

## FUNERAL EXPENSES OF THE LATE SENATOR BANKHEAD.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 330, submitted by Mr. UNDERWOOD on the 9th instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

*Resolved*, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay, from the miscellaneous items of the contingent fund of the Senate, the actual and necessary expenses incurred by the committee appointed by the presiding officer in arranging for and attending the funeral of the Hon. JOHN H. BANKHEAD, late a Senator from the State of Alabama, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

## BILLS INTRODUCED.

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

By Mr. STERLING:

A bill (S. 4052) to amend an act entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1921," approved February 14, 1920; to the Committee on Indian Affairs.

By Mr. SHERMAN:

A bill (S. 4053) restricting the sale of tickets and number of admissions to theaters, and for other purposes; to the Committee on the District of Columbia.

By Mr. WALSH of Montana:

A bill (S. 4054) for the relief of certain tribes and nations of Indians in the State of Montana; to the Committee on Indian Affairs.

By Mr. OWEN:

A bill (S. 4055) to amend an act entitled "An act to parole United States prisoners, and for other purposes," approved June 25, 1910, as amended by an act approved January 23, 1913; to the Committee on the Judiciary.

By Mr. POINDEXTER:

A bill (S. 4056) for the relief of the Pacific Commissary Co.; to the Committee on Claims.

By Mr. PAGE:

A bill (S. 4057) to authorize the Secretary of the Navy to remove the charge of desertion under certain conditions from the records of former members of the naval service, and for other purposes; to the Committee on Naval Affairs.

By Mr. FRELINGHUYSEN:

A bill (S. 4058) for the relief of Emil Schneider; to the Committee on Claims.

A bill (S. 4059) granting an increase of pension to Joseph J. Waldron; to the Committee on Pensions.

By Mr. JONES of New Mexico:

A bill (S. 4060) for the relief of J. B. McGhee; to the Committee on Claims.

By Mr. ELKINS:

A bill (S. 4061) granting an increase of pension to Edgar W. Lauck; to the Committee on Pensions.

By Mr. SHIELDS:

A bill (S. 4062) granting a pension to Tide Owens; to the Committee on Pensions.

## PENSIONS TO PENNSYLVANIA VOLUNTEER MILITIA.

Mr. WOLCOTT submitted an amendment intended to be proposed by him to the bill (S. 3219) extending the benefits of the general pension laws to the members of the Eighth, Twentieth, Twenty-sixth, Twenty-seventh, Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, Thirty-second, and Thirty-third Regiments, and so forth, which was referred to the Committee on Pensions and ordered to be printed.

## PROTECTION OF TRADE-MARKS—CONFERENCE REPORT.

Mr. BRANDEGEE submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9023) to give effect to certain provisions of the convention for the protection of trade-marks and commercial names made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "(b) All other marks not registerable under the act of February 20, 1905, as amended, except

those specified in paragraphs (a) and (b) of section 5 of that act, but which have been in bona fide use for not less than one year in interstate or foreign commerce, or commerce with the Indian tribes by the proprietor thereof, upon or in connection with any goods of such proprietor upon which a fee of \$10 has been paid to the Commissioner of Patents and such formalities as required by the said commissioner have been complied with: *Provided*, That trade-marks which are identical with a known trade-mark owned and used in interstate and foreign commerce, or commerce with the Indian tribes by another and appropriated to merchandise of the same descriptive properties as to be likely to cause confusion or mistake in the mind of the public or to deceive purchasers, shall not be placed on this register"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendments as follows: In lieu of the matter proposed by the Senate amendment insert the following: "28 (as to class (b) marks only)," and on page 4, line 6 of the engrossed bill, after "act" insert "of a mark falling within class (a) of section 1," also on page 4, line 19, of the engrossed bill, after "date," insert "and the provisions of section 2 of the act entitled 'An act to amend the laws of the United States relating to the registration of trade-marks,' approved May 4, 1906"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 9. That section 5 of the trade-mark act of February 20, 1905, being Thirty-third Statutes at Large, page 725, as amended by Thirty-fourth Statutes at Large, page 1251, Thirty-sixth Statutes at Large, page 918, Thirty-seventh Statutes at Large, page 649, is hereby amended by adding the following words thereto: 'And if any person or corporation shall have so registered a mark upon the ground of said use for 10 years preceding February 20, 1905, as to certain articles or classes of articles to which said mark shall have been applied for said period, and shall have thereafter and subsequently extended his business so as to include other articles not manufactured by said applicant for 10 years next preceding February 20, 1905, nothing herein shall prevent the registration of said trade-mark in the additional classes to which said new additional articles manufactured by said person or corporation shall apply, after said trade-mark has been used on said article in interstate or foreign commerce or with the Indian tribes for at least one year provided another person or corporation has not adopted and used previously to its adoption and use by the proposed registrant and for more than one year such trade-mark or one so similar as to be likely to deceive in such additional class or classes.'"

And the Senate agree to the same.

WM. F. KIRBY,

FRANK B. BRANDEGEE,

G. W. NORRIS,

*Managers on the part of the Senate.*

JOHN I. NOLAN,

FLORIAN LAMPERT,

GUY E. CAMPBELL,

*Managers on the part of the House.*

The report was agreed to.

