 the President of the United States be, and he is hereby, authorized to restore to John B. H. Waring, late a captain in the Medical Corps, the files of which he was deprived, and, by and with the advice and consent of the Senate, appoint him an officer of the Medical Corps in the Army of the United States as of May 5, 1917, with such rank as he would have attained had he not been discharged, and when so appointed he shall be placed on the retired list of the Army.

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

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

EDWARD SHORT.

The next business on the Private Calendar was the bill (H. R. 546) authorizing the Secretary of the Treasury to pay war-risk insurance to the foster parents of Edward Short.

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

Mr. MILLER. Mr. Speaker, I should like to have some explanation from some Member of the House. This is rather an unusual bill, and while I hesitate to object to it, I would have to do so unless some explanation was given.

Mr. EDMONDS. Mr. Speaker, Edward Short, after entering the Army took out an insurance policy which is made payable to himself. He was killed in action. Upon investigation it was found that when he was about 15 years old he was found in a barn as a waif by Charles A. Thornton. Mr. Thornton took him, raised him, educated him, and he lived with Mr. Thornton for over 15 years. There appears to be no other heirs to this man Short. He would have come under the Sweet amendment, approved December 24, 1919, which included foster parents, if it had not been for the fact that he did not designate Mr. and Mrs. Thornton as the people to get the money under the policy. As long as there are no other heirs, the committee thought that the money justly belonged to somebody, and, inasmuch as by the placing of the names of Mr. and Mrs. Thornton in the policy they would have gotten the money, the committee felt that it is only fair that it should be paid to them.

Mr. MILLER. In view of the explanation, I withdraw my objection.

Mr. MCCORMICK. Mr. Speaker, was this man regularly adopted?

Mr. EDMONDS. No; and the Sweet Act does not require that.

Mr. MANN. He was not legally adopted?

Mr. EDMONDS. No.

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 the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles A. Thornton and Elizabeth Thornton, foster parents of Edward Short, formerly a member of Company B, One hundred and thirty-second Regiment United States Infantry, the sum of \$10,000 in 36 installments, as provided in the war risk insurance act, and upon the death of the said Charles A. and Elizabeth Thornton the remainder of such sums unpaid be paid to the children of said Charles A. and Elizabeth Thornton.

With the following committee amendments:

Page 1, line 9, strike out the words "thirty-six" and insert in lieu thereof the words "two hundred and forty."

Page 2, line 1, after the word "Thornton," strike out the words "the remainder of such sums unpaid be paid to the children of said Charles A. and Elizabeth Thornton" and insert in lieu thereof the words "all payments shall cease."

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

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

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

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

L. A. McMULLEN.

The next business on the private calendar was the bill (H. R. 1892) for the relief of L. A. McMullen.

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 bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to L. A. McMullen, Gardiner,

Mont., the sum of \$73.75, payment in full to compensate him for clothing lost while engaged as a government employee in fighting forest fires in Yellowstone National Park, September 4, 1919.

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

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

BELLS FOR CHURCH IN GLOUCESTER, MASS.

The next business in order on the Private Calendar was the bill (H. R. 5495) to remit the duty on a carillon of bells to be imported for the Church of Our Lady of Good Voyage, Gloucester, Mass.

The title of the bill was read.

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

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means be discharged from further consideration of the bill S. 1610, which is identical with this bill, and that the Senate bill be considered in place of the House bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the Senate bill.

The Clerk read as follows:

An act (S. 1610) to remit the duty on a carillon of bells to be imported for the Church of Our Lady of Good Voyage, Gloucester, Mass.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to admit free of duty a certain carillon of 25 bells to be imported for the Church of Our Lady of Good Voyage, Gloucester, Mass.

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

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

The SPEAKER. Without objection the House bill will be laid on the table.

There was no objection.

TORAHACHI URATAKE.

Mr. ROGERS. Mr. Speaker, I ask unanimous consent to return to Calendar No. 60 (S. 1077), to which the gentleman from Washington [Mr. MILLER] objected a moment ago and as to which I think he has been somewhat enlightened since.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts? [After a pause.] The Chair hears none. The Clerk will report the bill:

An act (S. 1077) to authorize the payment of \$5,000 to the Government of Japan for the benefit of the family of Torahachi Uratake, a Japanese subject, killed at Schofield Barracks, Hawaii, on November 25, 1915.

Mr. MILLER. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. ROGERS] explain the facts connected with this claim.

Mr. ROGERS. Mr. Speaker, the facts as I gave them to the House were substantially correct with one exception. I stated previously that the United States soldier became frightened and discharged his musket at some supposed enemy. The fact was that while on night sentry duty he was shifting his rifle from one shoulder to the other and the rifle was accidentally discharged. The bullet went into the heart of this Japanese lying in his hut asleep nearly a mile away. The soldier was court-martialed, was found guilty, and was sentenced to six months' imprisonment at hard labor, which seems to indicate that in view of the military authorities the soldier was negligent. The other facts are exactly as I have stated. There are a widow and four minor children. The War Department has approved the passage of this bill. Three Secretaries of State have approved the passage of the bill, and I have in my possession an elaborate argument in behalf of the measure signed within the last year by Secretary of State Hughes. I think there can be no doubt that the Government owes an obligation in this matter, and that it will be gratifying to the Japanese Government if the Congress of the United States should recognize this obligation in such a way as this.

Mr. MILLER. Mr. Speaker, if the explanation had been rendered, which the gentleman from Massachusetts has so ably made just now, there would have been no objection I think to the taking up of this bill. I simply objected to it in the absence of facts before the House, and I am very glad now to withdraw any objection, as I think it is a meritorious claim and should pass.

The Clerk read as follows:

Be it enacted, etc., That there is authorized to be paid, out of any money in the Treasury not otherwise appropriated, as a matter of grace and without reference to the question of liability therefor to the Government of Japan, \$5,000 for the benefit and consolation of the family

of Torahachi Urstake, a Japanese subject killed on November 25, 1915, at Schofield Barracks, as set forth in the letter from the Acting Secretary of War dated February 19, 1916, and printed as House Document No. 785, Sixty-fourth Congress, first session.

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

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

JAMES E. CONNORS.

The next business in order on the Private Calendar was the bill (H. R. 7695) for the relief of James E. Connors.

The Clerk read the title of the bill.

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

Mr. MILLER. Mr. Speaker, I would like to hear any facts in connection with this case and will reserve the right to object.

Mr. ROSE. Mr. Speaker, this claim has been before the House on several occasions and I endeavored to acquaint the Members with the facts in the case as they have been developed by the testimony. This bill is for the relief of James E. Connors, a boy a little over 7 years of age, who in October, 1918, in broad daylight, on his way home from school, was attracted by a siren horn blown in the navy yard at Brooklyn, the usual method employed for fire alarm. The boy was standing on the pavement, where he had the right to stand in my opinion, and a truck came out of the navy yard, without any indication of its coming at all, no noise was made of any kind, and when the driver came to the gate he made a sharp turn to the right and the rear right wheel of this big truck ran over this boy's foot and made amputation necessary.

Your committee have agreed upon the sum of \$2,500 for the relief of the little fellow, as we are convinced that he can not be charged with negligence. His mother is a poor woman, is unable to maintain herself except by her own labor, and the boy is utterly incapacitated, and will remain so for a period of years. They have no money with which to buy a new leg for the unfortunate boy. We were impressed by the testimony given by the various witnesses summoned by the naval board which investigated the matter. The policeman at the gate says that it was his business to watch pedestrians at the time of the fire, and opened the gates for the large truck and while his back was turned toward the boy the latter was injured by the truck, and was picked up by some spectators and given first aid. Now, it will be found by reading the testimony in the case that the operator of the car was discharged because of inefficiency, and the committee believes, as a matter of right, this claim should be allowed. There is no legal obligation on the part of the Government, of course, to pay this little boy, guilty of no negligence whatever, not required to have a guardian with him on his way home from school, and who was injured in the manner I have indicated. The committee reduced the amount from \$25,000 to \$2,500. We considered in our deliberations the awards made by the compensation laws of the various States, and we concluded that a disability of this kind would be paid likely upon a basis of 45 per cent. And taking it for granted that that boy, if he could have gotten any compensation at all, could have earned \$50 a month, on the basis of 45 per cent he would be awarded at that age over \$4,000. But, of course, we can not consider the payment to the boy under the compensation law, because we did not have such a law at that time. I am firmly convinced that it is clearly right that we should award this poor boy \$2,500 for the suffering that he sustained in that accident, especially when it was no fault of his own, and the further reason that he is crippled for life. And in view of the fact that we have paid \$5,000 for the loss of life of a mature man, it is certainly not wrong to pay \$2,500 to a boy who was injured under such conditions, and I think that amount is only fair compensation for this accident.

Mr. SMITH of Michigan. How old is he now?

Mr. ROSE. He was less than 8 years old at the time of the accident.

Mr. MILLER. Will the gentleman yield for a couple of short questions?

Mr. ROSE. I gladly yield to the gentleman from Washington.

Mr. MILLER. Was the boy on the sidewalk when he received the injury? Did the truck mount the sidewalk?

Mr. ROSE. He was standing on the sidewalk. There was a curbing to protect the gate, and the boy had his foot out beyond that curbing and turned to look at the truck coming out. The man made a quick turn, and the policeman heard the boy cry and picked him up. He was on his way home from school.

Mr. MILLER. Did the truck mount the sidewalk where the boy was standing, or did the boy get out beyond the curbstone?

Mr. ROSE. I want to say that this stone that I speak of was the stone buffer near the gate. The driver made a quick turn and the wheel ran over the boy's foot.

Mr. MILLER. It was a Government truck?

Mr. ROSE. It was a Government truck, and the driver of it was discharged in less than 30 days.

Mr. HOGAN. Mr. Speaker, I desire to supplement what the gentleman from Pennsylvania has stated, that there was this buffer there, and the truck turned short and knocked the boy down, causing the accident which necessitated the amputation of his leg.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 7695) for the relief of James E. Connors.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of James E. Connors the sum of \$2,500 in compensation for injuries caused by a Navy automobile, resulting in the amputation of his left foot.

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

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

RELIEF OF J. B. WATERMAN.

The next business on the Private Calendar was the bill (H. R. 2742) for the relief of J. B. Waterman.

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

Mr. MILLER. Mr. Speaker, reserving the right to object, I would like some explanation of this bill.

Mr. EDMONDS. I would like to ask for the discharge of the committee from further consideration of the bill H. R. 2742, and have substituted in place of it the bill S. 1059.

The SPEAKER. No unanimous consent has been given for the consideration of the bill. The gentleman from Washington asks for an explanation of it.

Mr. MOORE of Ohio. Mr. Speaker, this bill is for the relief of J. B. Waterman, postmaster at Belpre, Ohio. There were several robberies of the post office, and this is for a particular robbery in 1911, when money and stamps to the value of \$483.25 were taken. Mr. Waterman was ill at the time. He was the postmaster and, of course, reimbursed the Government after the robbery. The post office was in charge of two clerks, and affidavits that are in the report state that these stamps and money were put in the safe and that the safe was locked when they left the office. When the clerks returned the next morning they found that the stamps and the money were missing. They instituted a search around the building and also made other observations, and they could not find where anyone had entered the building except through the door, likely by the use of a skeleton key. But the safe had been opened and the money and the stamps were missing.

As I have said, Mr. Waterman was ill at the time and absent. This is the report that was given by those who were in charge of the post office and by the village marshal, so far as he knew anything about it. This is in the usual form, I think, of bills to reimburse postmasters under similar circumstances. I should like to say in addition that this bill has twice passed the Senate. During the Sixty-sixth Congress it was introduced by our distinguished President, who was then a Senator from Ohio, and it passed the Senate, and just the other day the bill introduced by Senator WILLIS for the same purpose also passed the Senate, the one that the chairman of the committee asks to have substituted.

Mr. WILLIAMSON. Was this safe locked?

Mr. MOORE of Ohio. That is the testimony of the clerk.

Mr. WILLIAMSON. Was it blown?

Mr. MOORE of Ohio. It was not blown. It was doubtless opened by some one familiar with the opening of safes.

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

Mr. MANN. That is the House bill. The gentleman asked unanimous consent to substitute a Senate bill.

Mr. EDMONDS. I ask for the consideration of the bill S. 1059 in lieu of the bill H. R. 2742.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the Senate bill.

The Clerk read as follows:

A bill (S. 1059) for the relief of J. B. Waterman.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to J. B. Waterman, of Belpre, Ohio, the sum of \$483.25, being the amount paid the Government by him for that value of stamps and money taken from his custody as postmaster of Belpre, Ohio, by burglars, on February 13, 1911.

Mr. EDMONDS. Mr. Speaker, I would like to offer an amendment to the bill.

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

The Clerk read as follows:

Amendment offered by Mr. EDMONDS: Line 4, after the word "directed," add a comma and the following: "out of any money in the Treasury not otherwise appropriated."

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

The amendment was agreed to.

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

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

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

Mr. EDMONDS. Mr. Speaker, I move to lay the House bill of similar tenor on the table.

The motion was agreed to.

The SPEAKER. The Clerk will report the next bill.

PAN AMERICAN PETROLEUM & TRANSPORT CO.

The next business on the Private Calendar was the bill (H. R. 9866) authorizing the Pan American Petroleum & Transport Co. to sue the United States to recover damages resulting from collision.

The title of the bill was read.

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

Mr. MILLER. Mr. Speaker, reserving the right to object in conformity with the others, I would like to have some explanation of this bill, and I think the Members of the House would.

Mr. EDMONDS. Mr. Speaker, this is one of the usual bills that the House has passed any number of in connection with collisions. The bill is in the usual form. The Secretary of the Navy says:

As it appears that the naval vessel was responsible for the collision and the resulting damages to the *Doheny*, it is believed that the Pan American Petroleum & Transport Co., the owner of the damaged vessel, is entitled to have its claim passed on by a court of law, and it is respectfully recommended that bill H. R. 9866 receive favorable action.

Mr. MILLER. That is all the committee is trying to do—to put the matter into court, to have it passed on according to law?

Mr. EDMONDS. Yes.

Mr. ROSE. Mr. Speaker, I have thought that right here might be a good time and place to state to the House the policy of the committee on measures of this kind. When any person comes before the committee and asks for the right to bring an action against the United States Government in order to determine the justice of a claim, the subcommittee of which I have the honor to be chairman has made an affirmative report on every request of that kind. We are not familiar with the facts at all. There is nothing given to the committee, but the privilege is asked to bring suit against the Government and have the case taken to the Court of Claims.

I think it is only a matter of right, but they are required, of course, to pursue the course laid down by the laws of our country. I believe that in all of these cases the committee is justified in permitting the claimant to bring his action before the proper tribunal of this Government in order to determine whether or not the claim has any merit, just as a citizen can sue another citizen. We give anybody the right to bring his action. As one who believes the Government ought to come into court with clean hands, I for one am always in favor of allowing claimants to bring suit against the Government when permission to do so is requested under the usual conditions.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. ROSE. Yes, sir.

Mr. GARRETT of Tennessee. The gentleman says the committee knew nothing of the facts. I assume, of course, that the committee inquired enough to ascertain that there was some shadow of a claim?

Mr. ROSE. Oh, yes. I would not have the gentleman from Tennessee understand that the committee had not received information from the claimants. They have always stated in their report the reason for asking the amount, and the committee, of course, have considered the reports that are given to them, showing upon what ground the claim is made, and usually we have a report from the department of the Government affected, in which they tell us that the Government in many instances is responsible for the accident. In this particular case we have that information from the proper department of

the Government affected, showing that the negligence was on the part of the Government vessel.

Mr. GARRETT of Tennessee. If the gentleman will permit me, I will say that I was sure that the practice the gentleman stated is the practice of the subcommittee, but I feared that his former statement to the country might be construed to mean that when anybody came along and said, "I want to sue the Government," the committee would say, "All right."

Mr. ROSE. I thank the gentleman for mentioning it. I did not intend to convey any impression of that kind. I am sure all the Members of the House know that something must be presented to the committee to warrant a finding, and that we depend largely upon the written opinions of the heads of the various departments of the Government.

The SPEAKER pro tempore (Mr. DOWELL). 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 claim of the Pan American Petroleum & Transport Co., a corporation organized and existing under and by virtue of the laws of the State of Delaware, with its principal place of business in the city and county of Los Angeles, in the State of California, owner of the oil tank steamer *Edward L. Doheny, Jr.*, for damages caused by collision between said vessel and the torpedo-boat destroyer *Henley*, a naval vessel belonging to the United States, in the North Atlantic Ocean in the neighborhood of Fenwick Shoal Light Vessel, on or about the 14th day of July, 1918, may be sued for and submitted to the United States District Court in and for the Southern District of New York, sitting as a court in admiralty and acting under the rules in admiralty governing said court, in an action in which said Pan American Petroleum & Transport Co. is hereby authorized to commence against the United States for the recovery of said damages. Said court shall have jurisdiction to hear and determine said action and enter its judgment or decree therein for the amount of such damages, if any, as shall be found to be due against the United States in favor of said Pan American Petroleum & Transport Co., or against the Pan American Petroleum & Transport Co. in favor of the United States, upon the same principles and according to the measure of liability prevailing in like cases in admiralty between private parties and with the same right of appeal: *Provided*, That such notice of said action shall be given upon or after the commencement of said action to the Attorney General of the United States, as may be provided by order of said court, and it shall be the duty of the Attorney General upon receipt of such notice to cause the United States attorney in such district to appear for and defend the United States in such action: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

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

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

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

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

FIRST NATIONAL BANK OF WALTHILL, NEBR.

The next business on the Private Calendar was the bill (H. R. 8186) for the relief of the First National Bank of Walthill, Thurston County, State of Nebraska.

The title of the bill was read.