## AMNESTY TO PRISONERS (S. DOC. NO. 249).

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was read, and with the accompanying papers, referred to the Committee on Military Affairs and ordered to be printed:

*To the Senate:*

I transmit herewith a further communication from the Acting Secretary of State replying to the resolution of the Senate, dated January 13, 1920 (No. 278), requesting that it be furnished with information showing what, if anything, Great Britain, France, Italy, and Belgium, or either of these Governments, have done through legislative or executive proclamation, or otherwise, looking to the granting of amnesty to military, political, or other prisoners since the signing of the armistice November 11, 1918.

WOODROW WILSON.

THE WHITE HOUSE,

11 March, 1920.

## PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President

# Congressional Record

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## PROCEEDINGS AND DEBATES

OF THE

SECOND SESSION OF THE  
SIXTY-SIXTH CONGRESS

OF

THE UNITED STATES  
OF AMERICA

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VOLUME LIX—PART 4

FEBRUARY 21 TO MARCH 13, 1920

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election this fall, the treaty can not be ratified for two years longer without substantially the reservations which a majority of the Senators will now agree upon.

Anyone who will take the list of Senators to be elected this fall who are opposed to ratification without substantial reservations must concede that quite a number of them will certainly be reelected. My own judgment is the vote of the Senate will be stronger the 4th of next March against ratifying the treaty without reservations than it has been during the past 12 months.

I do not believe that a majority of Senators will at any time be found—no matter how distant that time—who will be willing to place the obligation upon this country to send our soldiers and our sailors into the wars of the world, as required by article 10. Those duties which the Constitution places upon the Congress, and which article 10 would require them to approach with a prior obligation constraining their action, must be removed or the league covenant can not and should not ever be ratified.

The questions before us to-day are: Shall we leave our country technically in a state of war? Shall we refrain from caring for the interests of our country in connection with the adjustments that must be made under the treaties, because the covenant of the League of Nations is not to be made as strong as some would have it?

To those who wish it stronger than the Senate is willing to leave it, I appeal for favorable action on ratification. Even if they do not agree with me that the modifications should be made, they must know they will never obtain a league covenant going beyond the terms to which the majority of the Senate will now consent. They therefore, by refusing a vote for ratification, keep this question before the country and before the Senate, interfering with other important problems that should receive consideration, without the possibility of doing more in the direction of the covenant than they can help do to-day.

Of course, it is useless to make an appeal to Senators who frankly admit their desire to kill the league covenant altogether. But I appeal to those who really wish ratification but wish in the league covenant more than the majority of us think wise or right.

Do not keep your country distressed over this question when you know that the first sentiment of the country was for the league without modification, and that the changes of sentiment have all been against you. Not only do the interests of our country require ratification now, with substantial reservations, but the judgment of the American people to-day will sustain no other course.

Within the last few days the *Courier-Journal*, the great Louisville, Ky., paper, editorially urged ratification now.

This paper has been continuously, from the time the treaty was brought to the United States, demanding ratification without reservations. But now, recognizing the fact that there will never be a League of Nations with less reservations, it appeals to the Senate to ratify the treaty. It appeals to the Senate; it appeals to those who, with it, have been for the treaty as it was first written, to lay aside their preferences, to end the battle, and to vote now for the treaty as the majority of the Senate present it.

In my own State there are three papers published in Atlanta, with large circulations all over the Southeastern States. One has been against the treaty all the time unless substantial reservations were made. The other two have supported the treaty and last fall condemned all reservations and condemned Democratic Senators who voted to ratify with reservations. Now, both those papers have changed their attitude.

The Atlanta Constitution on the 27th of last month editorially urged the Senate to delay no longer, but to accept such reservations as the majority adopted, and to end the matter. I will read a couple of extracts from that editorial:

The public knows that a large part of the unrest that exists the world over is attributable to the Senate's failure to dispose of the treaty.

The people want the treaty ratified with or without reservations. Even if it is ratified with reservations the principle, at least, of a universal league to enforce peace and prevent war will have been recognized.

I read this from a paper representing the thought of those Senators who have voted for ratification without reservations, who have stood out against reservations. I present it to them as speaking the voice of those who have been with them, not of those who have been with me. I have all along believed in reservations. But I urge Senators to consider the fact that those who have been with them against ratification without reservations are with them no longer, but believe the treaty should be ratified now even if reservations are made.

I turn now to an editorial in the Atlanta Journal, which was published day before yesterday. This paper for seven years has

followed the President, approving every act, I think, of his administration. It has been extreme in its attitude with regard to ratification without reservations. I call attention to this editorial, and I appeal to the Members on this side to heed the thought of their own people, and the members of their own party. I will read from this paper. On day before yesterday for the first time it called upon the Senate to accept the action of the majority, and ratify the treaty now, recognizing the fact that never would they obtain more in a league covenant than they can obtain now.

Understand, in presenting this line of thought, it is not because I want the league as it was. I could not vote for it as it came to us. I would not now vote to ratify without reservations. But to those who are willing to ratify it without reservations I present the appeal that they will now get more than they will ever get hereafter, and that the friends of the treaty, without reservations to-day favor ratification with reservations rather than a failure to ratify at all. I read from the Atlanta Journal editorial:

The covenant which President Wilson brought back from Paris represents what was then the most workable plan on which he and the others at the peace table could agree. But it did not represent the only conceivable plan by which the purposes concerned could be accomplished. It was not a Decalogue, whose every syllable was sacred; it was not a Revelation, to change one letter of which would be impious. It was a human document, regarding which there was bound to be a variety of views among men who were sufficiently in earnest over it to think for themselves.

The hour has struck for independent action by the Democrats of the Senate, action which at least will give their party a clear record, and which may spare their country grievous confusion.

Plainly, then, it is the duty of the Senate Democrats—their party duty, their patriotic duty, their humanitarian duty—to strike boldly and unitedly forth for ratification. If this involves a breaking away from presidential leadership, the interests at stake abundantly warrant it, for when loyalty to a person means recalcitrance to a principle, thinking men need not hesitate.

So I wish to state to my associates that the thought of this country to-day follows the interests of this country, and it requires that we ratify the league, ratify the treaty, and do it now.

As I said before, the friends of the covenant will never secure more than they can secure to-day. If they cast it away now, the probabilities are they will lose it all for all time. If they do not obtain all they wish, they certainly obtain much that they wish, and they serve their country and follow the wishes of the people of this country by ending the matter and ratifying the treaty.

I shall support the substitute agreed upon by a conference of Democrats and Republicans and offered by the Senator from Massachusetts this morning. I shall finally support for ratification the treaty under such reservations as the majority of the Senate may place upon it.

[Mr. REED addressed the Senate, and before concluding yielded the floor for the day.]

RECESS.

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

The motion was agreed to; and (at 5 o'clock and 30 minutes p. m.) the Senate, in open executive session, took a recess until to-morrow, Saturday, March 13, 1920, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES.

FRIDAY, March 12, 1920.

The House met at 12 o'clock noon.

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

Father of good, purity, holiness, guide us by the star of love to the larger life, as Thou didst guide the Magi by the star of Bethlehem to the manger where the young child lay—destined to be the King of men; that His spirit may be our spirit; His thoughts, our thoughts; His words, our words; His acts, our acts; that the world may be a little better that we have lived and wrought; and glory, and honor, and praise be Thine. In the spirit of the world's Great Exemplar. Amen.

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

CALL OF THE HOUSE.

Mr. MCARTHUR. Mr. Speaker—

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

Mr. MCARTHUR. To make the point of order that there is no quorum present.

Mr. BEE. Mr. Chairman, will the gentleman from California yield for just one question?

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

The CHAIRMAN. Does the gentleman from California yield to the gentleman from North Carolina?

Mr. KAHN. Yes.

Mr. SMALL. The gentleman, of course, with his large knowledge of the War Department activities, does understand that in the Corps of Engineers are two diverse duties, one embracing civil works, of which there are a very large number, and the other combatant or military activities, which are also quite numerous, and that the Chief of Engineers must have assistants, and that one assistant will find it impossible to take jurisdiction under the supervision of the Chief of Engineers of both of these activities. I think the gentleman will agree to that proposition.

Mr. KAHN. The Chief on Engineers can detail a colonel just as well as he can a brigadier general to that particular work. There are a great many civilian engineers employed in the Corps of Engineers, especially on the river and harbor work.

Mr. SMALL. Mr. Chairman, will the gentleman yield further?

Mr. KAHN. Yes.

Mr. SMALL. The gentleman, I think, will admit that one assistant, a brigadier general, in charge of one class of work, military, I will say, and another, an assistant of the grade of colonel, in charge of another class of work equally important, will not afford that balance such as the gentleman has been attempting to provide in this bill, and which I think he has provided in the main. I think the gentleman will agree that to have one assistant with the rank of brigadier general and another assistant who is not provided for in the bill and who will be independent of the bill, with the rank of colonel, will be a somewhat inconsistent arrangement. I hope the gentleman will agree to the amendment.

Mr. KAHN. I can not see the necessity for two brigadier generals in the Corps of Engineers. I say that in all frankness to my friend from North Carolina.

Mr. Chairman, I ask for a vote on the amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from South Carolina [Mr. SMALL].

The question was taken; and on a division (demanded by Mr. SMALL) there were—ayes 27, noes 55.

Accordingly the amendment was rejected.

Mr. CALDWELL. Mr. Chairman, all of the old guard are here and the insurgents are not. Therefore I make the point of no quorum present.

The CHAIRMAN. The gentleman makes the point of no quorum present. The Chair will count.

Pending the count,

Mr. CALDWELL. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The gentleman from New York withdraws the point of order. The Clerk will read.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. Fess having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9023) to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes.

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

S. J. Res. 170. Joint resolution to authorize and direct the Secretary of the Navy to open certain naval radio stations for the use of the general public.

#### ARMY REORGANIZATION BILL.

The committee resumed its session.

The Clerk read as follows:

SEC. 12a. Chemical Warfare Service: The Chemical Warfare Service shall consist of 1 chief of the Chemical Warfare Service with the rank of brigadier general, 90 officers in grades from colonel to second lieutenant, inclusive, and 1,500 enlisted men.

Mr. DENT. Mr. Chairman, I move to strike out the last word. I made that motion simply to call attention to the fact that this bill does not prescribe the duties of the Chemical

Warfare Service. It simply fixes the number of officers, without prescribing their functions.

The Chemical Warfare Service was a creature of regulation under the Overman Act, and now you undertake to create a Chemical Warfare Service without prescribing its duties. I want to call the attention of the committee to the fact that the Chief of Staff is opposed to a separate Chemical Warfare Service. He insists that it ought to be attached to the Corps of Engineers, which, of course, would destroy it. If you desire to continue the Chemical Warfare Service under this bill, you certainly ought to prescribe its duties by law. You will not have any Chemical Warfare Service under the language of this bill.