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

Mr. EDMONDS. Mr. Speaker, at the request of the gentleman from Nebraska [Mr. EVANS] I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Without objection, the bill will be passed over without prejudice and take its place on the calendar.

There was no objection.

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

OWNER OF THE DERRICK "CAPITOL"

The next business on the Private Calendar was the bill (S. 1767) for the relief of the owner of the derrick *Capitol*.

The title of the bill was read.

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

Mr. MILLER. Reserving the right to object, Mr. Speaker, I think an explanation should be given of this bill.

Mr. EDMONDS. Mr. Speaker, this is exactly on a par with the other case. The Assistant Secretary of the Navy, Franklin D. Roosevelt, writing to the committee under date of November 6, 1919, states:

The bill (S. 3293) inclosed with your letter of November 1, 1919, has for its sole purpose the authorization of a suit against the United States on account of damages sustained by the derrick scow *Capitol* while being towed by the United States Navy tug No. 80, and it in no sense admits liability on the part of the Government. Without admitting liability of the Government the department is of the opinion that the claimant company is equitably entitled to have its claim adjudicated in a court of competent jurisdiction.

Mr. MILLER. Will the gentleman yield?

Mr. EDMONDS. I yield to the gentleman from Washington. Mr. MILLER. The title of the bill is different from that of the preceding bill. This is a bill for the relief of the owners. The other was a bill authorizing the bringing of a suit. Should not the title be corrected if the object is the same in both cases?

Mr. EDMONDS. Either form has been used before, and it has seemed to make no difference. That question has never been raised before.

Mr. WALSH. The title is not a part of the bill anyway.

Mr. EDMONDS. The owners are really asking for the right to bring suit. It does not give them any relief unless they get a verdict.

The SPEAKER pro tempore. Is there objection?

There was no objection.

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

The bill was read, as follows:

Be it enacted, etc., That the claim of the owner of the derrick *Capitol*, arising out of collision while in tow of the United States Navy tug No. 89 on April 3, 1919, at Harlem River, N. Y., for and on account of the losses alleged to have been suffered in said collision by the owner of said derrick *Capitol* by reason of damages to said derrick, may be submitted to the United States District Court for the Eastern District of New York under and in compliance with the rules of said court sitting as a court of admiralty, and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit and to enter judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the owner of the said derrick *Capitol* or against the owner of said derrick *Capitol* in favor of the United States, and upon the same principles and measures of liability as in like cases in admiralty between private parties and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States; *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

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

On motion of Mr. EDMONDS, 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.

STEAMER "MAYFLOWER."

The next business on the Private Calendar was the bill (H. R. 4365) for the relief of the owner of the steamer *Mayflower* and for the relief of passengers on board said steamer.

The Clerk read the title of the bill.

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

Mr. WALSH. Reserving the right to object, Mr. Speaker, I notice that the Navy Department is not willing to admit that there was any liability or responsibility on the part of the Government vessel, the *L-10*, which, I believe, was a submarine. I believe this accident occurred during a dense fog in Boston Harbor or in Nantasket Roads. I should like to ask if the committee are satisfied, from the circumstances as stated by the Navy Department, that there was such negligence or culpability on the part of the parties in charge of this submarine as to make the case one which should be referred to the courts?

Mr. EDMONDS. Mr. Speaker, of course it is impossible for the committee to decide which vessel was at fault where a controversy arises as to how two ships were running at sea. It appears that the Navy Department contend that they were right and the owners of the steamship *Mayflower* contend that they were right. There is no way of having that question adjudicated unless we allow it to go to the court, so that it may be settled conclusively.

The department has not acknowledged responsibility for the collision nor assumed liability for the damages suffered by the *Mayflower* or by any of her passengers, but as the bill H. R. 4365 proposes to refer the claims to a Federal court to be determined, it is respectfully recommended that it be given favorable consideration.

That is the statement in the report. Of course, it is absolutely impossible for the committee to find out which ship was improperly handled in a collision at sea.

Mr. WALSH. Is it the attitude of the committee that if there is responsibility on the part of this submarine for this injury the owners of the steamboat should have the right to go in and have their damages recovered, but that the passengers on that steamboat must suffer whatever injury they received without any recompense?

Mr. EDMONDS. The relationship of the passengers to the collision is entirely different from that of the two boats. The passengers, of course, have their opportunity to collect from the steamer. Whether the steamer could pass that damage along to the Government in event the Government was found to be at fault I do not know.

Mr. WALSH. Does the gentleman state that the passengers can collect from the steamer if the steamer was not at fault?

Mr. EDMONDS. If the steamer was not at fault I presume that the damage would be passed along to the Government.

Mr. WALSH. To the Government?

Mr. EDMONDS. I would presume so. I presume that the court in hearing the case would take up all the facts.

Mr. WALSH. But you have stricken out that part of the bill which provides for the hearing of the claims of the passengers.

Mr. EDMONDS. We do not want the court to hear the claims of the passengers until there is a determination which of the steamers was to blame.

Mr. WALSH. Apparently the Navy Department contends, from its letters signed by the Secretary, that the submarine was not at fault?

Mr. EDMONDS. Yes.

Mr. WALSH. Now, suppose that the district court finds that the submarine was at fault. Is it the gentleman's position that the passengers must then come in and file individual claims?

Mr. EDMONDS. The passengers can not file claims against the Government. They will file claims against their own steamer.

Mr. WALSH. Supposing their own steamer was not at fault, to whom are the passengers to look?

Mr. EDMONDS. I do not know.

Mr. WALSH. That is just what I am emphasizing, that here is a claim against the Government of the United States because some property has been damaged, and you are permitting the owner of the property to go into the United States district court on the theory that a Government officer was negligible, whereas if some passengers were injured in that same accident and by reason of that same negligence those passengers have got to whistle.

Mr. MANN. Surely the gentleman will recall that it never has been the policy of the Government to permit people to sue the Government for personal injuries, and it is not now the policy of the Government and will not be begun with this bill, I take it.

Mr. WALSH. I think that has been changed by legislation.

Mr. MANN. No.

Mr. WALSH. Since we have been operating the Shipping Board.

Mr. MANN. They may sue the Shipping Board. I do not know whether it will come at some time, but it has not come yet. The Government would be at the mercy of friendly juries throughout the country if a man in any locality could sue the Government for \$50,000 for personal injuries caused by the negligence of some Government officer.

Mr. WALSH. Of course, the Government is at the mercy of a friendly jury in a case of injury to a steambot amounting to \$11,000 or \$12,000.

Mr. MANN. This case may not be heard by a jury. It is an admiralty case.

Mr. ROSE. Will the gentleman yield?

Mr. WALSH. I yield to the gentleman from Pennsylvania.

Mr. ROSE. Does the gentleman from Massachusetts take the position that the owners of this vessel that was injured should be deprived of the right of bringing their action before a proper tribunal to determine the facts of the case?

Mr. WALSH. No; I am not taking any position.

Mr. ROSE. To go one step further, this committee has not been called upon with respect to any damage done to the passengers.

Mr. WALSH. The committee was called upon because it was contained in the original bill and the committee struck it out.

Mr. ROSE. When it was presented we took the ground, as the chairman has already said, that it might be well to determine whether or not the Government was at fault in this instance before we considered the claims of the passengers.

Mr. WALSH. The gentleman means to let the court determine it?

Mr. ROSE. Yes; for the reason that they did not have the right as individuals to sue the Government; neither does the resident of any State have the right to sue the State government without an act of the legislature. This is the only means provided by which claimants against the Government can have their claims adjusted.

Mr. WALSH. I am in favor of the gentleman's amendment, but I wanted the theory or policy upon which the committee was operating. I predict that if the Government is found at fault this committee will be passing on the claims for injury received in the collision by individuals.

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

There was no objection.

Mr. EDMONDS. Mr. Speaker, I ask unanimous consent to consider the bill S. 1813 instead of the House bill.

The SPEAKER pro tempore. The gentleman asks unanimous consent to consider the Senate bill instead of the House bill. Is there objection?

Mr. WALSH. Reserving the right to object, let us have the bill reported.

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

Be it enacted, etc., That the claim of the owner of the steamer *Mayflower* rising out of a collision between said steamer and the United States submarine *L-10* in President Roads, Boston Harbor, on the 11th day of August, 1917, for and on account of the losses alleged to have been suffered in said collision by the owner of said steamer *Mayflower* through damage to and detention of said steamer *Mayflower*, may be submitted to the United States court for the district of Massachusetts, the district in which said collision occurred, under and in compliance with the rules of said court sitting as a court of admiralty: *Provided*, That said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due, either for or against the United States, upon the same principle and measure of liability with costs as in like cases in admiralty between private parties, with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania to consider the Senate bill in lieu of the House bill?

There was no objection.

Mr. EDMONDS. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 1, lines 8 and 9, strike out the words "and detention of."

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

The amendment was agreed to.

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

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

By unanimous consent, the House bill was laid on the table.

FRANK W. KNIGHT.

The next business on the Private Calendar was the bill (H. R. 8374) for the relief of the estate of Frank W. Knight.

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

Mr. MILLER. Reserving the right to object, I would like to hear from some Member who knows the facts.

Mr. GARRETT of Tennessee. Mr. Speaker, I have the report in my hand, but I am not acquainted with the circumstances. It was reported by the gentleman from Iowa [Mr. COLE].

Mr. COLE of Iowa. Mr. Speaker, this man, Frank W. Knight, was employed in the Revenue Service. He was ordered to lead a posse to raid a certain still which they knew was being operated at some place in the hills. He led the posse, and in that raid he was shot, and died from the effects of it. He lived 30 days. He was a high-class man, faithful to the service, and efficient. He died in the discharge of his public duty.

Mr. MILLER. Who shot him, the resisting party?

Mr. COLE of Iowa. Yes. They did not know the particular man who shot him. There were a number of men connected with it. The leader of the resisting party was a notorious man by the name of Harmon, and the presumption was that he was shot by Harmon.

Mr. MANN. They may not have known, but they sent him to the penitentiary for 20 years [laughter] for having killed a man.

Mr. COLE of Iowa. Then they knew. [Laughter.]

Mr. EDMONDS. This is the customary way in which the committee has handled these cases.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to the estate of Frank W. Knight, of Cary, Wake County, N. C., the sum of \$1,500, on account of the death of said Knight while in the discharge of his duty as possessor under the collector of internal revenue for the eastern district of North Carolina.

Mr. GARRETT of Tennessee. Mr. Speaker, I move to strike out the last word. I would like to ask the gentleman from Pennsylvania—I may be in error about the matter, but I have

an impression that in cases of this sort the committee has been allowing more than \$1,500.

Mr. EDMONDS. The committee has allowed a year's salary; that has been the custom.

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

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

BELL OF THE WRECKED CRUISER "MILWAUKEE."

The next business on the Private Calendar was the bill (S. 1733) authorizing the Secretary of the Navy, in his discretion, to deliver to the president of the Milwaukee Press Club, of Milwaukee, Wis., the bell of the wrecked cruiser *Milwaukee*.

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 be, and he is hereby, authorized, in his discretion, to deliver to the president of Milwaukee Press Club, Milwaukee, Wis., for the use of the said press club, the bell of the wrecked cruiser *Milwaukee*, said bell now being in storage at the Mare Island Navy Yard: *Provided*, That no expense shall be incurred by the United States through the delivery of said bell.

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

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

ENROLLED BILLS SIGNED.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 2004. An act for the relief of Frank Ferrin;

H. R. 927. An act for the relief of Capt. Fred S. Johnston;

H. R. 2393. An act to provide for the establishment on the Mississippi River of a fish-rescue station, to be under the direction of the Bureau of Fisheries of the Department of Commerce;

H. R. 8342. An act to empower the Attorney General of the United States to fix the compensation of clerks of the United States district courts;

H. R. 5762. An act providing for a municipal park for the city of Butte, Mont.;

H. R. 9710. An act authorizing extensions of time for the payment of purchase money due under certain homestead entries and Government land purchases within the former Cheyenne River and Standing Rock Indian Reservations, North Dakota and South Dakota;

H. R. 3057. An act for the relief of George Van Derburgh Brown;

H. R. 8460. An act to authorize the occupation and use of certain lands in Alaska by Ketchikan Post No. 3, American Legion, and for other purposes;

H. R. 7234. An act for the relief of Miles Swift; and

H. R. 3270. An act for the relief of Estella Barnett.

MATTIE ALEXANDER.

The next business on the Private Calendar was the bill H. R. 8845 for the relief of Mattie Alexander.

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

Mr. MILLER. Mr. Speaker, reserving the right to object, I think the House is entitled to some statement regarding the merits of this measure.

Mr. BOWLING. Mr. Speaker, this bill provides that the Secretary of the Interior shall issue a patent to Mattie Alexander for the north half of the northeast quarter of fractional section 35, township 17 north, range 14 east, St. Stephens meridian, survey in Alabama. Miss Alexander is about the twelfth or fourteenth person who has had possession of this land in the last 100 years under color of title. There seems to have been an inaccuracy in the early records of the Land Office with respect to this section of land, 35. This fractional section contains less than 640 acres of land by reason of the meandering line of the Alabama River on one side of it, which makes it small. It appears from the statement of the Acting Secretary of the Interior that one entry which referred to this land as fraction A was, in fact, identical with and intended to cover the northeast quarter of the land, although the description "fraction A" was somewhat indefinite. For that reason the department is of opinion that although the record of the Land Office does not show that the northeast quarter was actually patented originally, yet the conflict in interest tends to show that it was the purpose of the Land Office to include and it did include this northeast quarter of the section under the description "fraction A" instead of making it the north-

east of the southeast quarter. The land was first patented in 1819, the year Alabama was admitted into the Union. The first patent carried the whole section. Then the first entryman transferred to a man whose name I do not remember, but the second owner of the land secured the whole section. He then relinquished all of the land except the fractional southeast quarter of it, and returned it to the Government. Of course, that return would have carried the northeast quarter to the Government, but later on, he having specifically reserved the southeast quarter, the Government then issued him a patent to fraction A, the southeast quarter of the land, which he already had.

There was no question about his having owned it, and it is the opinion of the department, as I read from the report—

There is reason, however, to believe that this last-named tract, fractional northeast quarter, was intended to be covered by the credit system certificate and patent of Bonnell, above referred to. The acreage given in that certificate and in the patent more closely approximates the area of the east half northwest quarter and the fractional northeast quarter than it does the east half northwest quarter and the southeast quarter. Then, too, there is the conflict as to the southeast quarter, as the entries now stand, and the further fact that there is no entry of record for the fractional northeast quarter.

Then in the communication of Mr. Finney, the Acting Secretary of the Interior, we find the following:

It appearing from the records of the General Land Office that Bonnell received a patent for the SE $\frac{1}{4}$, while Cottrell received one for lot A, practically the same land, and that there is no entry for the N. $\frac{1}{4}$ NE $\frac{1}{4}$, it was assumed that one of these entries was intended to cover the last described tract, of which Miss Alexander appears to be in possession under color of title, but the proof of title furnished the office was not sufficient to warrant the amendment of either of the entries. Hence the department knows of no reason why the proposed bill should not be enacted into law.

Mr. MILLER. Are there any conflicting rights in this case?

Mr. BOWLING. There are no conflicting rights. I have in my possession an abstract of title which traces it from 1819 to Miss Alexander, and this includes 60.69 acres of land, a part of a tract of land of about 800 acres which she owns. There is no conflict of ownership at all.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to issue a patent to Mattie Alexander for the north half of the northeast quarter of fractional section 35, township 17 north, range 14 east, St. Stevens meridian, survey in Alabama.

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 the third time, was read the third time, and passed.

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

JOSEPH ZITEK.

The next business on the Private Calendar was the bill (H. R. 8448) for the relief of Joseph Zitek.

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

Mr. MILLER. Mr. Speaker, reserving the right to object, I think the House is entitled to some explanation of the measure.

Mr. WALSH. Mr. Speaker, I object.

F. E. TAYLOR AND B. C. BROOM.

The next business on the Private Calendar was the bill (H. R. 8767) for the relief of F. E. Taylor and B. C. Broom.

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

Mr. WALSH. Mr. Speaker, reserving the right to object, I notice that in this bill the committee carries a small sum for compensation for personal injuries. Upon what theory was the award made?

Mr. UNDERHILL. Mr. Speaker, the theory was based upon the facts in the matter. These two men were injured through no fault of their own. An Army truck, driven by a civilian employee, came down one of the main streets in this town and the chain of the tailboard was hanging loose, with a hook on the end of the chain. It caught in the spokes of the wheels of a buggy that had been pulled up as near the curbing as possible to get out of the way of the truck. The buggy was dragged for some 50 feet, was wrecked, and the horse was injured, and the two men who were in the buggy at the time of the accident were also injured.

Both of these men showed a commendable spirit in not asking for large damages, but for just the amount which would recompense them for their doctors' bills, and nothing for loss of time, except in the case of Mr. Taylor, where the amount asked is about \$500. The man's knee was severely injured, his leg was broken, and he was laid up for three months. He asked for \$500. The committee thought from the reports received and the investigation that was made that it was a very

reasonable amount. The other man asked for \$100, and on my recommendation that was reduced to \$50, the committee thinking that he had not suffered more than that amount of damages.

Mr. WALSH. How much of this is for damage to the horse and buggy?

Mr. UNDERHILL. Sixty-five dollars.

Mr. WALSH. The horse and buggy were owned by Mr. Taylor?

Mr. UNDERHILL. The horse and buggy were owned by Mr. Taylor.

Mr. WALSH. And this was upon a public highway?

Mr. UNDERHILL. One of the main streets of the town. They could not get further out of the way on account of the curbing.

Mr. WALSH. Mr. Speaker, I withdraw the reservation of objection.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to F. E. Taylor the sum of \$565 as compensation for personal injuries and damages to horse and buggy sustained by being run into from the rear by a United States Army truck belonging to Company 47, then stationed at Camp Greene, Charlotte, N. C.; and to B. C. Broom the sum of \$100 as compensation for personal injuries sustained in the same manner.

With the following committee amendment:

Line 10, strike out "\$100" and insert in lieu thereof "\$50."

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

The committee amendment was agreed to.

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

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

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

ZAH BARMON.

The next business in order on the Private Calendar was the bill (H. R. 7425) for the relief of Zah Barmon.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Zah Barmon, of Spokane, Wash., doing business under the trade name of "Mikes' Trading Store," the sum of \$3,625, to reimburse her for said amount of money deposited by her in connection with a bid submitted for certain surplus property advertised for sale by the Surplus Property Division of the War Department and erroneously covered into the Treasury of the United States.

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

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

BRADLEY SYKES.

The next business in order on the Private Calendar was the bill (H. R. 540) for the relief of Bradley Sykes.

The Clerk read the title of the bill.

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

Mr. MILLER. Mr. Speaker, I think we ought to have an explanation of this bill. The last bill was by my colleague, and, of course, it illustrates the teamwork of the Washington delegation.

Mr. MANN. And the gentleman let the last bill pass without even a report from the War Department.

Mr. MILLER. I think that further illustrates the teamwork of the Washington delegation.

Mr. MANN. I notice; the rest of us had better get busy.

Mr. BOX. Mr. Speaker, Bradley Sykes, the party injured in this case, was crossing a Chicago street at a crossing, and as she approached the middle of the street she stopped at or about the middle of the street watching several automobiles moving in the street across her path from the west, when a truck belonging to the Post Office Department and driven by one of its employees, approaching at a very rapid rate from the other direction, struck her as she stood about the middle of the street waiting to proceed, knocked her down, injured, and disabled her for some nine months, causing her to spend a large amount, as shown in the bill, for medical expenses, hospital treatment, and other incidental items. It appears to be a case of very gross negligence on the part of the driver of

the truck and no fault on the part of the claimant. The items constituting the amount of the claim have been gone into carefully by the committee. We are convinced that the claim is just and the amount reasonable.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any funds in the Treasury not otherwise appropriated, the sum of \$2,000 to Bradley Sykes, for injuries sustained as the result of being struck by a Government-owned automobile in Chicago on June 28, 1920.

The committee amendment was read, as follows:

Page 1, line 5, strike out "\$2,000" and insert in lieu thereof "\$1,727."

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.

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

CORA T. DERING.

The next business in order on the Private Calendar was the bill (H. R. 5668) for the relief of Cora T. Dering.

The Clerk read the title of the bill.

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

Mr. MILLER. Mr. Speaker, reserving the right to object, I think there ought to be some explanation of this bill, as I think the House would like to have it.

Mr. GLYNN. Mr. Speaker, I shall be very happy to inform the gentleman from Washington. This is a case of a man who was sitting in his own house, in his own dining room, when a rifle in the hands of a soldier in the Federal service was discharged and this man, John Dering, was killed. This was on April 7, 1917, just before the declaration of war. This soldier was a member of the National Guard and had been called into the Federal service a day or two before. It was the accidental discharge of a rifle in the hands of a soldier guarding a bridge and, as I say, killed this man who was sitting in his own dining room, and, in accordance with the judgment of the Committee on Claims, I am inclined to believe that even though a man may be a citizen of the United States perhaps he is entitled to as much protection as if he came from Japan or Cuba.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Cora T. Dering, of Sullivan County, N. Y., out of any money in the Treasury not otherwise appropriated, for herself and in behalf of her children, the sum of \$57.50 per month for a period of 10 years, in full settlement of all claims against the United States for the loss by death of her husband, John Dering, caused by carelessness in the use of a rifle or other firearm issued to Private John T. Kelley, while on duty as guard in the service of the United States at Callicoon, N. Y., on or about the 7th day of April, 1917, said compensation to be payable from and after April 7, 1917: *Provided*, That the said money shall be applied to the support of the widow and the said children during their respective minorities, but if she again marries the entire amount thereafter shall be used by her for the benefit of the minor children, and if the mother dies the money shall be paid the oldest child for the minors.

The committee amendments were read, as follows:

Page 1, line 6, after the word "appropriated," strike out "for herself and in behalf of her children the sum of \$57.50 per month for a period of 10 years" and insert in lieu thereof "the sum of \$5,000."

Page 2, line 1, after the figures "1917," strike out the remainder of the bill.

The question was taken, and the amendments were agreed to.

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

G. C. CALDWELL.

The next business in order on the Private Calendar was the bill (H. R. 7052) for the relief of G. C. Caldwell.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to G. C. Caldwell, out of any sums in the Treasury not otherwise appropriated, the sum of \$132.85 for damages to his automobile by an Army truck belonging to the Government.

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

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

ANNE C. SHYMER.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 6134) for the relief of the estate of Anne C. Shymer.

The title of the bill was read.

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

Mr. WALSH. Mr. Speaker, reserving the right to object, this is a claim for loss of jewelry on the *Lusitania*?

Mr. EDMONDS. It occurred through the sinking of the *Lusitania*.

Mr. MANN. It did not occur through the sinking of the *Lusitania*; that is not the way—

Mr. EDMONDS. The loss occurred in the Consular Service; they are holding jewelry taken off the body of somebody sunk with the *Lusitania*. It is something like the house that Jack built.

Mr. WALSH. Well, as I understand it, this lady was a passenger on the *Lusitania*. She had some very valuable jewels. The steamer was torpedoed and sunk, and when her body was recovered the American consular or diplomatic officer took charge of this jewelry. They endeavored to transmit it by mail, and it was lost, or was lost in transit between one place and another, was it not?

Mr. EDMONDS. It was evidently lost in the consul general's office in London, as near as can be ascertained. It was transmitted by the consul at Cork to the office in London. There is no record of it after leaving the London office.

Mr. COLE of Iowa. There is a record of its having been placed in a sealed pouch of the Consular Service.

Mr. EDMONDS. But no record after that.

Mr. WALSH. It says that the department has no record of having received such a package in the pouch from London.

Mr. COLE of Iowa. The record is they were placed in the pouch.

Mr. WALSH. The American consul at Queenstown, Cork, was instructed by mail to endeavor to trace the package. The list of the jewelry is set out, and they evidently have been unable to verify—

Mr. EDMONDS. I think the gentleman is mistaken there. At the bottom of page 1 of the report you will notice that Leslie E. Reed, the American vice consul at London, wrote to Miss Justice:

At the request of the American consul at Cork, Ireland, the consul general has to-day forwarded to you, in care of the Department of State, a small parcel containing jewelry which formerly belonged to Mrs. R. D. Shymer, who, I am informed, was one of the unfortunate *Lusitania* victims.

The record seems to have been lost after leaving the consul general's office in London.

Mr. COLE of Iowa. Yes; it was placed in the sealed pouch.

Mr. MILLER. Will the gentleman from Massachusetts yield so that I may ask the gentleman from Pennsylvania a question?

Mr. WALSH. Certainly.

Mr. MILLER. Who is to be the beneficiary of this legislation?

Mr. EDMONDS. Miss Maibelle Heikus Justice, of New York.

Mr. MILLER. A daughter?

Mr. EDMONDS. • A sister.

Mr. MILLER. Now, would she be the heir at law?

Mr. EDMONDS. I presume so.

Mr. MILLER. Are there any children or direct heirs?

Mr. EDMONDS. I do not think so. It is supposed to be given to a legal representative.

Mr. MILLER. What is the amount?

Mr. EDMONDS. We gave \$3,900. We arrived at that by a different valuation of the jewelry. The heirs valued the jewelry at the new, higher price. We had the estimate made on the price of the jewelry at the time it was purchased, and we gave them that.

Mr. MILLER. What is the explanation of this property being missing? Is there a thief in the service, or was there an accident?

Mr. EDMONDS. Nobody can tell that. There is no report about it. All that is known is that the consul at Cork, without legal responsibility, as near as I can find out, but with absolute moral responsibility, took possession of these jewels. He put them in a package and sent them to the consul general in London.

Mr. MILLER. Through the mails?

Mr. EDMONDS. I do not know whether it was or not. But the jewelry arrived at London. It is so acknowledged. Appli-

cation was made by Miss Justice for this property, probably after some search by the department. I do not know as to that. Mr. Reed, I think it was, put this package in the mail in a sealed form. Now, we do not know any further than that. It did not arrive on this side.

Mr. MILLER. Will the gentleman yield further for a short question?

Mr. EDMONDS. Surely.

Mr. MILLER. This property was lost in the mails between England and the United States?

Mr. EDMONDS. Probably in the diplomatic pouch.

Mr. MILLER. Is there no system of recovery from the parties transporting the mails?

Mr. EDMONDS. If it was sent in a sealed diplomatic pouch I doubt if anybody would be responsible for it except the Department of State. Surely no foreign government, or even our own Government, could open a diplomatic pouch until it arrived at the Department of State.

The question you gentlemen have to decide is this: There may be a consular regulation requiring a consul to take charge of an American citizen who dies abroad within his jurisdiction. There is a law on the statute books that the consul shall take possession of the effects of a sailor who dies at a foreign port—an American sailor. I say there may be a regulation, but there is no law that I can find that makes us responsible for an accommodation we are doing for somebody in sending their property forward in case of death. However, the United States Government took possession of this property. They forwarded it to the State Department to be forwarded to the heirs. The property has disappeared. It is acknowledged that it has disappeared, and it is now up to the House to decide as to whether they desire to pay the value of the property to heirs of the party who lost it.

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

The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 6134) for relief of estate of Anne C. Shymer.

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay to the personal representatives, for the next of kin, out of any money in the Treasury not otherwise appropriated, the sum of \$12,000, as full compensation for the loss of jewelry, the property of Anne C. Shymer, who was lost in the sinking of the *Lusitania*, which jewelry was transmitted to the State Department in a sealed Government pouch by the consul general at London, and was lost upon its receipt at the department.

Also, the following committee amendments were read:

Line 4, strike out the words "personal representatives, for the next of kin" and insert: "legal representatives of the estate of Anne C. Shymer."

In line 7 strike out "\$12,000" and insert in lieu thereof "\$3,900."

Line 8, after the word "of," insert "the aforesaid."

Line 10, after the words "State Department," strike out: "in a sealed Government pouch by the consul general at London."

Line 12, strike out "upon its receipt at the department," and insert in lieu thereof "in transit."

The SPEAKER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

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

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

The SPEAKER. The Clerk will report the next bill.

ED. E. RICHARDSON CO. (INC.).

The next business on the Private Calendar was the bill (S. 2147) to authorize patent to the Ed. E. Richardson Co. (Inc.) of certain lands.

The title of the bill was read.

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

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to patent to the Ed. E. Richardson Co. (Inc.) lot 2, section 26, and lots 2 and 5, section 27, township 18 north, range 10 east, Louisiana meridian, embracing 104.81 acres, upon payment to the Government of \$1.25 per acre, lands which they and their grantors have occupied under claim and color of title and open and notorious possession for 50 years: *Provided*, That proper application for the purchase of these lands be filed hereunder in the district land office within six months from the passage of this act, and that no adverse claim thereto be officially of record as pending when the application is allowed and the sale is made.

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

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

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

The SPEAKER. The Clerk will report the next bill.

LEO N. LEVI MEMORIAL HOSPITAL ASSOCIATION.

The next business on the Private Calendar was the bill (S. 2186) granting certain lands in Hot Springs, Ark., to the Leo N. Levi Memorial Hospital Association.

The title of the bill was read.

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

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the exclusive right to use, occupy, and enjoy the possession of all of lots Nos. 1 and 2, in block No. 114, in the city of Hot Springs, Ark., is by this act granted to the Leo N. Levi Memorial Hospital Association, a corporation organized under the laws of the State of Arkansas, for the purpose of erecting and maintaining thereon an addition to or extension of its present hospital building, located on adjoining lots, Nos. 3 and 4, in said block 114, in said city of Hot Springs, Ark. The rights and privileges granted under this act shall continue as long as the property is used and occupied for the purposes mentioned in this act, subject, however, to the following conditions and limitations, namely, that unless said Leo N. Levi Memorial Hospital Association shall within five years after the passage of this act erect and equip a suitable and sightly addition to or extension of its present hospital building, or if said Leo N. Levi Memorial Hospital Association shall at any time hereafter use or permit the premises to be used for any other purpose than that herein granted, or if at any time pay wards are maintained in any buildings erected upon the lots hereby granted, then and in either event all the rights, privileges, and powers by this act granted and conferred upon said association shall be forfeited to the United States.

With a committee amendment as follows:

Page 1, line 4, insert, after the word "possession," the words "for hospital purposes."

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

The committee amendment was agreed to.

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

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

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

The SPEAKER. The Clerk will report the next bill.

JOSEPH ROBICHEAU.

The next business on the Private Calendar was the bill (H. R. 463) granting a patent to Joseph Robicheau.

The title of the bill was read.

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

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to issue a patent to Joseph Robicheau to the following land: Northwest quarter of the southeast quarter and south half of the southeast quarter section 27, and the northwest quarter of the northeast quarter section 34, township 47 north, range 3 east, Boise meridian, Coeur d'Alene (Idaho) land district.

With a committee amendment as follows:

In line 9, after the colon, insert "*Provided*, That nothing herein contained shall be held to interfere with or defeat any sale heretofore made by the Forest Service of timber upon the land herein granted."

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

The committee amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill as amended.

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

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

The SPEAKER. The Clerk will report the next bill.

ROSEN REICHARDT BROKERAGE CO.

The next business on the Private Calendar was the bill (S. 157) for the relief of the Rosen Reichardt Brokerage Co., of St. Louis, Mo.

The title of the bill was read.

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

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Rosen Reichardt Brokerage Co., of St. Louis, Mo., out of any money in the Treasury not otherwise appropriated, the sum of \$372.24, the same being a refund of duty paid on certain walnuts imported on December 15, 1915, and covered by New York warehouse bond No. 88451.

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

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

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

The SPEAKER. The Clerk will report the next bill.

OWNER OF THE STEAM LIGHTER "CORNELIA."

The next business on the Private Calendar was the bill (S. 1814) for the relief of the owner of the steam lighter *Cornelia*.

The title of the bill was read.

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

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the claim of the owner of the steam lighter *Cornelia* rising out of a collision between said steam lighter and the United States destroyer *Bell* in Broad Sound, Boston Harbor, Mass., on the 9th day of August, 1918, for and on account of the losses alleged to have been suffered in said collision by the owner of said steam lighter *Cornelia* by reason of damages to and detention of or the loss of said steam lighter, her boats, engines, boilers, tackle, apparel, furniture, and supplies, may be submitted to the United States Court for the District of Massachusetts, under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due either for or against the United States, upon the same principle and measure of liability with costs as in like cases in admiralty between private parties with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

With a committee amendment, as follows:

Page 1, line 9, strike out the words "and detention of."

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

The committee amendment was agreed to.

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

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

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

The SPEAKER. The Clerk will report the next bill.

AMERICUS ENFIELD.

The next business on the Private Calendar was the bill (H. R. 10179) for the relief of Americus Enfield.

The title of the bill was read.

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

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to credit the account of Americus Enfield, postmaster at Bedford, Pa., in the sum of \$41,148.94, due to the United States on account of war-savings stamps and postage stamps which were lost as the result of burglary of said post office on November 7, 1918.

Mr. ROSE. Mr. Speaker, I think it well to bring to the attention of the House a few remarks in connection with this bill. It is for the relief of Americus Enfield, postmaster at Bedford, the county seat of one of the counties I have the honor to represent. I would like to say for the benefit of the membership of the House that I am acquainted with the postmaster and have known him for many years. He is beyond the age of 70 years. He is a man of exceedingly high standing in the community, and so far as I can learn has discharged his duties as postmaster to the satisfaction of the patrons of the office.

Mr. EDMONDS. He is a Democrat?

Mr. ROSE. Yes; I will admit that he is a Democrat and that his commission will expire during the present year. It is altogether likely that he will not be reappointed should an appointment be made while I have the honor of serving the district. Mr. Enfield is too big a man to expect it. Following the burglary a very searching and comprehensive examination was made, and it was plainly shown by the evidence that neither the postmaster nor any of the clerks employed in the office was guilty of negligence. A voluminous report was made to the Postmaster General, a copy of which is attached to the report of the committee, and I suggest that if further information be desired that it can be easily obtained by a perusal of the report mentioned. Under existing law the department is

without power to bring relief to Postmaster Enfield, for the reason that the amount involved exceeds the sum of \$10,000, and hence it is Mr. Enfield is obliged to ask for relief at the hands of Congress. I am firmly convinced that the claim is meritorious and that the high standing and integrity of Postmaster Enfield have not been questioned. With these few words, I ask for favorable consideration of the bill.

Mr. GREEN of Iowa. Mr. Speaker, I ask unanimous consent that I may be permitted to address the House out of order.

The SPEAKER. The gentleman from Iowa asks unanimous consent to address the House out of order. Is there objection?

There was no objection.

Mr. GREEN of Iowa. Mr. Speaker, at the time of the debate on the adjusted compensation bill for the soldiers, commonly called the bonus bill, the prediction was several times made that the result of the passage of the bill would be to depress the value of national securities. Nevertheless the bill passed the House and is likely to soon pass the Senate. In the meantime the market value of United States bonds has been going up every day.

It was also predicted that the passage of the bill would make money rates higher and that the Government would have difficulty in borrowing money as cheaply as before. Since the passage of the bill the Government has marketed its short-time certificates at 3½ per cent, the lowest rate at any time since the European war broke out. This is another dire prediction that has not been fulfilled. The Government has since the war reduced our national obligations three and a half billions of dollars and at the same time the taxes have been greatly lowered. A Government that can do this will have no trouble in finding means to pay the adjusted compensation in 20 years.