Mr. GREENE of Vermont. Mr. Chairman, I am afraid the gentleman is squinting along the right path, so far as direct and positive command of law is concerned, but is this altogether new in military legislation? Can the gentleman find anywhere in the statutes of the United States where the duties of the Infantry arm are prescribed and where the duties of the Cavalry arm are prescribed?

Mr. DENT. I can not, but the gentleman from Vermont must realize that when you create a new staff corps which is charged with experimental work, such as the Chemical Warfare, you ought to prescribe its duties. I want to ask my friend from Vermont if this provision is adopted in its present form and the present Chief of Staff continues in his opposition to the Chemical Warfare Service can he not absolutely destroy it by not assigning any duties to it?

Mr. GREENE of Vermont. That all depends, of course, upon whether the Secretary of War is to be influenced, as usual, by the Chief of Staff or not, because after all the Secretary of War is the real lawful head of the department. The gentleman, being in the confidence of the Secretary of War and the Chief of Staff, probably will be able to answer that question better than I can.

Mr. DENT. That is a presumption that the gentleman has no right to indulge in.

Mr. GREENE of Vermont. It is true that the duties of the Infantry are fixed altogether by regulation. The duties of all arms of the service are prescribed by regulation, and, consequently, the gentleman proposes to change the regulation scheme.

Mr. DENT. I know; but the gentleman does not answer this proposition, and I am sure the gentleman will appreciate it when I state that when you create a new branch of the service and do not prescribe its duties, powers, and functions, you might as well not create it at all.

Mr. GREENE of Vermont. I will not subscribe to that proposition. I concede that there is a weakness in the phrasing of that paragraph, because it is the institution of a new feature in the Army under a statutory provision, but I still maintain that once it is established, once its personnel is in being, it is then subject to regulation, and its duties will be prescribed by regulations which under the statutes of the United States will have the force and effect of law.

Mr. CRAGO. Will the gentleman yield?

Mr. DENT. Yes.

Mr. CRAGO. The gentleman knows, I am sure, that the present Chemical Warfare Service has its duties outlined and defined by a general circular of regulations issued by the War Department.

Mr. DENT. Which may be changed every 24 hours.

Mr. CRAGO. Yes; but does not the gentleman think that when we establish this service by law, those same regulations will prevail as to this new service?

Mr. DENT. The gentleman has a great deal of confidence in the General Staff if he thinks they will do it when the Chief of Staff has testified before the committee that he is against chemical warfare as a separate service.

Mr. CRAGO. I have faith enough in the Chief of Staff to believe that once this is established by law he will see that regulations are issued by which it can properly function.

Mr. DENT. In order to bring this to an issue, I ask unanimous consent that this section be passed over until to-morrow morning, when I can offer an amendment that will prescribe the duties of the Chemical Warfare Service.

The CHAIRMAN. The gentleman asks unanimous consent that this section be passed over with the privilege of returning to it to-morrow. Is there objection?

There was no objection.

Mr. KAHN. Mr. Chairman, I move to strike out the last word for the purpose of having a letter read. The gentleman from Virginia [Mr. MONTAGUE] asked the chairman of the Committee on Military Affairs day before yesterday how many West

# Congressional Record

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VOLUME LIX—PART 4

FEBRUARY 21 TO MARCH 13, 1920

(Pages 3219-4316)



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## CONFIRMATIONS.

*Executive nominations confirmed by the Senate March 13 (legislative day of March 11), 1920.*

## MEMBER OF THE UNITED STATES SHIPPING BOARD.

Admiral William S. Benson to be a member of the United States Shipping Board.

## PURCHASING AGENT FOR THE POST OFFICE DEPARTMENT.

Robert L. Maddox to be purchasing agent for the Post Office Department.

## UNITED STATES MARSHAL.

John D. Lynn to be United States marshal, western district of New York.

## HOUSE OF REPRESENTATIVES.

SATURDAY, March 13, 1920.

The House met at 11 o'clock a. m.

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

O Thou God and Father of us all, upon whom we are dependent for life, health, and strength, impart unto us wisdom, strength, and courage to meet the obligations of another day, that our acts may be well pleasing in Thy sight and promote the good of mankind. In the spirit of the Master. Amen.

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

## PROTECTION OF TRADE-MARKS, ETC.—CONFERENCE REPORT.

Mr. NOLAN. Mr. Speaker—

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

Mr. NOLAN. To call up the conference report on the bill H. R. 9023 and ask for its immediate consideration.

The SPEAKER pro tempore. The gentleman from California calls up the conference report on the bill which the Clerk will report by title.

Mr. GARD. What is the report?

The Clerk read as follows:

A bill (H. R. 9023) to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes.