Mr. Speaker, the original bonus bill, passed two years ago, provided for the payment of the compensation for the soldiers in cash if desired. Upon its reconsideration, my committee concluded that the Government was not in a position to pay all this compensation in a short time and the committee also had doubts whether this would be the best plan for the soldiers themselves. At the same time the committee realized it was necessary to devise some plan whereby the soldier in need could obtain assistance when necessary. While the Ways and Means Committee was considering this feature of the case my colleague, Mr. HULL, appeared before it and stated that, as the soldiers were to receive what was practically a paid-up endowment insurance policy, if the certificate was given a loan value, with proper restrictions, the difficulties in the situation would be overcome. My recollection is that he was the first to mention this plan, the details of which he left for the committee to work out. The committee accordingly considered this proposition and found it could be worked out satisfactorily. From it there was evolved the bank loan plan which forms so important a feature of the bonus bill, and my colleague is entitled to great credit for having presented it to the committee.

Money is now getting so much easier that many of the banks in the East have more than they can place upon absolutely secure loans like those provided for by this feature of the bill and even in the West, where the banks have been harder pressed, there is no longer any talk that they can not easily furnish the money for their share of these loans. It is not likely that the certificates can be issued much before the beginning of the next year if the bill becomes a law, as it will take several months to organize the proper force to issue these certificates. I predict that by that time most of the banks will be glad to get these loans which have the Government guaranty back of them.

Mr. CHANDLER of New York. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. CHANDLER of New York. I followed very closely the debates in the House on the subject of the soldiers' bonus bill. Nearly all the speeches which referred to the matter prophesied that if the bill finally became a law it would depreciate the Liberty bonds. The mere passage of the bill through the House did not have that effect. The bill has not passed the Senate yet or been signed by the President of the United States. I renew the prediction here that the passage of that bill will depreciate every Liberty bond in the Republic.

Mr. EDMONDS. Mr. Speaker, I ask for the regular order.

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

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

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

The SPEAKER. The Clerk will report the next bill.

MICHIGAN BOULEVARD BUILDING CO.

The next bill on the Calendar for Unanimous Consent was the bill (H. R. 5918) for the relief of the Michigan Boulevard Building Co.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object, how did the committee arrive at this amount? I notice that they have practically cut it in half.

Mr. MADDEN. I understand that the committee arrived at the amount by deducting a claim made by the owners of the building for 18 months' rent, and allowing them for only 5 months' rent instead of 18 months.

Mr. WALSH. That accounts for the deduction?

Mr. MADDEN. Yes.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Treasury, out of any money in the Treasury not otherwise appropriated, do pay to the Michigan Boulevard Building Co., a corporation of Chicago, of the State of Illinois, the sum of \$18,931.69 in full satisfaction of all claims of the Michigan Boulevard Building Co. growing out of or pertaining to the occupancy of office space in the building of the Michigan Boulevard Building Co., at the southwest corner of Washington Street and Michigan Avenue, in the city of Chicago, by the War Department for Central Department headquarters during the period from December 15, 1917, to November 30, 1918, both inclusive.

With the following committee amendment:

Page 1, line 6, strike out "\$36,931.69" and insert "\$18,931.69."

The committee amendment was agreed to.

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

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

The SPEAKER. The Clerk will report the next bill.

SETH J. HARRIS ET AL.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 2694) for the relief of Seth J. Harris, Jimmie Lou Martin, Mary Holloman, and William Henry Coleman.

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 SPEAKER. The Clerk will report the bill.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed, through the United States Employee's Compensation Commission, to pay to the following-named persons the sums designated as compensation for personal injury and death suffered through the explosion of a certain shell fired by the student officers of Fort McPherson, Atlanta, Ga., on the south side of Kenesaw Mountain, Cobb County, Ga., on August 8, 1917:

To Jimmie Lou Martin, on account of the death of her husband, Charlie Martin, the sum of \$35 per month until her remarriage or death, and \$3.50 additional per month for each of her six minor children; and in the event of the remarriage or death of said Jimmie Lou Martin payments on account of said minor children shall be paid to their guardian or guardians until such time as they shall have reached the age of 18 years, respectively.

To Mary Holloman, on account of the death of her husband, James Holloman, the sum of \$35 per month until her remarriage or death, and \$3.50 additional per month for each of her two minor children; and in the event of the remarriage or death of said Mary Holloman payments on account of said minor children shall be paid to their guardian or guardians until such time as they shall have reached the age of 18 years, respectively.

To William Henry Coleman, for personal injuries, the sum of \$300.

With the following committee amendments:

Page 2, line 3, after the word "years" insert "monthly compensation to commence from the date of the accident."

Page 2, line 12, after the word "respectively" insert "monthly compensation to commence from the date of the accident."

Page 2, line 21, after the word "respectively" insert "monthly compensation to commence from the date of the accident."

Mr. MANN. Of course, these bills are somewhat new. I do not know whether this form has been recommended by the Compensation Commission, though I somewhat doubt it. The Compensation Commission is not under the Treasury Department, is it?

Mr. COLE of Iowa. No; it is separate.

Mr. WALSH. It is not under any executive department.

Mr. MANN. Why should we say—

That the Secretary of the Treasury be, and he is hereby, authorized and directed, through the United States Employees' Compensation Commission to pay—

certain money? Why should we not say that the United States Employees' Compensation Commission be directed to pay? Would not that be better? Then I take it that they would pay

the money out of the annual appropriation which is made for the payment of compensation.

Mr. COLE of Iowa. This does not come under the Compensation Commission. This happened before the Compensation Commission was created.

Mr. MANN. That is all true.

Mr. COLE of Iowa. We simply want to make it appear that we intend to bring this under the compensation act, and we simply want the Treasury to use this commission as the means of making the payment.

Mr. MANN. It is just as easy to direct the Compensation Commission directly to pay the compensation as it is to go through the circumlocution of saying that the Secretary of the Treasury shall pay through the Compensation Commission.

Mr. UNDERHILL. I do not know that that can be done.

Mr. MANN. I know it can be done if we direct it to be done by law.

Mr. UNDERHILL. Well, it rests with the House to declare what policy they desire to pursue in these bills based on the compensation tables that the committee will bring in from time to time. If the House prefers to have the Compensation Commission pay them directly from its appropriation, it makes little or no difference as far as the committee or the beneficiaries are concerned.

Mr. MANN. Does the gentleman expect we are going to make an appropriation every year for these items? Some years ago we provided for the payment of \$1,500 a year to two Army officers and \$1,200 to another, and every year we have had to carry those items in the Army appropriation bill, and nearly every year, not every year, for the last 15 or 20 years it has provoked discussion because Members did not know what it meant.

Mr. UNDERHILL. Personally, I think the suggestion of the gentleman from Illinois is a mighty good one, and I would like to see it applied not only to this but to other bills of a similar character on the calendar.

Mr. EDMONDS. These people are not in the employ of the United States Government.

Mr. MANN. I understand that.

Mr. EDMONDS. I think the gentleman is right, that we should say the commissioner is authorized to pay these people, and that would take care of the appropriation in the future.

Mr. WALSH. Will the gentleman yield?

Mr. MANN. Yes.

Mr. WALSH. What is the idea of the committee starting off on this policy of paying damages in monthly payments?

Mr. MANN. It is easy enough to explain in this case. Here are some colored people of the South, probably not very provident, who were killed under very distressing circumstances by men in gun practice. These are the young children. If you paid them a lump-sum appropriation, the chances are that some one would get it away from them inside of six months or a year, and it would be squandered.

Mr. COLE of Iowa. That is the very idea we had in mind.

Mr. WALSH. That is very considerate, of course. There may be white people where payments are made in lump sums and where people get it away from them. If we are going to do that—and it seems to be an anomaly to provide that the Employees' Compensation Commission should now be made the conduit through which payment should go to people who are not employees of the Government, and who are not subject to the rules and regulations of that commission with reference to Government employees to whom payments are made for injuries. If we are going to take over the Employees' Compensation Commission for that purpose, it seems to me it is going to require a lot of additional machinery.

Mr. MANN. I do not think it will require any additional machinery. These children are only to be paid while they are under 18 years of age.

Mr. WALSH. Some of these payments are to keep on until remarriage or death. Here is one payment to a wife.

Mr. MANN. It will not be long before she is remarried.

Mr. WALSH. She probably will not remarry and lose the revenue.

The SPEAKER. The question is on the amendments.

The amendments were agreed to.

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

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

ANNA M. TOBIN.

The next business on the Private Calendar was the bill S. 2323.

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

Mr. WALSH. Reserving the right to object, I can not quite see how there is any obligation on the part of the Federal Government to pay for this damage. As I understand it, there was an offer to restore the property to its original condition, which was refused, although that is in dispute in the letter of the executrix of the estate. But why should the Government pay for damages of this sort, evidently inflicted by some men in the militia companies who came from New England?

Mr. BOX. The basis is that the men were in the militia service of the United States; they had access to this private property and were beyond the control of the officers, and it was not in the power of the people to protect it. They were there, and in various ways damaged the property to the extent represented in the bill.

Mr. WALSH. It was a sort of malicious mischief, apparently. Why should not the boys that inflicted the damage bear the burden of it? Why should the Government be responsible?

Mr. BOX. If the claimant is remitted to that, it is equivalent to a denial of relief.

Mr. WALSH. Even granting that, why should she then be permitted to collect from the Federal Government?

Mr. BOX. The theory on which the bill was introduced and, I presume, passed the Senate was that the soldiers were in the employ of the Federal Government, and not being properly controlled, damaged this private property.

Mr. WALSH. I do not think there was much theory on which it passed the Senate. This kind of measure passes the Senate sometimes without theory or anything else.

Mr. BOX. If there was no theory at the other end of the Capitol, on what principle would the gentleman say that these parties ought to bear this loss without fault on their part? The damage was done by our servants—men in our service—who were not controlled so as to prevent depredation on private property. Of course, it was done by soldiers in mass, and we do not know who they were. We have absolutely no recourse if the Government does not protect us. The gentleman can realize that the people who suffered this loss are absolutely without redress and without remedy. There is no protection at all.

Mr. WALSH. That is the reason they are coming to Uncle Sam.

Mr. BOX. Because he caused it.

Mr. WALSH. Oh, he did not cause it. This was not anything that was done in the line of duty by these young men. They broke some windows and wrote upon the wall and otherwise damaged the property. It is not anything that was done in the line of duty. Apparently they were out on a frolic, and because these people do not know who did it and they can not make the individuals compensate them they say, "Well, we will let the Federal Government pay it."

Mr. BOX. We do know that it would not have occurred if the Government had not established a military post there and if the men in the service had not depredated on the property. There are a great many cases, as the gentleman will recognize, in which the individuals are responsible and where the principle is also responsible. It is not contended here that there is absolute legal liability, as the gentleman will recognize.

Mr. WALSH. Mr. Speaker, this does not appeal to me as one of the claims that should be settled by the Federal Government, and therefore I object.

LIZZIE ASKELL.

The next business on the Private Calendar was the bill (H. R. 3034) for the relief of Lizzie Askell.

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

Mr. WALSH. Mr. Speaker, let us have the bill reported.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay the sum of \$5,000 to Lizzie Askell, widow of Charles Askell, and that the said sum is hereby appropriated out of any moneys in the Treasury not otherwise appropriated.

With the following committee amendments:

Lines 4 and 5, strike out the words "Askell" and insert in lieu thereof the words "Askell."

Mr. WALSH. Mr. Speaker, reserving the right to object, how was the sum of \$5,000 arrived at here?

Mr. UNDERHILL. Mr. Speaker, the committee has tried to devise a uniform system for settling claims for personal damages. We have made some reports where the amount is less than \$5,000, but that is because the claimant has drawn the bill for a lesser sum, and the committee did not feel justified in raising the amount. The committee has settled upon \$5,000, not that they had any basis for settling on that amount but simply because it is the best thing that they could evolve—\$5,000

in case of the death of an adult. We tried to base the amount as far as possible upon the table of rates of the workmen's compensation commissions, but in the State of Oregon had the workmen's compensation table of rates been used the widow of this man would have received at least \$7,500. Having placed a limitation of \$5,000 in case of death, the committee did not see that they could use that table of rates.

Mr. WALSH. Why is the payment to be made in a lump sum in this instance?

Mr. UNDERHILL. Because the people are fully able and competent to care for the amount invested, so that it may bring in some income, draw upon it for necessities, and, in addition to that, help pay for some land that the man had bought and partially paid for before his death.

Mr. WALSH. Earlier in the day a bill was passed where all those conditions would seemingly apply and the payment was made in the form of an annuity. Of course, if it is put in the form of an annuity and there is no provision for continuing the payment in case of death, sometimes it would not cost the Government so much.

Mr. UNDERHILL. I think the gentleman is mistaken in regard to the conditions being the same. They are not the same in this case as in the previous case. In the previous case it was the judgment of the committee that the Workmen's Compensation Commission would be better able to see that justice was done than if the payment were made in a lump sum. In this instance a lump sum was almost necessary to assist in securing to this widow, in part at least, the support she would have had had her husband lived.

Mr. WALSH. Mr. Chairman, I withdraw the reservation of objection.

Mr. MANN. Mr. Chairman, reserving the right to object, will the gentleman yield?

Mr. UNDERHILL. Yes.

Mr. MANN. When did the committee adopt the policy of \$5,000 in case of death, if the gentleman recalls?

Mr. UNDERHILL. Soon after the first few meetings of the committee that question came before us. We had various bills in the committee asking for sums varying from less than \$5,000 to \$25,000.

Mr. MANN. The gentleman means in this Congress?

Mr. UNDERHILL. Yes.

Mr. MANN. Within the last year?

Mr. UNDERHILL. Yes; so far as I know.

Mr. MANN. Previously the committee had adopted the policy of paying not to exceed a year's compensation to the beneficiaries of anyone who lost his life.

Mr. UNDERHILL. I think probably the gentleman is right, but he does not go far enough. The year's compensation was laid down in the compensation law of 1908. That compensation law was abrogated by the law of 1916. So that in instances previous to the adoption of the law of 1916 when any case of death occurred we have used the provisions of the compensation law of 1908.

Mr. MANN. Neither compensation law governs the case. The law is not applicable in any case, because if it came within the compensation law it would not be here as a special bill.

Mr. UNDERHILL. That is correct.

Mr. MANN. For a long time after I came here there was nothing paid in any of these cases. Then when they started in to pay these claims they put them in at various amounts, reporting bills which seldom passed for \$5,000 or less. The committee then adopted the policy of paying one year's compensation, analogous to the compensation act. However, I am not complaining about the \$5,000. I would like to make this suggestion, however. These bills are getting so now that they are presented by ambulance chasers, as we used to call them. Attorneys are interested in most of these bills. They take them on contingent fees, and an attorney can give considerable time to presenting a claim which may be \$5,000 if he is to get one-half of it. I think there ought to be a policy adopted by the committee in reporting these bills which would limit the amount of money which can be paid for attorneys' fees.

Mr. UNDERHILL. Mr. Speaker, will the gentleman yield?

Mr. MANN. Certainly.

Mr. UNDERHILL. Mr. Speaker, I do not recall a case that this committee has reported favorably thus far this year where any attorney is interested in any way, shape, or manner.

Mr. MANN. That might all be, but I have several letters from attorneys interested in some of these bills.

Mr. UNDERHILL. Most every one thus far has been presented by the Member from the district in which the deceased lived.

Mr. MANN. I have no doubt of that, but that does not interfere with an attorney being interested.

Mr. EDMONDS. I think the gentleman from Illinois is absolutely right. There are attorneys in some of these claims and in this case he is Mr. William H. Powell, Chamber of Commerce Building, Portland, Ore. It is only recently that the clerk of the committee and myself have been going over this matter with the idea of making provision for some limited fee.

Mr. MANN. I think that ought to be done. That ought to be the policy of the committee, as I do not think these attorneys ought to be allowed exorbitant fees, and in these cases the person will make most any kind of an arrangement on the basis of a contingent fee.

Mr. ROACH. Will the gentleman yield?

Mr. UNDERHILL. I will.

Mr. ROACH. I could not hear the conversation, but did I understand the gentleman to state that the Committee on Claims at this session adopted a maximum of \$5,000 in a death claim?

Mr. UNDERHILL. Not absolutely \$5,000 in all cases, but \$5,000 is the maximum.

Mr. ROACH. That is what I say, that is the maximum amount?

Mr. UNDERHILL. That is the maximum amount.

Mr. ROACH. The Committee on Claims have adopted that amount in case of a death without any regard to the earning capacity of the deceased or the relative merits of the claim.

Mr. UNDERHILL. We put all on the same basis.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay the sum of \$5,000 to Lizzie Askel, widow of Charles Askel, and that the said sum is hereby appropriated out of any moneys in the Treasury not otherwise appropriated.

The committee amendments were read as follows:

Page 1, line 4, strike out "Askel" and insert "Askeli"; page 1, line 5, strike out "Askel" and insert "Askeli."

The amendments were 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 so as to read: "A bill for the relief of Lizzie Askeli."

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

OWNERS OF THE SCHOONER "HORATIO G. FOSS."

The next business in order on the Private Calendar was the bill (S. 1817) for the relief of the owners of the schooner *Horatio G. Foss*.

The Clerk read the title of the bill.

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

The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the claim of the owners of the schooner *Horatio G. Foss*, arising out of a collision between said schooner and the United States collier *Jupiter* off Winter Quarter Light Vessel on the 18th day of May, 1918, for and on account of the losses alleged to have been suffered in said collision by the owners of said schooner *Horatio G. Foss* by reason of damages to and detention of said schooner, may be submitted to the United States Court for the District of Massachusetts, under and in compliance with the rules of said court, sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due, either for or against the United States, upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

The committee amendment was read, as follows:

Page 1, line 9, strike out the words "and detention of."