Mr. GARD. Mr. Speaker, there seems to be a very inadequate number of Members present, and I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Ohio makes the point of order that there is no quorum present, and evidently there is no quorum present.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Andrews, Md.	Eagan	Johnson, S. Dak.	Rainey, H. T.
Bacharach	Eagle	Johnson, Wash.	Ramsey
Baer	Edmonds	Johnston, N. Y.	Reed, N. Y.
Begg	Ellsworth	Kelley, Mich.	Riordan
Benson	Ferris	Kennedy, Iowa	Itowan
Booher	Fields	Kennedy, R. I.	Rucker
Brisson	Flood	Kettner	Sabath
Britten	Fordney	Knutson	Sanders, La.
Browne	Frear	Kraus	Schall
Browning	French	Kreider	Scott
Buchanan	Gallivan	Lampert	Scully
Burdick	Garland	Layton	Sells
Burke	Goldfogle	Lea, Calif.	Siegel
Burroughs	Good	Lee, Ga.	Siemp
Butler	Goodall	Longworth	Smith, Mich.
Campbell, Kans.	Gould	McAndrews	Smith, N. Y.
Carew	Graham, Pa.	McCulloch	Snell
Carter	Green, Iowa	McDuffie	Stegall
Chindblom	Greene, Mass.	McPherson	Steele
Christopherson	Hamill	MacGregor	Stephens, Ohio
Clark, Fla.	Hamilton	Mann, S. C.	Sullivan
Classon	Hastings	Mapes	Sumners, Tex.
Cooper	Hawley	Mason	Taylor, Colo.
Copley	Hayden	Montague	Taylor, Tenn.
Costello	Hays	Morin	Towncr
Cramton	Hersman	Neely	Vare
Crowther	Hill	Nichols, Mich.	Vinson
Curry, Calif.	Holland	O'Connell	Walters
Davey	Howard	O'Connor	Weaver
Davis, Minn.	Huddleston	Osborne	Webster
Denison	Hudspeth	Overstreet	Williams
Dewalt	Hulings	Phelan	Wilson, Pa.
Dickinson, Mo.	Husted	Platt	Winslow
Dooling	Hutchinson	Porter	
Dunbar	Ireland	Rainey, Ala.	

The SPEAKER pro tempore. On this roll call 281 Members have answered to their names. A quorum is present.

Mr. KAHN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will open the doors, and the gentleman from California calls up the conference report, which the Clerk will again report by title.

The Clerk read as follows:

A bill (H. R. 9023) to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes.

Mr. NOLAN. Mr. Speaker, I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent that the statement be read in lieu of the report. Is there objection? [After a pause.] The Chair hears none.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9023) to give effect to certain provisions of the convention for the protection of trade-marks and commercial names made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"(b) All other marks not registrable under the act of February 20, 1905, as amended, except those specified in paragraphs (a) and (b) of section 5 of that act, but which have been in bona fide use for not less than one year in interstate or foreign commerce, or commerce with the Indian tribes by the proprietor thereof, upon or in connection with any goods of such proprietor upon which a fee of \$10 has been paid to the Commissioner of Patents and such formalities as required by the said commissioner have been complied with: *Provided*, That trade-marks which are identical with a known trade-mark owned and used in interstate and foreign commerce, or commerce with the Indian tribes by another and appropriated to merchandise of the same descriptive properties as to be likely to cause confusion or mistake in the mind of the public or to deceive purchasers, shall not be placed on this register"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "28 (as to class (b) marks only)"; and on page 4, line 6 of the engrossed bill, after "act," insert "of a mark falling within class (a) of section 1"; also, on page 4, line 19, of the engrossed bill, after "date," insert "and the provisions of section 2 of the act entitled 'An act to amend the laws of the United States relating to the registration of trade-marks,' approved May 4, 1906"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 9. That section 5 of the trade-mark act of February 20, 1905, being Thirty-third Statutes at Large, page 725, as amended by Thirty-fourth Statutes at Large, page 1251, Thirty-sixth Statutes at Large, page 918, Thirty-seventh Statutes at Large, page 649, is hereby amended by adding the following words thereto: 'And if any person or corporation shall have so registered a mark upon the ground of said use for 10 years preceding February 20, 1905, as to certain articles or classes of articles to which said mark shall have been applied for said period, and shall have thereafter and subsequently extended his business so as to include other articles not manufactured by said applicant for 10 years next preceding February 20, 1905, nothing herein shall prevent the registration of said trade-mark in the additional classes to which said new additional articles manufactured by said person or corporation shall apply, after said trade-mark has been used on said article in interstate or foreign commerce or with the Indian tribes for at least one year; provided another person

or corporation has not adopted and used previously to its adoption and use by the proposed registrant, and for more than one year such trade-mark or one so similar as to be likely to deceive in such additional class or classes."

And the Senate agree to the same.

JOHN I. NOLAN,  
FLORIAN LAMPERT,  
GUY E. CAMPBELL,  
*Managers on the part of the House.*

W. F. KIRBY,  
FRANK B. BRANDEGEE,  
G. W. NORRIS,  
*Managers on the part of the Senate.*

#### STATEMENT.

The conferees on the part of the House on the disagreeing votes of the two Houses on H. R. 9023, a bill to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes, having met, submit herewith a statement of the action of your conferees:

On amendments Nos. 1 and 3 are clerical changes which subdivide into paragraphs section 1 of this bill, and the House recedes.

On amendment No. 2 the House recedes from its disagreement to same and agrees to same with an amendment which provides that the \$10 fee shall be paid to the Commissioner of Patents, and adds a proviso to this section to protect trade-marks that have already been in use and not entitled to registration.

The House conferees recede from their disagreement to amendment 4 and agree to same, with the proviso to protect trade-marks already in use and not subject to registration under the old law.