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

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

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

KINEO TRUST CO.

The next business on the Private Calendar was the bill (H. R. 8073) for the relief of the Kineo Trust Co.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any money not otherwise appropriated, to the Kineo Trust Co., of Dover, Me., a banking corporation existing by law, or its assigns, the amount of the principal and interest due it as owner of a lost, unregistered Treasury certificate of indebtedness, No. 6768, for \$5,000, series T-10, issued September 15, 1919, due September 15, 1920, bearing interest at the rate of 4½ per cent, upon said bank or its assigns filing in the Treasury of the United States a bond in a penal sum double in amount of the lost Treasury certificate No. 6768 and the interest accrued thereon to the date of its maturity, with sufficient surety or sureties, to be approved by the Secretary of the Treasury with conditions to indemnify and safeguard the United States from any claim upon said Treasury certificate of indebtedness No. 6768, the amount to be so paid, however, not to exceed the amount that would have been paid if the certificate of indebtedness had been presented in the Treasury of the United States, or any authorized agency, at the date of its maturity—

The committee amendment was read as follows:

Page 1, line 4, after the word "pay" strike out all down to and including the word "maturity," page 2, line 12, and insert in lieu thereof the following: "to the Kineo Trust Co., of Dover, Me., a banking corporation existing by law, or its assigns, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 with interest at the rate of 4½ per cent per annum from September 15, 1919, to September 15, 1920, the amount of the principal and interest due it as owner of a United States Treasury certificate of indebtedness of series T-10, No. 6768, dated September 15, 1919, and maturing March 15, 1920, of which the Kineo Trust Co. has established loss from its possession; and shall require the Kineo Trust Co. to furnish to the Secretary of the Treasury a bond in a penal sum of double the principal amount of the lost United States Treasury certificate and the interest accrued on such obligation, with such security or surety as the Secretary of the Treasury may require to indemnify the United States against any loss from any claim that may subsequently be made upon such lost United States Treasury certificate of indebtedness."

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

Mr. EDMONDS. Mr. Speaker, I offer the following amendment, and that is to strike out the comma at the end of line 3.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. EDMONDS: At the end of line 3, page 1, strike out the comma.

The question was taken, and 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.

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

FIDELITY & DEPOSIT CO. OF MARYLAND.

The next business in order on the Private Calendar was the bill (S. 2765) for the relief of the Fidelity & Deposit Co. of Maryland, Baltimore, Md.

The Clerk read the title of the bill.

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

Mr. WATSON. Mr. Speaker, reserving the right to object, I desire to ask the chairman of the committee if there was carelessness on the part of the bank in guarding the bonds? I notice from the report that the bonds were kept in a truck safe on the outside and not returned to the bank vault until night.

Mr. MANN. What did the gentleman say?

Mr. WATSON. I desire to know what carelessness there was on the part of the bank in taking charge of the bonds.

Mr. MANN. I know; but where does the gentleman say they were kept?

Mr. WATSON. According to the report, they were kept in a truck safe during the day outside the main vault, and they were lost between the 26th day of April and the 29th day of April. During the day they were kept outside of the main vault, and I desire to know whether there was carelessness on the part of the bank?

Mr. MANN. Where does the gentleman find that?

Mr. WATSON. Page 3, Exhibit No. 1. There have been a great many claims presented to the Congress since I have been a Member which have shown carelessness on the part of those having money and securities in charge.

Mr. MANN. For instance, suppose they threw them away, the Government owes the money to somebody.

Mr. WATSON. I wanted to inquire as to the carelessness.

Mr. MANN. The Fort Dearborn National Park, in which I have been a great many times, was one of the big banks of Chicago, and where I do not think they ran things carelessly, but—

Mr. WALSH. That statement has nothing to do with this claim. That was with reference to another incident.

Mr. WATSON. But it states the bonds were stolen while on the trucks.

Mr. EDMONDS. I will state that the committee has never gone very closely into the circumstances in regard to the loss of bonds where we have the numbers of the bonds, because the security company is forced to give us a bond for twice the amount of the bonds, and should they turn up they re-collect. If they are lost they are lost, even if it was by carelessness, and I do not think, if the bonds can be identified, we should refuse to give the man who offers to give us twice the security an opportunity to get his money back.

Mr. MANN. This statement is that the trust safe was out in the daytime, where he had to get at it, and was kept in the vault below during the night. Of course, the trust safe is not left open for strangers to walk into.

Mr. WATSON. It was not necessary for these bonds to be outside of the vault during the day. They should have been downstairs in the vault.

Mr. MANN. These bonds held by the bank are on sale, I take it.

Mr. WATSON. I do not know that these bonds were for sale.

Mr. MANN. All bonds owned by banks, I think, are for sale. I do not know. Of course, the bank is not interested in this question at all.

Mr. WATSON. I wanted to get the facts.

Mr. MANN. The bank is out of existence now.

Mr. WATSON. I withdraw my reservation, Mr. Speaker.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 2763) for the relief of the Fidelity & Deposit Co. of Maryland, Baltimore, Md.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem, after the 15th day of December, 1921, 4½ per cent United States Treasury certificates of indebtedness No. 13387 and 13388 of the denomination of \$10,000 each, series TD-1920, dated January 2, 1920, and maturing December 15, 1920, with interest from June 15, 1920, to December 15, 1920, in favor of the Fidelity & Deposit Co. of Maryland without presentation of the certificates, the said certificates of indebtedness having been stolen, lost, or destroyed: *Provided*, That the said certificates of indebtedness shall not have been previously presented for payment: *Provided further*, That the said Fidelity & Deposit Co. of Maryland shall first file in the Treasury Department of the United States a bond in the penal sum of double the amount of the principal and interest of the said certificates of indebtedness of the United States of America in such form and with such sureties as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the stolen, lost, or destroyed certificates of indebtedness herebefore described.

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

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

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

LINK-BELT CO., OF PHILADELPHIA, PA.

The next business on the Private Calendar was the bill (H. R. 4619) for the relief of the Link-Belt Co., of Philadelphia, Pa.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 4619) for the relief of the Link-Belt Co., of Philadelphia, Pa.

Be it enacted, etc., That the claim of the Link-Belt Co., of Philadelphia, Pa., a corporation organized under the laws of the State of Pennsylvania, for damages alleged to have been sustained by a certain coal chute under construction by said Link-Belt Co. for the Norfolk & Western Railroad on its coal pier No. 3 at Lamberts Point, in the city of Norfolk, Va., by reason of collision therewith by the U. S. S. *Buitenzorg* on the 1st day of March, 1919, may be submitted to the United States District Court for the Eastern District of Virginia at Norfolk, which court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the legal damages sustained by reason of said collision either for or against the United States, upon the same principles and measure of liability as in like cases in admiralty between private parties.

SEC. 2. That should damages be found to be due from the United States to the Link-Belt Co., the amount of the final decree or decrees therefor shall be paid to those entitled thereto, or their proctors of record, out of any money in the United States Treasury not otherwise appropriated: *Provided*, That appropriate proceedings to determine such damage shall be brought and commenced within four months after the passage of this act.

SEC. 3. That the mode of service of process shall conform to the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the United States."

Also the following committee amendment was read:

Page 2, line 1, after the word "Norfolk," strike out the remainder of line 1 and all down to and including the word "States," in line 19, and insert in lieu thereof the following: "under and in compliance with the rules of said court, sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due, either for or against the United States, upon the same

principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act."

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

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.

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

PENSIONS.

The next business on the Private Calendar was the bill (H. R. 10643) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows and such soldiers and sailors.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 10643) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

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

The name of Joseph Holtz, late of Battery B, First Colorado Field Artillery, and pay him a pension at the rate of \$17 per month.

The name of Anna E. Herrington, widow of Charles E. Herrington, late of Company C, Tenth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$20 per month, and \$2 per month for minor child in lieu of that she is now receiving.

The name of Mary Callaway, widow of Hugh R. Callaway, late of Company F, Second Regiment United States Infantry, War with Spain, and pay her a pension at the rate of \$12 per month, and \$2 per month additional on account of each of the minor children of said Hugh R. Callaway until they reach the age of 16 years.

The name of James H. Stevens, late of Company I, Third Regiment Georgia Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Charles W. Ferrill, late of Company L, Second Regiment Arkansas Infantry, War with Spain, and pay him a pension at the rate of \$20 per month.

The name of George R. Cott, late of Company C, Twenty-third Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Mary E. Foley, dependent mother of Lawrence A. Foley, alias Lawrence A. Ryan, late of Troop M, Third Regiment United States Cavalry, War with Spain, and pay her a pension at the rate of \$12 per month.

The name of John V. Blum, late of Company H, First Regiment Georgia Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of William H. Van Name, late of Company G, Second Regiment New Jersey Infantry, War with Spain, and pay him a pension at the rate of \$72 per month in lieu of that he is now receiving.

The name of William D. Warren, late of Company G, First Regiment Territorial United States Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

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

The name of Lillie Guffey, widow of Robert S. Guffey, late of Company I, Thirteenth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of \$12 per month, and \$2 per month additional on account of each of the minor children of said Robert S. Guffey until they reach the age of 16 years.

The name of Mary E. Steepy, widow of William F. Steepy, late of Company C, Fifty-first Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of William M. Davis, late of the medical department First Regiment Arizona National Guard Infantry, and pay him a pension at the rate of \$17 per month.

The name of John G. Pearson, late of Company B, Thirty-fourth Regiment Michigan Infantry, and pay him a pension at the rate of \$15 per month.

The name of Charles B. White, late of Troop E, Eighth Regiment United States Cavalry, and pay him a pension at the rate of \$20 per month.

The name of Thomas V. Hunt, late of Company E, Second Regiment United States Infantry, and pay him a pension at the rate of \$17 per month.

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

The name of George B. Allard, late of Company D, Twenty-first Regiment United States Infantry, Indian wars, and pay him a pension at the rate of \$20 per month.

The name of William J. Shirley, late of Company A, Fifth Regiment Pennsylvania Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Lester H. Greer, late of Company A, Second Regiment Ohio National Guard Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Robert L. Hester, late of Battery A, Georgia Light Artillery, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Sidney Payne Smith, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of James D. Silman, late of Company C, Sixteenth Regiment United States Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Israel J. Mazerall, late of Troop H, Seventh Regiment United States Cavalry, and United States Navy, War with Spain, and pay him a pension at the rate of \$15 per month.

The name of Joseph Watts, late of Troop L, Tenth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Arthur D. Warden, late of Quartermaster Corps, United States Army, and Company M, Nineteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Jane Myers, dependent mother of Joseph S. Myers, late fireman, first class, United States torpedo boat *Tingey*, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of John N. Day, late second lieutenant Company F, Third Regiment Tennessee Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Carl L. Setchell, late of Company F, Thirteenth Regiment Minnesota Infantry, and pay him a pension at the rate of \$15 per month.

The name of Pleasy J. Graham, late of the United States Coast Artillery Corps, unassigned, and pay him a pension at the rate of \$40 per month.

The name of Nancy M. Oglesby, widow of William W. Oglesby, late captain of Company G, Second Regiment Oregon State Militia, Indian wars, and pay her a pension at the rate of \$12 per month.

The name of William W. Rowan, late of Company E, Battalion United States Engineers, and pay him a pension at the rate of \$24 per month.

The name of William M. Metzger, late of Capt. W. W. Oglesby's Company G, Second Regiment Oregon State Militia, and Capt. John L. Sperry's company, Umatilla County Guards, Oregon Militia, Indian wars, and pay him a pension at the rate of \$20 per month.

The name of James Carnes, late of Capt. M. R. Green's company, Texas Rangers, Indian wars, and pay him a pension at the rate of \$20 per month.

The name of Oscar A. Badder, late of Company I, Thirty-fourth Regiment Michigan Infantry, War with Spain, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Charles F. Harrison, late of Troop C, Sixth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Oscar Ernst, late of the Eighth Battery United States Field Artillery and of Company K, Twenty-sixth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Earl E. Durham, late of the Sixty-eighth and Sixty-ninth Companies United States Coast Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

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

The name of John S. Cisco, late of Company E, Second Regiment Kentucky National Guard Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Capt. L. L. Tackitt, late of First Company Parker County Minute Men, Texas State troops participating in the Indian wars, 1865 and 1866, and pay him a pension at the rate of \$20 per month.

The name of Catherine A. Long, widow of William F. Long, late of Battery E, Third Regiment United States Artillery, and pay her a pension at the rate of \$12 per month.

The name of Stella Joplin, widow of Arthur T. Joplin, late of Company A, Nineteenth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of \$20 per month, with a continuation of the \$2 per month for each of the soldier's minor children until they reach the age of 16 years, in lieu of that she is now receiving.

The name of William E. Heglin, late of Company I, One hundred and sixty-first Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Mary A. McKay, widow of Robert McKay, late seaman, United States Navy, and pay her a pension at the rate of \$25 per month, with the customary \$2 per month additional for minor child until it shall attain the age of 16 years, in lieu of that she is now receiving.

The name of William Adamson, late of Company L, Second Regiment Wisconsin Infantry, War with Spain, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Thomas Robert Farewell, late of Company C, Second Regiment California National Guard Infantry, and pay him a pension at the rate of \$30 per month.

The name of Martha C. Davis, dependent mother of Albert E. Dennis, late of Company H, Thirteenth Regiment Minnesota Infantry, War with Spain, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Charles C. Sterling, late of the U. S. S. *Ossipee*, United States Navy, and pay him a pension at the rate of \$17 per month.

The name of Willard M. Girton, late private Company D, First Regiment Nebraska Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Benjamin C. Maham, late of Twenty-third Battery, United States Field Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Stephen T. Barnes, late of Company L, Fifth Regiment Illinois Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Malvern H. Miller, late of the United States Marine Corps, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William A. Downs, late of Company I, One hundred and sixty-first Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Marcel H. Poirier, late of Troop C, Thirteenth Regiment United States Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Samuel Inklebarger, late of Company K, Sixth Regiment United States Infantry, and pay him a pension at the rate of \$12 per month.

The name of Charles C. Cooper, late of Company F, First Regiment Arkansas Infantry, and pay him a pension at the rate of \$12 per month.

The name of George Eppens, late of Company A, Eighteenth Regiment United States Infantry, and pay him a pension at the rate of \$24 per month.

The name of John Cunniff, dependent father of Thomas Cunniff, late of Company F, Twentieth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of La Verne Allen Brown, late of Company G, First Regiment Wisconsin Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Sophia Salyards, mother of Lester Salyards, late of Company C, One hundred and fifty-ninth Regiment Indiana Infantry, War with Spain, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of John A. Ott, late of Company E, Thirteenth Regiment United States Infantry, Indian wars, and pay him a pension at the rate of \$20 per month, without recovery of any pension heretofore to him paid.

The name of Thomas McBride, late of Company C, First Regiment Wisconsin Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Charles A. McComb, late of Company G, Twentieth Regiment United States Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Leslie V. Murrell, late of Company D, Twelfth Regiment Minnesota Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of George H. Higgins, dependent father of George H. Higgins, Jr., late of Company F, Second Regiment Massachusetts Infantry, War with Spain, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Rudolph Zoch, alias Zack, late of United States Navy, and pay him a pension at the rate of \$24 per month.

The name of Jacob Copeland, late of Company F, First Regiment United States Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Benjamin F. Williams, late of U. S. S. *Marcellus*, United States Navy, and pay him a pension at the rate of \$18 per month.

The name of Herbert L. Lemon, late of Company I, Thirty-third Regiment Michigan Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of John W. Welliver, late of Company K, Thirty-second Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Samuel J. Haslett, late of the United States Navy, and pay him a pension at the rate of \$12 per month.

The name of Alfred T. Koopman, late of the United States Navy, and pay him a pension at the rate of \$24 per month.

The name of Edward M. Carter, late of Battery A, First Battalion Field Artillery, National Guard of Georgia, in the World War, and pay him a pension at the rate of \$12 per month.

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

The name of Lewis Owens, late of Company D, Twenty-third Regiment United States Infantry, and pay him a pension at the rate of \$12 per month.

The name of Elizabeth H. Burns, dependent mother of Joseph W. Burns, late of Company M, Third Regiment Missouri Infantry, War with Spain, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Edward F. Henderson, late of Company K, One hundred and sixty-first Regiment Indiana Infantry, War with Spain, and pay him a pension at the rate of \$45 per month in lieu of that he is now receiving.

The name of Rutherford H. Bowsher, late of Company K, Nineteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$18 per month in lieu of that he is now receiving.

The name of Edmund Willis, late of Company G, Ninth Regiment United States Cavalry, and pay him a pension at the rate of \$17 per month.

The name of Leander W. Springer, late of Company K, Twenty-third Regiment United States Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of George H. Netcher, late of United States Navy, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Annie Estelle Moore, widow of Benjamin F. Moore, late of Company D, Second Regiment Mississippi Infantry, War with Spain, and pay her a pension at the rate of \$20 per month and \$2 per month additional on account of each of the minor children of said Benjamin F. Moore until they reach the age of 16 years, in lieu of that she is now receiving.

The name of William G. Shotwell, late of Company E, First Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$18 per month.

The name of Harry W. Weston, late of Troop M, Third Regiment United States Cavalry, and pay him a pension at the rate of \$12 per month.

The name of Anna R. Wright, widow of Orlie Wright, late of Company E, Fourteenth Regiment United States Infantry, and pay her a pension at the rate of \$12 per month.

The name of Carrie A. Boggess, widow of Charles L. Boggess, late of the Coast Artillery School Detachment, United States Army, and pay her a pension at the rate of \$12 per month, with \$2 additional for each minor child of the soldier.

The name of William R. Holt, late of Company H, Thirteenth Regiment United States Infantry, and pay him a pension at the rate of \$12 per month.

The name of Frank A. Klein, late of Hospital Corps, United States Army, and pay him a pension at the rate of \$14 per month.