JOHN I. NOLAN,  
FLORIAN LAMPERT,  
GUY E. CAMPBELL,  
*Managers on the part of the House.*

Mr. NOLAN. Mr. Speaker, the bill H. R. 9023 is the trade-mark bill passed a short time ago to give effect to the International Trade-Mark Convention treaty. The Senate put an amendment onto section 1 of that act, subdividing section 1, so as to provide for section (a) and section (b), and provided for a second list of nonregistrable trade-marks to be kept in the Patent Office, and providing a \$10 fee to be paid to the Commissioner of Patents for that purpose. The House conferees, at the suggestion of the Commissioner of Patents, added a proviso at the end of section 1, to protect existing trade-marks both at home and abroad. The other important amendment, and the only material amendment, is section 9, which puts on this bill the bill H. R. 7157, which was reported unanimously by the Committee on Patents, and is now pending on the calendar. The gentleman from Connecticut [Mr. MERRITT] is the author of that bill and will explain the matter, and I yield to him such time as he desires.

Mr. MERRITT. Mr. Speaker, I will remind the House that this legislation is simply intended to protect the rights of American trade in foreign countries, in those countries especially that permit the registration of any trade-mark, irrespective of whether the man who registers it has any right, according to our ideas, in the trade-mark or not. This bill was recommended unanimously by the Committee on Patents, both of the House and of the Senate. It has been approved by the Commissioner of Patents, and all these amendments have been gone over carefully by the Commissioner of Patents, and the amendment of which the chairman speaks, which adds a bill now before the House, simply extends the right of registration, so that American trade abroad may be protected in other countries as well as in South America. It does not affect anybody's domestic rights at all, and has to do simply with the protection of American merchants in foreign trade. I think there is no opposition to it from any source whatever, and I hope that the report will be accepted.

Mr. NOLAN. Mr. Speaker, if there is no further explanation necessary, I move the previous question on the conference report. The previous question was ordered.

The SPEAKER pro tempore. The question is on the adoption of the conference report.

The question was taken, and the conference report was agreed to.

#### ARMY REORGANIZATION BILL.

Mr. KAHN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Army reorganization bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12775, the Army reorganization bill, with Mr. TILSON in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 12775) to amend an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916.

Mr. KAHN. Mr. Chairman, when the committee rose last evening the gentleman from Alabama [Mr. DENT] had moved a pro forma amendment, to strike out the last word of section 20. I rise in opposition to that amendment and desire to have read to the committee a letter which I received from the Secretary of War very late yesterday afternoon, just before we adjourned, in which the Secretary of War informs me that he inadvertently sent to me the letter of March 5 recommending a separate construction corps and that now he wants to be understood as favoring the transfer of the construction corps from the Quartermaster Corps to the Corps of Engineers. [Applause.]

I ask that the letter be read for the information of the committee.

The CHAIRMAN. The gentleman from California makes the pro forma amendment and asks that the letter referred to be read. Without objection, the Clerk will read the letter.

The Clerk read as follows:

WAR DEPARTMENT,  
Washington, March 12, 1920.

Hon. JULIUS KAHN,  
House of Representatives, Washington, D. C.

MY DEAR MR. KAHN: I desire to call attention to my communication addressed to you on March 5, 1920, referring to H. R. 12775, in which appears the following paragraph:

"It is therefore my respectful recommendation that in due consideration of this subject provision be made for a separate transportation service and a separate construction service in the proposed bill."

Through inadvertence the full purport of the paragraph above quoted escaped my notice, and I desire to at once correct any erroneous impression it may have conveyed as to my attitude on these two important subjects.

It is now, and has been, my recommendation that the Transportation Service should be separated from the Quartermaster Corps and should constitute a separate and distinct service, independent of said corps, and be known as the Transportation Service; and it is now, and has been, my recommendation that the construction service should be separated from the Quartermaster Corps, be assigned to the Corps of Engineers, and be known as the construction service of the Corps of Engineers.

It is hoped that the above corrections will receive careful consideration in the bill now before the House.

Respectfully, yours,

NEWTON D. BAKER,  
Secretary of War.

Mr. KAHN. Mr. Chairman, does the gentleman from Alabama desire to be heard on his motion to strike out the last word?

Mr. DENT. Mr. Chairman, I ask for five minutes. I did not make that motion.

The CHAIRMAN. The gentleman from Alabama is recognized.

Mr. DENT. I did not make a motion yesterday to strike out the section providing for the Porto Rican regiment. I simply called attention to that section and made the statement that I was disposed to oppose it. I will not make the motion.

Mr. KAHN. As I understood the gentleman, he simply moved to strike out the last word, not the section, in order to call attention to the provisions of the section.

Mr. DENT. But I did not move to strike out the section.

Mr. KAHN. I understood the gentleman to move to strike out the last word.

Mr. DENT. Mr. Chairman, I called attention to this section of the bill, because it does make a change, according to my understanding, in the present law; but I will not make a motion to strike the section out. My idea in calling attention to the change in the law was to submit to the House the proposition that the Porto Rican regiment, as originally organized, was organized exclusively for service in Porto Rico. By subsequent legislation the War Department was authorized to send the Porto Rican regiment to service outside of Porto Rico, and during the late war, my understand is, the War Department sent this regiment down to Panama. I call attention to the change of the law, because of the fact that when you get to the section providing for

# Congressional Record

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## PROCEEDINGS AND DEBATES

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sponsible for a like neglect of some dark people with whose welfare we are charged under the Constitution of the United States. My friend the Senator from Oklahoma [Mr. OWEN] speaks of the imposition or the withdrawal of the protectorate in Egypt as an assumption of right on the part of the British, a right which does not exist. I can not quarrel with him on that ground; but while we discuss the course of the British Government in that regard, I think we might inquire of our own conscience if we have done all that duty requires of us in regard to some 10,000,000 people living under the Constitution of the Union.

It is written in the Constitution of the Republic that no citizen shall be disfranchised by reason of his color; it is written that if there be any general disfranchisement there shall be a diminution of the representation of the States effecting the disfranchisement. But these provisions of the Constitution are as dead as the liberty of Egypt. But putting aside the question of political rights, consider that the country, North and South, during the last year has witnessed disgraceful mob murders. There have been fourscore lynchings in the Union during the 12 months last passed.

My own State of Illinois has been the scene of violence on as great a scale as that in any other State in the Union during the last year.

As we sit in judgment upon others, so let us judge of our own duty. It does not become us to speak only of the dereliction of other people. If this Senate is to consider resolves upon the state of the people of Egypt, let it make ready to resolve against mob murder and lynching in America.

RECESS.

Mr. LODGE. Mr. President, it is evident that we can not hope to get a vote to-night on the reservation that has just been offered. There are one or two other Senators who desire to be heard upon it. Therefore I move that the Senate, in open executive session, take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate, in open executive session, took a recess until to-morrow, Tuesday, March 16, 1920, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES.

MONDAY, March 15, 1920.

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore (Mr. WALSH).

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

O Lord God of hosts, lest we forget, impress indelibly upon our minds and write it in our hearts the horrors of war and its aftermath which bring grief, sorrow, and unmitigated evil to the world; and grant that our historians may write in lurid pictures its horrid effects for future generations.

Teach us, we beseech Thee, the wisdom and joy of peace, the glory of living together in brotherly love; after the similitude of the Prince of Peace. Amen.

The Journal of the proceedings of Saturday, March 13, 1920, was read and approved.

### DEATH OF JAMES CLARK.

Mr. SEARS. Mr. Speaker, I ask unanimous consent to proceed out of order for not to exceed five minutes.

The SPEAKER pro tempore. The gentleman from Florida asks unanimous consent to proceed out of order for not to exceed five minutes. Is there objection?

Mr. DOWELL. Mr. Speaker, on what subject?

Mr. SEARS. I do not think the gentleman will object.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SEARS. Mr. Speaker, if the Members of the House have been taught anything during the past three years, it has been the uncertainty of life. Many times we have noticed the flag at half-mast, and, in fact, it has been rather unusual not to see the flag at half-mast. A great many of the boys have lost their lives, and sorrow has been brought to the Members of the House.

It is with feelings of deep regret that I announce to the Members of this House that this morning Uncle Jimmie Clark, who for 15 years has faithfully served this House both under Republican and Democratic administrations, has passed to the great beyond. There was never a more efficient servant of the people, a man absolutely loyal to his friends, and who took a deep interest in carrying out the trust imposed upon him. As a recognition of that, only recently the Members of this House, re-

gardless of party, unanimously placed him on the permanent roll. He was kind, extremely courteous, and polite, a fact which will be verified by the Members of the House and by the wives of those Members who are married.

Uncle Jimmie was born on October 9, 1850, in Barker County, Ala., and was a brother of our beloved colleague, Hon. FRANK CLARK, of Florida. I am glad that, so far as I am concerned, Uncle Jimmie knew what I thought of him while he was living.

The funeral will take place Wednesday at 11 o'clock a. m. at Lee's undertaking establishment, 322 Pennsylvania Avenue N.W., and I am sure the Members of this House will join with me in the deep regret of which these few words are an inadequate expression.

### DEATH OF MRS. TIMBERLAKE.

Mr. MILLER. Mr. Speaker, I ask unanimous consent to proceed for one minute out of order.

The SPEAKER pro tempore. The gentleman from Washington asks unanimous consent to proceed for one minute out of order. Is there objection?

There was no objection.

Mr. MILLER. Mr. Speaker, I ask for indefinite leave of absence for our colleague, Hon. CHARLES B. TIMBERLAKE, of Colorado. Mrs. Timberlake, a woman of exceptional ability and beauty of character and charm of life, passed into the great beyond on yesterday. Our colleague left this morning on the sad journey to his home at Sterling, Colo., with the remains of his beloved life partner.

I ask for indefinite leave of absence for Mr. TIMBERLAKE and for leave of absence until Thursday for our colleague, Mr. VALE, who accompanied Mr. TIMBERLAKE as far as the city of Chicago.

The SPEAKER pro tempore. Without objection, indefinite leave of absence will be granted to the gentleman from Colorado, Mr. TIMBERLAKE, and leave of absence until Thursday to the gentleman from Colorado, Mr. VALE. Is there objection?

There was no objection.

### RATIFICATION OF WOMAN'S SUFFRAGE AMENDMENT BY WEST VIRGINIA.

The SPEAKER pro tempore laid before the House a communication from the governor of the State of West Virginia announcing the ratification by the legislature of that State of the proposed amendment to the Constitution of the United States extending the right of suffrage to women.