The name of Jacob Dossenback, late of Companies A and H, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Robert O. Thomas, late of the United States Marine Corps, and pay him a pension at the rate of \$12 per month.

The name of William J. Grimm, late of Company G, First Regiment West Virginia Infantry, War with Spain, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Melvin B. Krause, late of Company M, Fourth Regiment Pennsylvania Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of George L. Hollis, late of Troop F, Seventh Regiment United States Cavalry, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of John Ford, late of Company G, Second Regiment New York National Guard Infantry, and pay him a pension at the rate of \$10 per month.

The name of Harry M. Isbell, late of Company L, Third Regiment Nebraska Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of John F. Harmon, late of Company H, Twenty-ninth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James W. Scott, late of Company M, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William Briney, late of Company L, Fourteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$30 per cent in lieu of that he is now receiving.

The name of Willard F. Bradford, late of Company K, Sixth Regiment United States Infantry, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Mabel P. Hubbell, widow of John D. Hubbell, late of Troop A, First Regiment United States Volunteer Cavalry, War with Spain, and pay her a pension at the rate of \$12 per month, with \$2 per month additional for each of the soldier's minor children until they shall attain the age of 16 years.

The name of John T. Phillips, late chaplain, Sixth Regiment United States Volunteer Infantry, and pay him a pension at the rate of \$18 per month in lieu of that he is now receiving.

The name of John P. Prowse, father of Frank O. Prowse, late of Company E, Third Regiment Kentucky Infantry, War with Spain, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Margaret C. Miller, mother of Ralph C. Dunlap, late of band, Fortieth Regiment United States Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Michael J. Monahan, late of Company L, Fifteenth Regiment, and Company D, Second Regiment, United States Infantry, and pay him a pension at the rate of \$17 per month.

The name of Abel B. Conger, late of Company A, Thirty-first Regiment United States Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Mary H. Swats, widow of John G. Swats, late of Company L, Fourth Regiment Virginia Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of John M. Quinlan, late of One hundred and sixth Company, United States Coast Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James Alexander, late of Company F, First Regiment Tennessee Infantry, and Company D, Thirty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$15 per month.

The name of Sarah Christensen, mother of Alfred Christensen, late of Company C, Sixth Regiment United States Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Ebbin A. Irvin, late of Company G, Second Regiment United States Infantry, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Anna Miller, widow of August Miller, alias August Metz, late of Troop B, Fifth Regiment United States Cavalry (North Cheyenne and Sioux campaign), and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The SPEAKER pro tempore (Mr. TILSON in the chair). The question is on the engrossment and third reading of the bill.

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

The foregoing bill is a substitute for the following House bills referred to the said committee:

H. R. 2031. Joseph Holtz.	H. R. 8574. Oscar Ernst.
H. R. 2636. Anna E. Herrington.	H. R. 8586. Earl B. Durham.
H. R. 2810. Mary Callaway.	H. R. 8594. Joseph Burton.
H. R. 2859. James H. Stevens.	H. R. 8595. John S. Cisco.
H. R. 6591. Charles W. Ferrill.	H. R. 8599. Capt. L. L. Tackett.
H. R. 6700. George R. Cott.	H. R. 8609. Catherine A. Long.
H. R. 6978. Mary E. Foley.	H. R. 8619. Stella Joplin.
H. R. 7220. John V. Blum.	H. R. 8622. William E. Heglin.
H. R. 7237. William H. Van Name.	H. R. 8629. Mary A. McKay.
H. R. 7248. William D. Warren.	H. R. 8630. William Admanson.
H. R. 7409. Peter F. Weasel.	H. R. 8631. Thomas Robert Farewell.
H. R. 7477. Lillie Guffey.	H. R. 8634. Martha C. Davis.
H. R. 7613. Mary E. Steepy.	H. R. 8699. Charles C. Sterling.
H. R. 7813. William M. Davis.	H. R. 8703. Willard M. Girton.
H. R. 7957. John G. Pearson.	H. R. 8706. Benjamin C. Maham.
H. R. 8012. Charles B. White.	H. R. 8710. Stephen T. Barnes.
H. R. 8068. Thomas V. Hunt.	H. R. 8735. Malvern H. Miller.
H. R. 8154. Mary E. Frederick.	H. R. 8759. William A. Downs.
H. R. 8231. George B. Allard.	H. R. 8774. Marcel H. Poirier.
H. R. 8249. William J. Shirley.	H. R. 8787. Samuel Inklebarger.
H. R. 8628. Lester H. Greer.	H. R. 8802. Charles C. Cooper.
H. R. 8360. Robert L. Hester.	H. R. 8803. George Eppens.
H. R. 8388. Sidney Payne Smith.	H. R. 8806. John Cunniff.
H. R. 8429. James D. Silman.	H. R. 8823. La Verne Allen Brown.
H. R. 8466. Israel J. Mazerall.	H. R. 8829. Sophia Salyards.
H. R. 8480. Joseph Watts.	H. R. 8851. John A. Ott.
H. R. 8487. Arthur D. Warden.	H. R. 8853. Thomas McBride.
H. R. 8502. Jane Myers.	H. R. 8855. Charles A. McComb.
H. R. 8518. John N. Day.	H. R. 8870. Leslie V. Murrell.
H. R. 8530. Carl L. Setchell.	H. R. 8872. George H. Higgins.
H. R. 8531. Pleasy J. Graham.	H. R. 8884. Rudolph Zoch.
H. R. 8534. Nancy M. Oglesby.	H. R. 8895. Jacob Copeland.
H. R. 8535. William W. Rowan.	H. R. 8913. Benjamin F. Williams.
H. R. 8537. William M. Metzger.	H. R. 8916. Herbert L. Lemon.
H. R. 8545. James Carnes.	H. R. 8918. John W. Welliver.
H. R. 8547. Oscar A. Badder.	H. R. 8934. Samuel J. Haslett.
H. R. 8559. Charles F. Harrison.	

H. R. 8935. Alfred T. Koopman.
H. R. 8968. Edward M. Carter.
H. R. 9042. John Prater.
H. R. 9078. Lewis Owens.
H. R. 9090. Elizabeth H. Burns.
H. R. 9108. Edward F. Henderson.
H. R. 9130. Rutherford H. Bowsher.
H. R. 9142. Edmund Willis.
H. R. 9144. Leander W. Springer.
H. R. 9150. George H. Netcher.
H. R. 9153. Annie Estelle Moore.
H. R. 9163. William G. Shotwell.
H. R. 9172. Harry W. Weston.
H. R. 9192. Anna R. Wright.
H. R. 9230. Carrie A. Boggess.
H. R. 9244. William R. Holt.
H. R. 9250. Frank A. Klein.
H. R. 9281. Jacob Dossenback.
H. R. 9304. Robert O. Thomas.
H. R. 9353. William J. Grimm.

H. R. 9379. Melvin B. Krause.
H. R. 9398. George L. Hollis.
H. R. 9424. John Ford.
H. R. 9470. Harry M. Isbell.
H. R. 9475. John F. Harmon.
H. R. 9503. James W. Scott.
H. R. 9504. William Briney.
H. R. 9522. Willard F. Bradford.
H. R. 9535. Mabel P. Hubbell.
H. R. 9589. John T. Phillips.
H. R. 9714. John P. Prowse.
H. R. 9729. Margaret C. Miller.
H. R. 9783. Michael J. Monahan.
H. R. 9784. Abel B. Conger.
H. R. 9829. Mary H. Swats.
H. R. 9837. John M. Quinlan.
H. R. 9983. James Alexander.
H. R. 10087. Sarah Christensen.
H. R. 10095. Ebbin A. Irvin.
H. R. 10235. Anna Miller.

ADDIE MAY AULD AND ARCHIE WILLIAM AULD.

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

The next business on the Private Calendar was the bill (S. 518) to carry out the provisions of an act approved July 1, 1902, known as the act entitled "An act to accept, ratify, and confirm a proposed agreement submitted by the Kansas or Kaw Indians of Oklahoma, and for other purposes," and to provide for a settlement to Addie May Auld and Archie William Auld, who were enrolled as members of the said tribe after the lands and moneys of said tribe had been divided.

The SPEAKER pro tempore. Is there objection?

Mr. CARTER. Mr. Speaker, I ask that the bill be reported.

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

The Clerk read as follows:

Be it enacted, etc., That section 7 of the agreement with the Kansas or Kaw Indians, approved July 1, 1902 (32 Stat. L. 638), setting aside and reserving from allotment 160 acres, including the school and agency buildings, be, and the same is hereby, amended so as to authorize the Secretary of the Interior in his discretion to allot to Addie May Auld and Archie William Auld 150 acres of said reserve, excepting from allotment all school and agency buildings and not exceeding 10 acres of land, the conveyance to the said persons named to be of the same form as to other Kaw allottees: *Provided,* That the allotments of the said land shall be in full settlement of all back annuities and any other claims or rights of said persons as enrolled members of the Kaw Tribe of Indians.

Mr. CARTER. Mr. Speaker, reserving the right to object, I would like to ask some gentleman a question in reference to the bill.

Mr. CHANDLER of Oklahoma. I happen to know something about this bill. What is it that the gentleman from Oklahoma desires to know?

Mr. CARTER. I wanted to know, first, what has become of the land allotted for the farm work? What has become of the school?

Mr. CHANDLER of Oklahoma. The school has been abolished.

Mr. CARTER. Is there still an agency there?

Mr. CHANDLER of Oklahoma. No, sir. This tribe is under a different agency, near there, and that other agency looks after this tribe.

Mr. BURTNESS. Will the gentleman yield for a suggestion?

Mr. CARTER. Yes.

Mr. BURTNESS. The gentleman will notice that if the bill is passed there will be 10 acres retained in connection with the school, which would be sufficient for the school grounds and garden purposes, so that the school could be reestablished if there was any need for it.

Mr. CARTER. But the school has been suspended?

Mr. BURTNESS. Oh, yes.

Mr. CARTER. Now, the other information I wanted to get was how much is to be allotted to each of these?

Mr. BURTNESS. Seventy-five acres each. Each member of the tribe when the land was allotted got something like 400 acres each, and the money was all divided among the other members of the tribe, but these two children were inadvertently left off the roll at the time of the division of the property. This is simply giving them what is left.

Mr. CARTER. The bill does not make quite clear what is to be allotted to each allottee.

Mr. BURTNESS. They are to get 150 acres together.

Mr. CARTER. Is it to be allotted to them jointly?

Mr. BURTNESS. That is the way in which I construe the bill.

Mr. CHANDLER of Oklahoma. I did not draw the bill. It is Senator CURTIS's bill, and I know nothing about what his intentions were about the allottees of the land. It says here "in the discretion of the Secretary of the Interior," so I suppose the Secretary of the Interior will allot it.

Mr. MANN. The Interior Department drew this bill.

Mr. CARTER. It says here—

To authorize the Secretary of the Interior, in his discretion, to allot to Addie May Auld and Archie William Auld 150 acres of said reserve.

I think the language ought to be a little more definite as to what each one shall get.

Mr. CHANDLER of Oklahoma. It is my understanding, after talking with the Indian Bureau, that they propose to divide these 150 acres equally between these two children.

Mr. CARTER. I think it would be much more desirable to have it allotted separately than to have it allotted jointly. I do not see how that could be done.

Mr. CHANDLER of Oklahoma. I think that is what the Secretary of the Interior will do.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That section 7 of the agreement with the Kansas or Kaw Indians, approved July 1, 1902 (32 Stat. L. p. 638), setting aside and reserving from allotment 160 acres, including the school and agency buildings, be, and the same is hereby, amended so as to authorize the Secretary of the Interior in his discretion to allot to Addie May Auld and Archie William Auld 150 acres of said reserve, excepting from allotment all school and agency buildings and not exceeding 10 acres of land, the conveyance to the said persons named to be of the same form as to other Kaw allottees: *Provided,* That the allotments of the said land shall be in full settlement of all back annuities and any other claims or rights of said persons as enrolled members of the Kaw Tribe of Indians.

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

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

PUBLIC PARK FOR ESCAMBIA COUNTY, FLA.

The next business on the Private Calendar was the bill (H. R. 7967) granting certain lands to Escambia County, Fla., for a public park.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object, I should like to ask the gentleman who introduced this measure why the usual provision for the payment of \$1.25 an acre is eliminated?

Mr. SMITHWICK. Our people do not think the land is worth that much. It is a bed of sand. The land is located about 15 miles from Pensacola, one of the oldest towns in the United States, yet the land has never been taken up as a homestead. All except about 30 acres of it is covered with water when the tide runs high. There is a precedent for donating this land without compensation.

Mr. WALSH. Is this the tract down there that they are going to use for a boulevard or speedway when it is improved?

Mr. SMITHWICK. They are going to build what is known as the Gulf Beach Highway across it.

Mr. WALSH. Is there going to be an embankment wall along there?

Mr. SMITHWICK. I do not think they will do that.

Mr. WALSH. They are going to protect it in some way so that it will not be under water, are they not?

Mr. SMITHWICK. No; I do not think they will do that. That would be very expensive. What they propose to do is to build the Gulf Beach Highway to go out to the beach, 17 miles from Pensacola, and that highway is going across this particular land. What they want to do with the land is to make a park of it. When the tide gets high, the logs and debris of one kind and another float over portions of it. What they want to do is to maintain this as a park and put up tents on it. They expect to build quite a resort at the terminus of the Gulf Beach Highway.

Mr. WALSH. About how many acres are there in this?

Mr. SMITHWICK. Two hundred and fifty-three and a fraction.

Mr. WALSH. Of course it is very seldom that the Congress gives away land in this way. Does not the gentleman think an amendment ought to be adopted providing for the payment of a nominal sum?

Mr. SMITHWICK. This land will really go to the public. This is for the purpose of building a highway for the public to use. I am satisfied that the land will never be of any use to the Government, for the reason that, as I say, Pensacola is one of the oldest towns in the United States, and this land is there within 15 miles of Pensacola and nobody has ever homesteaded it so far, although it has been open to anybody, and I doubt if anybody ever would homestead it. The timber on it is practically nothing, just a little scrub pine.

Mr. WALSH. If the gentleman will permit, the difficulty is that after the county authorities of Escambia County, Fla., have improved this and made use of it it will be pointed to as a

precedent that Congress gave the land to the county without requiring any compensation. People will forget how the land looked at the time the grant was made, and they will come in and say that other lands situated like this should be granted free.

Mr. SMITHWICK. This Congress, as I understand it, has donated to one State over 3,000 acres in the West. I think the bill was introduced by the gentleman from Wyoming [Mr. MONDELL]. The land was donated without compensation.

Mr. MANN. For what?

Mr. SMITHWICK. For park purposes, the same as this.

Mr. MANN. For a municipality?

Mr. SMITHWICK. No; to the county, and this is to the county.

Mr. MANN. I should like to ask some member of the Public Lands Committee a question. We have had quite a considerable number of bills of this character at different times, mostly, of course, for lands in the West. My impression is that they almost invariably have provided for the payment of \$1.25 an acre for the land. I may be mistaken about that, but I would like to get information from some member of the Committee on Public Lands.

Mr. LARSEN of Georgia. I will say to the gentleman from Illinois that I reported this bill, and I have been on the Committee on Public Lands for some time. We have reported some bills like the one the gentleman has mentioned; but I think it is a fairly well-established principle that where land is of no value for timber, agricultural, or other purposes, and it is proposed to improve it for the public benefit, to authorize the grant of the land without any price.

Mr. MANN. I was rather under the impression that we had established the principle that they must pay something. So far as the particular land here is concerned, it makes no difference, but it makes a great deal of difference as to the demand made for lands, whether you have to pay something for them or get them for nothing.

Mr. LARSEN of Georgia. The rule depends on the purpose for which the land is to be used. Where the land has no value, where it is to be improved at public cost and is to be used by the public, it is a fairly well-established principle to grant the land without cost.

Mr. MANN. Of course, a municipality has no use for any land unless it improves it in some way.

Mr. LARSEN of Georgia. This is not exactly a municipality.

Mr. MANN. A county is no better off than a city, so far as that is concerned.

Mr. LARSEN of Georgia. Perhaps not so well off. As the gentleman from Florida [Mr. SMITHWICK] has said, these lands are subject to overflow. They are situated about 15 miles from Pensacola, a very progressive city, one of the oldest cities in the United States. The fact that the lands have not been homesteaded and are vacant is because they are of no value.

Mr. MANN. Are they of any value for park purposes?

Mr. LARSEN of Georgia. Only in so far as they would permit one to park his car on the highway.

Mr. MANN. It says "for the purpose of a public park." Is the real purpose of the bill to run a highway through the land?

Mr. LARSEN of Georgia. They propose to construct a highway through the land. This is practically at the end of the line, and they want some place where people going down for the purpose of a little outing can park their cars.

Mr. MANN. That is the purpose for which it is intended—the purpose for which Potomac Park is now being used—for parking?

Mr. LARSEN of Georgia. Perhaps; but the Potomac Park is being used for a little more than that, but that is due to its close proximity to the city of Washington. This land is off some distance from the city of Pensacola.

Mr. McCORMICK. Mr. Speaker, being a member of the Committee on the Public Lands, I can say that this bill received the considerate attention of the committee. If the gentleman from Massachusetts [Mr. WALSH] will rustle the leaves of his memory a little he will recall his objection on the floor of the House to what he dubbed "the Senator Mondell park bill," to which he offered an amendment requiring a certain county in the State of Wyoming to pay \$1.25 an acre for something like 3,200 acres. The amendment of the gentleman from Massachusetts was not adopted by the House, and so the members of the Committee on the Public Lands rather thought that inasmuch as the leader of the House had enjoyed a favor of that character it might be just as well to reciprocate to the gentleman from Florida [Mr. SMITHWICK], inasmuch as the land, as I understand it, is somewhat like a Florida crocodile—submerged a part of the time, but with the nose of the crocodile, you might say, sticking up out of the ocean. As the gen-

tleman from Florida eloquently brought out before the committee, the purpose of the park was partly to accommodate those who went south to enjoy the peculiar proximity which Florida has to Cuba and the island of Bimini. [Laughter.]

Mr. WALSH. Well, they ought not to encourage that. [Laughter.]

Mr. McCORMICK. If the gentleman does not wish to encourage traffic in that direction, he at least ought to suffer no obstacle to traffic coming north from there.

Mr. WALSH. There can not be any traffic coming north until they go south first for the purpose mentioned. Of course, the people of Florida are not going to use this highway for any such purpose.

Mr. LARSEN of Georgia. There is no purpose or intention on the part of anyone to commercialize this highway, nor will anyone be benefited in that sense of the word. The entire committee was in accord on the proposition that there should be no charge made for this land.

Mr. WALSH. I do not agree with the committee. I think, Mr. Speaker, we ought to impose the usual condition. However, I am not going to object to the consideration of the bill, but I am going to offer an amendment, to let the House vote it down, as they did upon the occasion of the amendment being offered when the bill to which the gentleman from Montana [Mr. McCORMICK] has referred was under consideration. I think perhaps you will vote it down, but I want to follow the long-established custom.

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

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the public lands within the areas hereinafter described be, and the same are hereby, granted and conveyed to Escambia County, Fla., in trust, for the purposes of a public park, reserving, however, to the United States all oil, coal, and other mineral deposits within said lands and the right to prospect for, mine, and remove the same, to wit: The north half northeast quarter section 34, township 3 south, range 32 west; south half southwest quarter section 26, township 3 south, range 32 west; lot 3, section 26, township 3 south, range 32 west; lot 1, section 27 south, range 23 west, comprising 253.9 acres, all Tallahassee meridian, within Escambia County, State of Florida; but nothing herein contained shall in anywise affect any claim of title heretofore acquired or asserted to any of the lands herein described.

With a committee amendment as follows:

Section 1, page 2, line 4, after the words "twenty-seven" insert the words "township 3."

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

The committee amendment was agreed to.

Mr. WALSH. Mr. Speaker, I offer the following amendment: Page 1, line 3, after the word "described" insert the words "upon the payment of \$1.25 per acre."

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Massachusetts.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 1, line 3, after the word "described" insert "upon payment of \$1.25 per acre."

Mr. WALSH. I do not care to discuss the amendment.

Mr. BURTNESS. Mr. Speaker, I desire to oppose the amendment. The suggestion made by the gentleman from Massachusetts [Mr. WALSH] is the very same suggestion that I made before the Committee on Public Lands at the time the bill was being considered. I am one of those who believe that as a general rule we ought not to establish a precedent of giving land away. But after hearing the evidence that was submitted before the committee I felt that this case was similar to a few other cases that have been reported by the committee in this, that the land was deemed practically worthless for ordinary uses, absolutely worthless for agricultural purposes, and that instead of benefiting this county, if they were compelled to pay for it, it would be a detriment. Because of that fact the committee, after considering this very point, unanimously agreed that this was one of the cases where it was proper to allow the municipality to have the land without paying therefor. In view of that I trust that the proposed amendment will be voted down.

Mr. MANN. The gentleman says it would be a detriment to them. We are not asked to pay them anything for taking it, are we? [Laughter.]

Mr. BURTNESS. No.

Mr. TILSON. Will the gentleman yield?

Mr. BURTNESS. Yes.

Mr. TILSON. What is meant by conveying it in trust? Does that mean that in case the United States wants it for military or naval purposes that they could not take it?

Mr. BURTNESS. I have not the exact language before me, but the purpose of the bill as reported out of the committee was

that it was to be used for public purposes for the county. I do not recall whether it provided for a reverter or not in express words; that was the intent.

Mr. MANN. The words "in trust" do not mean anything one way or the other. It will be just the same whether they are in or out.

Mr. TILSON. Usually when there are pieces of property that are declared surplus and turned over to the public for park purposes there is a proviso that in case they are needed for military purposes they can be taken by the Government for that purpose.

Mr. LARSEN of Georgia. Let me say that this bill was patterned after a bill that conveyed land for park purposes in the State of Wyoming. The words "in trust" were used in that bill. I think, however, it is the intention to be used by this Gulf Beach Highway Co.

Mr. BURTNESS. I want to add that the matter which the gentleman from Connecticut has in mind is covered, I think, by section 2. Whether the words "in trust" in section 1 mean anything or not is a moot question, but the provisions of section 2 amply protect the Government if any attempt should be made to use the property for a purpose other than that intended.

The SPEAKER. The question is on the amendment offered by the gentleman from Massachusetts [Mr. WALSH].

The question was considered and the amendment was rejected.

The Clerk read the second section of the bill, as follows:

SEC. 2. That the grant herein is made upon the express condition that within 30 days of the receipt of any request therefor from the Secretary of the Interior the county clerk shall submit to the said Secretary of the Interior a report as to the use made of the land herein granted the county during the preceding period named in such request, showing compliance with the terms and conditions stated in this act; and that in the event of his failure to so report, or in the event of a showing in such report to the Secretary of the Interior that the terms of the grant have not been complied with, the grant shall be held to be forfeited, and the Attorney General of the United States shall institute suit in the proper court for the recovery of said lands.

The following committee amendment was read:

On page 2, line 18, after the word "report" insert the words "or otherwise."

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.

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

THE LLOYD MEDITERRANEO SOCIETA ITALIANA DI NAVIGAZIONE.

The next business on the Private Calendar was the bill (H. R. 4622) for the relief of the Lloyd Mediterraneo Societa Italiana di Navigazione, owners of the Italian steamer *Titania*.

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

There was no objection.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the Clerk report the committee amendment in lieu of the original bill.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the Clerk report the amendment in lieu of the original bill. Is there objection?

There was no objection.

The Clerk read as follows:

Strike out all after the enacting clause and insert: "That the claim of the Lloyd Mediterraneo Societa Italiana di Navigazione, owners of the Italian steamer *Titania*, arising out of a collision between said steamer and the United States S. C. 421, which occurred at the south side of pier No. 2 of the Norfolk & Western Railway Co., Lamberts Point, Va., on July 18, 1919, for and on account of the losses alleged to have been suffered by the owners of said steamer by reasons of damages to said steamer, may be submitted to the United States Court for the Eastern District of Virginia, under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due, either for or against the United States, upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

The committee amendment was agreed to.

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

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

Mr. CRAMTON. Mr. Speaker, in view of the fact that today's session is not likely to be long continued, I want to ask unanimous consent to take up out of order the bill S. 3268,

Calendar No. 246, on this calendar. The bill is far down on the calendar and is not likely to be reached to-day. It is urgent that it be passed as soon as possible, as it will make possible the construction of a plant which will give employment to 200 men. I am sure that no one will have any objection to the bill itself.

Mr. WALSH. What kind of a plant does the gentleman refer to? No one knows what the bill is.

Mr. CRAMTON. It is S. 3268, to construe a grant of land made to a railroad company in Michigan some 60 years ago. The land was granted to a company which is using it and will continue to use it; it can not be forfeited as long as the railroad company makes use of the land. Now they want to lease a portion of the land to a concern that is going to put up a cement factory, using some buildings on the land and constructing others.

There is a question as to whether the original grant was broad enough to permit the railroad to make a lease to another party for a cement factory. It seems to me the original grant was broad enough. In any event, the land when granted was paid for and the Government can not declare a forfeiture now, because the land is used by the railroad and will continue to be so used. It is just a question of clearing up the record so that the people will be willing to go ahead and put their money in the construction of this factory and give employment to these men. Naturally, there has been some delay, and because of the urgency of putting it in shape so that they can go ahead with the work I ask that it be taken up out of order, fearing it would not be otherwise reached to-day.

Mr. GARRETT of Tennessee. I shall not object to the gentleman's request, Mr. Speaker, and there may be some good reason for not running a little while longer; but why can we not run until about the usual hour, 5 o'clock?

Mr. CRAMTON. That does not rest with me. Whether I get the bill through now or an hour later would make no difference. It is quite a way down on the calendar, and I fear it will not be reached.

The SPEAKER. It obviously could not be reached to-day in its regular order. Is there objection to the request of the gentleman from Michigan? [After a pause.] The Chair hears none, and the Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Chicago, Detroit & Canada Grand Trunk Junction Railroad Co., or its successors or assigns, is hereby authorized and empowered to lease lot No. 1, or any portion thereof, and any buildings thereon, as described in the patent dated March 8, 1859, issued to such railroad company under the provisions of the act entitled "An act granting the right of way over and depot grounds on the military reserve at Fort Gratiot, in the State of Michigan, for railroad purposes," approved February 8, 1859, as amended: *Provided*, That any such lease shall be made subject to the condition in said act that the grant to said railroad company shall cease and determine in the event that such railroad shall be discontinued.

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

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

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

LEASING OF CERTAIN RAILROAD LAND, FORT SHERIDAN, ILL.

Mr. CHINDBLOM. Mr. Speaker, I ask unanimous consent to take up out of order Calendar No. 234, being H. R. 241, to authorize the Secretary of War to grant a perpetual easement for railroad right of way and a right of way for a public highway over and upon a portion of the military reservation of Fort Sheridan, in the State of Illinois. This relates to the construction of a road adjoining the Fort Sheridan Reservation. Unless the bill can be passed, so that the work can be started soon, it will not be possible to finish the work during the season. I dislike very much to inconvenience any of the Members of the House, but I am afraid that it will be some time before we call this calendar again.

The SPEAKER. The gentleman from Illinois asks unanimous consent to take up out of order the bill H. R. 241. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

A bill (H. R. 241) to authorize the Secretary of War to grant a perpetual easement for railroad right of way and a right of way for a public highway over and upon a portion of the military reservation of Fort Sheridan, in the State of Illinois.

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to grant and convey to the Chicago, North Shore & Milwaukee Railroad, a railroad corporation organized and existing under and by virtue of the laws of the State of Illinois, its successors and assigns, a perpetual easement, for railroad purposes over and upon the following-described property, being a part of the military reservation of Fort Sheridan and of the public highway adjoining the

same, to wit: All that part of the northwest quarter of section 10, township 43 north, range 12 east, of the third principal meridian, described as follows, to wit: Commencing at a point in the north line of said section 10 distant 100 feet easterly of measured at right angles from the easterly line of the right of way of the Chicago & North Western Railroad Co.; thence southeasterly along a line parallel to the easterly line of said right of way 1,513.44 feet to a point of curve; thence southerly along a curved line (convex westerly) having a radius of 11,409.2 feet, a distance of 597.38 feet, to a point of tangent; thence southeasterly along a line tangent to said curved line 355.13 feet to a point of curve; thence southerly along a curved line (convex easterly) having a radius of 11,509.2 feet, a distance of 526.68 feet, to a point in the north line of the south 66 feet of the northwest quarter of said section 10, being the north line of the highway running east and west; thence west along the north line of the highway to the east line of the right of way of the Chicago & North Western Railway Co.; thence northwesterly along the east line of said right of way 2,963.8 feet, more or less, to the said north line of section 10; thence easterly along said north line of section 10 to place of beginning; with full power to locate and construct railroad tracks, sidings, switches, and other appurtenances thereon and to use said property for all purposes appurtenant to its business: *Provided*, That no part of the property hereby granted shall be used for any other than railroad purposes, and that when such property shall cease to be so used it shall revert to the United States of America.

SEC. 2. That the Secretary of War be, and he is hereby, authorized to permit the location, grading, and paving of a public highway 46 feet in width to connect with the public highway known as McKinley Road at the north boundary of the military reservation of Fort Sheridan, and extending thence south to an intersection with the east and west road north of Fort Sheridan station upon, along, and over the following-described property: All that part of the northwest quarter of section 10, township 43 north, range 12, east of the third principal meridian, described as follows, to wit: A strip of land 46 feet in width extending from the north line of section 10 to the north line of the south 66 feet of the northwest quarter of said section 10, being the north line of highway running east and west, the westerly boundary line of said strip being described as follows: Commencing at a point on the north line of section 10, 100 feet easterly of the easterly line of the right of way of the Chicago & North Western Railway Co., measured at right angles thereto; thence southeasterly along a line parallel to said right-of-way line and 100 feet therefrom 1,513.44 feet to a point of curve; thence southerly along a curved line (convex westerly) having a radius of 11,409.2 feet, a distance of 597.38 feet to a point of tangent; thence southeasterly along a line tangent to said curved line 355.13 feet to a point of curve; thence southerly along a curved line (convex easterly) having a radius of 11,509.2 feet, a distance of 526.68 feet to a point in the north line of the south 66 feet of the northwest quarter of said section 10, being the north line of the highway running east and west, to be and become a highway for public travel in perpetuity.

SEC. 3. The grant to the Chicago, North Shore & Milwaukee Railroad, herein above in section 1 authorized, shall be upon the express condition that the said Chicago, North Shore & Milwaukee Railroad shall, at its own expense, construct and build a roadway having a brick surface upon a concrete foundation extending from the north boundary of said reservation to an intersection with the east and west road located on the south line of the northwest quarter of section 10 upon the strip of land hereinbefore in section 2 described, the pavement of which roadway shall be 22 feet in width, and that the said Chicago, North Shore & Milwaukee Railroad shall, at its own expense, construct a wire fence, with wooden posts, along the eastern boundary of said strip from the north end to the south end of said strip of like character to the present boundary fence of said Fort Sheridan Reservation, and the location of the public highway authorized in and by section 2 hereof shall be upon the express condition that the city of Lake Forest shall at all times after the completion thereof maintain the pavement to be constructed by said railroad upon said highway in a good and proper condition at the sole expense of said city of Lake Forest.

With the following committee amendments:

Page 1, line 8, after the word "easement," insert the words "subject to the proviso in section 4 herein."

Mr. STEVENSON. Mr. Speaker, I would like to know if there is any compensation that the Government is to have? This seems to be a very valuable franchise, a perpetual one, and I do not see any provision in the bill for any compensation to the Government at all.

Mr. CHINDBLOM. I should be very glad to go into that at this point.

Mr. STEVENSON. It strikes me as a rather important easement to be granted for nothing.

Mr. CHINDBLOM. At the present time there is a temporary permit granted by the Secretary of War for a strip of land 34 feet in length west of the Fort Sheridan Reservation, which is being occupied by this railroad for the purposes of its right of way. This bill, so far as that strip is concerned, grants only an easement. There is now a temporary right of way.

Mr. STEVENSON. How long does the temporary right of way continue?

Mr. CHINDBLOM. It is a temporary permit, and it is, of course, terminable within the will of the department.

Mr. STEVENSON. It can be revoked any time?

Mr. CHINDBLOM. Yes. With reference to the balance of the land covered by this bill, there are 46 feet to be used for a public highway for the benefit of the general public as well as for the benefit of the Government. The Government needs this highway. At present the only two roads which are available running east of the railroad tracks of the Chicago & North Western Railroad run through the reservation itself, and in going north persons driving must cross two railroad tracks in order to pass the north end of the reservation. This whole matter has been under consideration by the War Department

for a considerable time, and all parties concerned have now reached this agreement.

The railroad company undertakes under this bill to pay the costs for the paving of the road, a pavement 22 feet in width, running for half a mile along the western line of Fort Sheridan Reservation, at a total cost of approximately \$30,000.

Mr. STEVENSON. How much land is involved?

Mr. CHINDBLOM. About 3 acres of land are involved. The War Department not only recommends this legislation but urges its passage, as will be found from the report. In a letter signed by John W. Weeks, Secretary of War, I read the following:

The bill as drawn has been reviewed and approved by the local military authorities as well as the railroad company and the city of Lake Forest. For reasons as stated it is urgently recommended that the bill in its present form be enacted into law.

Mr. McCLINTIC. Mr. Speaker, will the gentleman yield?

Mr. CHINDBLOM. Yes.

Mr. McCLINTIC. I notice on page 5 where the railroad company is required to construct a wire fence—

Mr. CHINDBLOM. That wire fence will belong to the Government. That is along the western part of the reservation, and we need a fence there very badly.

Mr. McCLINTIC. Inasmuch as this is a perpetual lease, would it be all right to amend that portion of the bill by inserting the words "and maintain," so as to provide that it shall be constructed and maintained?

Mr. CHINDBLOM. If the fence is constructed, we will be in exactly the same position as we are in now. That will be on the land of the Government and will be built along the old fence which is now on the reservation.

This is all in pursuance of agreements which have been made. I have no doubt—

Mr. STEVENSON. I notice another provision which strikes me as rather peculiar, which provides that the city of Lake Forest shall maintain this road.

Mr. CHINDBLOM. Yes, sir.

Mr. STEVENSON. What authority has Congress to impose upon the city the duty of the maintenance of a public highway?

Mr. CHINDBLOM. The city of Lake Forest has passed an ordinance which provides that it will maintain the road. One of the conditions of this perpetual easement is that the city of Lake Forest shall maintain the road.

Mr. STEVENSON. Do I understand that if the city of Lake Forest fails to maintain the road the easement is revoked?

Mr. CHINDBLOM. Absolutely.

Mr. STEVENSON. Suppose it fails to discharge its part of the agreement and the railroad discharges its part, where will they be?

Mr. CHINDBLOM. The tripartite agreement will insure that all terms will be carried out.

Mr. RANKIN. Suppose the railroad should abandon the road and cease to use it as a railroad?

Mr. CHINDBLOM. Then the perpetual easement ceases.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

Page 5, after line 22, insert:

"Sec. 4. That the said conveyance shall be subject to the conditions and reversion hereinbefore provided for, and shall be used for the purposes hereinbefore described only, and shall be subject to the right of the United States at any and all times and in any manner to assume control of, hold, use, and occupy without license, consent, or leave from said corporation any or all of said land for any and all military, naval, or lighthouse purposes, free from any conveyance, charges, encumbrances, or liens made, created, permitted, or sanctioned thereon by said corporation: *Provided*, That the United States shall not be or become liable for any damages or compensation whatever to the said corporation for any future use by the Government of any or all of the above-described land for any of the above-mentioned purposes."

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

The Clerk read as follows:

Page 6, line 12, strike out—

Mr. MANN. Mr. Speaker, I move to strike out the last section.

The motion was agreed to.

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

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

CONFERENCE REPORT, SPECIAL CANCELING STAMPS IN CERTAIN POST OFFICES.

Mr. STEENERSON. Mr. Speaker, I call up the conference report on the bill H. R. 10740.

The SPEAKER. The gentleman from Minnesota calls up the conference report, which the Clerk will report.

The Clerk read as follows:

Conference report on H. R. 10740, authorizing the use of special canceling stamps in certain post offices.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10740) authorizing the use of special canceling stamps in certain post offices, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 2, and agree to the same.

H. STEENERSON,

W. W. GRIEST,

THOS. M. BELL,

Managers on the part of the House.

CHAS. E. TOWNSEND,

THOMAS STERLING,

DAVID I. WALSH,

Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10740) authorizing the use of special canceling stamps in certain post offices submit the following written statement explaining the effect of the action agreed on:

The effect of said action is to restore to the bill the language of the Senate amendments as adopted by the Senate.

H. STEENERSON,

W. W. GRIEST,

THOS. M. BELL,

Managers on the part of the House.

Mr. WALSH. Mr. Speaker, I think we ought to have some little explanation of this conference report.

Mr. STEENERSON. The conference report is on the bill (H. R. 10740) authorizing the use of special canceling stamps in certain post offices. The conference report agrees to the Senate amendment which added two post offices at which special canceling stamps could be used.

Mr. WALSH. What is going to happen in the two communities where the two offices are located?

Mr. STEENERSON. Well, one, I think, is in New Hampshire and the other in the State of Washington, at Tacoma. I move the previous question on the adoption of the conference report. The previous question was ordered.

The question was taken; and the conference report was agreed to.

Mr. OSBORNE. Mr. Speaker, I ask unanimous consent to take out of order Calendar No. 241, for the relief of John B. Elliott.

Mr. WHITE of Kansas. Mr. Speaker, reserving the right to object, it seems to me we might reach these bills in their regular order. I do not wish to object, but I have a bill on the calendar—

Mr. OSBORNE. It may be probably six weeks or two months before we get to this point again, and I have been waiting for three years—

Mr. MANN. The gentleman could not have been waiting three years because it has not existed that long.

Mr. OSBORNE. Well, it has seemed that long.

Mr. MONDELL. I have no objection, if the House has not, to have this bill taken up, but I want to say to the gentleman and other gentlemen that we hope to reach this calendar again in about two weeks, and when we do I hope we shall take it up as we have to-day, bills not objected to, beginning at the point where we conclude this evening.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. GARRETT of Tennessee. I understand this particular bill which the gentleman from California desires to call up now is to pay some two months' salary of some sort to a Democrat.

Mr. WHITE of Kansas. Mr. Speaker, I withdraw my objection. [Laughter.]

Mr. GARRETT of Tennessee. I have not any doubt that the Democrat needs the money under this administration, and I hope—

Mr. MONDELL. If the gentleman will yield, is this a Democrat who has been separated from the service?

Mr. GARRETT of Tennessee. Not yet.

Mr. MONDELL. Or about to be?

Mr. GARRETT of Tennessee. I think probably from what I have heard as a matter of rumor maybe he is about to be.

Mr. MONDELL. I think, by all means, he should be paid.

Mr. LAYTON. I object, Mr. Speaker.

Mr. MANN. Mr. Speaker, I make the point of order there is no quorum present.

Mr. MONDELL. Mr. Speaker, I wish the gentleman would withhold that until I make a unanimous-consent request.

Mr. MANN. I will withhold it until the gentleman makes the request.

ADJOURNMENT OVER.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next.

The SPEAKER. The gentleman from Wyoming moves that when the House adjourns to-day it adjourn to meet on Monday next. Is there objection? [After a pause.] The Chair hears none.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 3317. An act to authorize the State of Minnesota to construct a bridge across the Mississippi River between Cass Lake and Bemidji, in or about section 25, township 146 N., range 32 W., Beltrami County, Minn.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill and joint resolution of the following titles, when the Speaker signed the same:

H. R. 2158. An act to provide for the monthly payment of pensions.

H. J. Res. 309. Joint resolution appropriating \$1,000,000 for the preservation, protection, and repair of levees under the jurisdiction of the Mississippi River Commission.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows:

To Mr. COCKRAN (at the request of Mr. GARRETT of Tennessee), indefinitely, on account of important business.

To Mr. WHEELER, for five days, on account of business.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 31 minutes p. m.) the House, under its previous order, adjourned until Monday, April 24, 1922, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

593. A letter from the Clerk of the House of Representatives, transmitting testimony, papers, and documents in the contested-election case of Dan Parrillo against Stanley H. Kunz, eighth district of Illinois (H. Doc. No. 289); to the Committee on Elections No. 1 and ordered to be printed.

594. A letter from the Clerk of the House of Representatives, transmitting testimony, papers, and documents in the contested-election case of John Golombiewski against John W. Rainey, fourth district of Illinois (H. Doc. No. 290); to the Committee on Elections No. 2 and ordered to be printed.

595. A communication from the President of the United States, transmitting an estimate of appropriation for the United States Veterans' Bureau for the construction of hospital facilities, and provision of medical, surgical, and hospital services and supplies, \$17,000,000, to be immediately available, and to remain available until expended (H. Doc. No. 291); to the Committee on Appropriations and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 9793) granting an increase of pension to Richard H. Atkinson, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MADDEN: A bill (H. R. 11393) to abolish the office of Superintendent of the Library Building and Grounds and to

transfer the duties thereof to the Architect of the Capitol and the Librarian of Congress; to the Committee on the Library.

By Mr. KING: A bill (H. R. 11394) for the erection of a public building at Abingdon, Ill., and appropriating money therefor; to the Committee on Public Buildings and Grounds.

By Mr. RHODES: A bill (H. R. 11395) for repairing levees, protecting property, and for the immediate relief of flood sufferers along the Mississippi River between the mouth of the Ohio and the mouth of the Missouri Rivers; to the Committee on Appropriations.

By Mr. HAUGEN: A bill (H. R. 11396) to regulate foreign commerce in the importation into the United States of the adult honeybee (*Apis mellifica*); to the Committee on Agriculture.

By Mr. SNELL (by request): A bill (H. R. 11397) to authorize appropriations for the relief of certain officers of the Army of the United States, and for other purposes; to the Committee on War Claims.

By Mr. PARKS of Arkansas: Joint resolution (H. J. Res. 310) for the relief of sufferers in the flooded district of the Mississippi River, and for other purposes; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. BENHAM: A bill (H. R. 11398) granting an increase of pension to Mary J. Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11399) granting a pension to Margaret White; to the Committee on Invalid Pensions.

By Mr. CHANDLER of New York: A bill (H. R. 11400) for the relief of the estate of Katherine O'Melia; to the Committee on Claims.

By Mr. IRELAND: A bill (H. R. 11401) granting a pension to Catherine Hinkle; to the Committee on Pensions.

By Mr. PURNELL: A bill (H. R. 11402) granting an increase of pension to Elizabeth Stout; to the Committee on Invalid Pensions.

By Mr. SWANK: A bill (H. R. 11403) for the relief of Seth A. Welch; to the Committee on Military Affairs.

By Mr. WATSON: A bill (H. R. 11404) for the relief of Mordecai Fizeo; to the Committee on Military Affairs.

PETITIONS, ETC.

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

5215. By Mr. BARBOUR: Petition of the San Francisco Presbytery of the United Presbyterian Church, of Monmouth, Calif., indorsing House Joint Resolution 131; to the Committee on the Judiciary.

5216. Also, petition of the San Francisco Presbytery of the United Presbyterian Church, of Monmouth, Calif., indorsing Senate Joint Resolution 31; to the Committee on the Judiciary.

5217. Also, petition of the San Francisco Presbytery of the United Presbyterian Church, of Monmouth, Calif., indorsing House bill 9753; to the Committee on the District of Columbia.

5218. By Mr. COLTON: Petition of the Association of Utah Claimants against Mexico; to the Committee on Foreign Affairs.

5219. By Mr. CURRY: Memorial of Lodi growers and the Shippers' League, of Lodi, Calif., in favor of House bill 10786, to punish the unlawful breaking of seals of railroad cars containing interstate and foreign shipments with felonious intent; to the Committee on Interstate and Foreign Commerce.

5220. By Mr. FENN: Petition of hundreds of citizens of Hartford, Conn., against passage of House bill 9753, or any other bill for enforced Sunday observance; to the Committee on the District of Columbia.

5221. By Mr. FESS: Petition of the United Presbyterian Church Presbytery, of Sidney, Ohio, indorsing Senate Joint Resolution 31, proposing a constitutional amendment authorizing Congress to enact uniform laws on the subject of marriage and divorce and urging its early passage by Congress; to the Committee on the Judiciary.

5222. Also, petition of the United Presbyterian Presbytery, of Sidney, Ohio, indorsing House bill 9753, to secure Sunday as a day of rest in the District of Columbia and urging expedience in its passage; to the Committee on the District of Columbia.

5223. Also, petition of the United Presbyterian Church Presbytery, of Sidney, Ohio, indorsing House Joint Resolution 131, proposing a constitutional amendment prohibiting polygamy and polygamous cohabitation in the United States and urging its early consideration and passage by Congress; to the Committee on the Judiciary.

5224. By Mr. FRENCH: Petition of the Walla Walla Presbytery, of Lewiston, Idaho, indorsing Senate Joint Resolution 31; to the Committee on the Judiciary.

5225. By Mr. GRAHAM of Illinois: Petition of the Presbytery of Monmouth, Ill., relative to Senate Joint Resolution 31, House Joint Resolution 131, and House bill 9753; to the Committee on the Judiciary.

5226. Also, petition of Mr. E. Sanstrom, of Moline, Ill., and others, relative to Senate bill 1948; to the Committee on the District of Columbia.

5227. By Mr. KING: Petition of A. P. Heidbreder and 18 other members of the Pattern Makers' League of Quincy, Ill., urging passage of House bill 10967, a bill to relieve unemployment, to remove the financial incentive to war, etc.; to the Committee on Naval Affairs.

5228. By Mr. KISSEL: Petition of the Retail Dry Goods Association, of New York City, N. Y., relative to American valuation plan; to the Committee on Ways and Means.

5229. By Mr. LEA of California: Petition of residents of Sonoma County, Calif., protesting against the compulsory Sunday observance bills for the District of Columbia (H. R. 4388 and 9753); to the Committee on the District of Columbia.

5230. By Mr. MAGEE: Petition of the Presbytery of Syracuse, N. Y., indorsing Senate Joint Resolution 31; to the Committee on the Judiciary.

5231. Also, petition of the Presbytery of Syracuse, N. Y., indorsing House bill 9753; to the Committee on the District of Columbia.

5232. Also, petition of the Presbytery of Syracuse, N. Y., indorsing House Joint Resolution 131; to the Committee on the Judiciary.

5233. By Mr. RAKER: Petition of the California Federation of Women's Clubs, Mrs. W. A. Fitzgerald, president, of Berkeley, Calif., indorsing the Sterling-Towner bill; to the Committee on Education.

5234. Also, petition of the Brotherhood of Locomotive Engineers, Feather River Division, No. 800, of Portola, Calif., indorsing House bill 10798 and urging its passage; to the Committee on Interstate and Foreign Commerce.

5235. Also, petition of Alameda District, California Federation of Women's Clubs, indorsing the Johnson bill for the establishment of a forest experiment station in California in connection with the State university; to the Committee on Agriculture.

5236. By Mr. SNYDER: Petitions of North Star Grange, of Cold Brook, N. Y.; East Schuyler Grange, of Frankfort, N. Y.; and Little Falls Grange, of Little Falls, N. Y., favoring equal privileges in grange and land banks which other American banks enjoy; to the Committee on Banking and Currency.

5237. Also, petition of G. A. Mickle, F. G. Harkins, and U. D. Teepell, of Rome, N. Y.; P. F. O'Toole, F. J. Flanagan, and John Manier, of Utica, N. Y., favoring passage of the Chandler bill (H. R. 9198) providing for an increase in pensions for veterans of the War with Spain; to the Committee on Pensions.

5238. By Mr. STRONG of Pennsylvania: Petition of Kittanning (Pa.) Presbytery, indorsing House bill 9753 to secure Sunday as a day of rest in the District of Columbia; to the Committee on the District of Columbia.

5239. By Mr. TILSON: Petition of the Connecticut Fish and Game Protective Association, urging the passage of House bill 5823; to the Committee on Agriculture.

5240. By Mr. WEBSTER: Resolution recently adopted by the Presbytery of Wenatchee, State of Washington, indorsing Senate joint resolution 31 and urging its early consideration and passage by Congress; to the Committee on the Judiciary.

5241. Also, resolution recently adopted by the Presbytery of Wenatchee, State of Washington, indorsing House bill 9753 and urging its early consideration and passage by Congress; to the Committee on the District of Columbia.

5242. Also, resolution recently adopted by the Presbytery of Wenatchee, State of Washington, indorsing House joint resolution 131 and urging its early consideration and passage by Congress; to the Committee on the Judiciary.

SENATE.

SATURDAY, April 22, 1922.

(Legislative day of Thursday, April 20, 1922.)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House agreed to the amendments of the Senate to the bill (H. R. 2158) to provide for the monthly payment of pensions.

The message also announced that the House agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10740) authorizing the use of special canceling stamps in certain post offices.

The message further announced that the House had passed without amendment Senate bills of the following titles:

S. 157. An act for the relief of the Rosen Riechardt Brokerage Co. of St. Louis, Mo.;

S. 518. An act to carry out the provisions of an act approved July 1, 1902, known as the act entitled "An act to accept, ratify, and confirm a proposed agreement submitted by the Kansas or Kaw Indians of Oklahoma, and for other purposes," and to provide for a settlement to Addie May Auld and Archie William Auld, who were enrolled as members of the said tribe after the lands and moneys of said tribe had been divided;

S. 667. An act for the relief of John B. H. Waring;

S. 1077. An act to authorize the payment of \$5,000 to the Government of Japan for the benefit of the family of Torahachi Uratake, a Japanese subject, killed at Schofield Barracks, Hawaii, on November 25, 1915;

S. 1610. An act to remit the duty on a carillon of bells to be imported for the Church of Our Lady of Good Voyage, Gloucester, Mass.;

S. 1733. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the president of the Milwaukee Press Club, of Milwaukee, Wis., the bell of the wrecked cruiser *Milwaukee*;

S. 1767. An act for the relief of the owner of the derrick *Capitol*;

S. 2147. An act to authorize patent to the Ed E. Richardson Co. (Inc.) of certain lands;

S. 2765. An act for the relief of the Fidelity & Deposit Co. of Maryland, Baltimore, Md.; and

S. 3268. An act to authorize the Chicago, Detroit & Canada Grand Trunk Junction Railroad Co., or its successors or assigns, to lease certain of its properties in the State of Michigan.

The message also announced that the House had passed the following bills, each with an amendment, in which it requested the concurrence of the Senate:

A bill (S. 1059) for the relief of J. B. Waterman;

A bill (S. 1813) for the relief of the owner of the steamer *Mayflower*;

A bill (S. 1814) for the relief of the owner of the steam lighter *Cornelia*;

A bill (S. 1817) for the relief of the owners of the schooner *Horatio G. Foss*; and

A bill (S. 2186) granting certain lands in Hot Springs, Ark., to the Leo N. Levi Memorial Hospital Association.

The message further announced that the House had passed bills of the following titles, in which it requested the concurrence of the Senate:

H. R. 241. An act to authorize the Secretary of War to grant a perpetual easement for railroad right of way and a right of way for a public highway over and upon a portion of the military reservation of Fort Sheridan, in the State of Illinois;

H. R. 463. An act granting a patent to Joseph Robicheau;

H. R. 540. An act for the relief of Bradley Sykes;

H. R. 546. An act authorizing the Secretary of the Treasury to pay war risk insurance to the foster parents of Edward Short;

H. R. 1290. An act for the relief of Cornelius Dugan;

H. R. 1482. An act for the relief of James T. Farrill;

H. R. 1723. An act for the relief of Edward J. Schaefer;

H. R. 1892. An act for the relief of L. A. McMullen;

H. R. 2614. An act for the relief of Luke Ratigan;

H. R. 2694. An act for the relief of Seth J. Harris, Jimmie

Lou Martin, Mary Holloman, and William Henry Coleman;

H. R. 2722. An act for the relief of W. W. McGrath;

H. R. 3034. An act for the relief of Lizzie Askeli;

H. R. 4619. An act for the relief of the Link-Belt Co., of Philadelphia, Pa.;

H. R. 4622. An act for the relief of the Lloyd Mediterraneo Societa Italiana di Navigazione, owners of the Italian steamer *Titania*;

H. R. 4845. An act for the relief of J. W. La Bare;

H. R. 4894. An act for the relief of George W. Posey;

H. R. 5251. An act for the relief of Ruperto Vilche;

H. R. 5668. An act for the relief of Cora T. Dering;

H. R. 5768. An act to amend and correct the military record of Alvah B. Doble;

H. R. 5791. An act for the relief of Robert Russell;

H. R. 5820. An act to place Albert Hamilton on the retired list of the United States Marine Corps;

H. R. 5918. An act for the relief of the Michigan Boulevard Building Co.;