### ORDER OF BUSINESS.

The SPEAKER pro tempore. In the absence of a motion to go into the Committee of the Whole House on the state of the Union for the further consideration of the military reorganization bill, the Calendar for Unanimous Consent will be called.

### AQUEDUCT BRIDGE.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 10328) to amend an act approved May 18, 1916, entitled "An act to provide for the removal of what is known as the Aqueduct Bridge, across the Potomac River, and for the construction of a bridge in place thereof."

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

Mr. MONTAGUE. Mr. Speaker, I ask unanimous consent that the bill be passed without prejudice.

The SPEAKER pro tempore. Is there objection to passing the bill without prejudice?

There was no objection.

### PRINT PAPER.

Mr. HARRISON. Mr. Speaker, I move to discharge the Committee on Interstate and Foreign Commerce from the consideration of House resolution 489.

The SPEAKER pro tempore. The gentleman from Virginia makes a privileged motion, which the Clerk will report.

The Clerk read as follows:

Mr. HARRISON moves to discharge the Committee on Interstate and Foreign Commerce from further consideration of House resolution 489.

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

The Clerk read as follows:

### House resolution 489.

Resolved, That the Secretary of Commerce is hereby requested to furnish to the House of Representatives such information as he may have in regard to the supply, distribution, and consumption of print paper in the United States; such information as he may have in regard to any shortage in the supply of such print paper and the classes of newspapers or periodicals that have been affected by such shortage; whether any class of newspapers have secured by contract or otherwise any undue preference or advantage over other classes of newspapers in the supply of print paper; and such information as he may have in regard to the issuance of any regulations governing the distribution and consumption of said print paper.

opportunity to give the ex-service men a preference on the farms carved from the public lands.

The work is one that should be speedily undertaken, at least the examination should be speedily undertaken, and it is hoped that after the examination that is proposed it will be possible to carry out the complete development of that area and secure its complete reclamation without any very great burden or obligation being placed upon the Federal Government. The region is rich enough to secure the major portion at least of the funds that may be needed.

The SPEAKER pro tempore. The question is upon the motion of the gentleman from Nebraska to suspend the rules and pass the bill.

The question was taken; and in the opinion of the Speaker two-thirds having voted in favor thereof, the rules were suspended, and the bill was passed.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence were granted as follows:

To Mr. LONERGAN, indefinitely, on account of the grippe.  
To Mr. SMITH of Illinois, for 10 days, on account of death of intimate business associate.  
To Mr. BACHARACH, for 3 days, on account of illness in family.  
To Mr. WELTY, for 10 days, on account of important business.

#### EXTENSION OF REMARKS.

Mr. HEFLIN. Mr. Speaker—  
The SPEAKER pro tempore. For what purpose does the gentleman from Alabama rise?

Mr. HEFLIN. To ask unanimous consent to extend my remarks in the RECORD by making a kind of review of the measures I have supported since I have been a Member of the House.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD by reviewing the measures he has supported during his career in the House. Is there objection? [After a pause.] The Chair hears none.

Mr. KINKAID. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the Imperial Valley bill.

The SPEAKER pro tempore. The gentleman from Nebraska asks unanimous consent to extend his remarks on the bill just passed. Is there objection? [After a pause.] The Chair hears none.

Mr. RAKER. Mr. Speaker, I make the same request.

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

Mr. NEWTON of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting in the RECORD two letters which I have received on the high cost of living.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent to extend his remarks by inserting two letters which he has received on the high cost of living. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, every one of us has received numerous letters on that subject, and I object.

Mr. HERNANDEZ. Mr. Speaker, I ask unanimous consent to extend my remarks on the Imperial Valley bill.

The SPEAKER pro tempore. The gentleman from New Mexico asks unanimous consent to extend his remarks on the Imperial Valley bill. Is there objection? [After a pause.] The Chair hears none.

Mr. BLAND of Missouri. Mr. Speaker, I make a similar request.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. BLAND] makes a similar request. Is there objection? [After a pause.] The Chair hears none.

Mr. WELLING. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the same bill.

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

Mr. RANDALL of California. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill H. R. 8062, which was passed this afternoon, and on the Post Office appropriation bill.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent to extend his remarks on the bill H. R. 8062, and also on the Post Office appropriation bill. Is there objection? [After a pause.] The Chair hears none.

Mr. KLECZKA. Mr. Speaker, I ask unanimous consent to extend my remarks on the relief bill passed this afternoon.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent to extend his remarks on the relief bill passed this afternoon. Is there objection?

Mr. GARD. Reserving the right to object, on what bill?

Mr. KLECZKA. On the relief bill passed by the House this afternoon.

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

#### HOURLY MEETING TO-MORROW.

Mr. MONDELL. Mr. Speaker, may I remind the gentlemen that the House convenes to-morrow at 11 o'clock.

#### ENROLLED BILL SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker pro tempore signed the same:

H. R. 9023. An act to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes.

#### ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 27 minutes p. m.) the House, under the rule heretofore adopted, adjourned until Tuesday, March 16, 1920, at 11 o'clock a. m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting draft of requested legislation for the relief of employees of the public works office of the Great Lakes Naval Station, for losses of personal property by fire; to the Committee on Claims.

2. A letter from the Secretary of the Navy, transmitting draft of requested legislation to provide for the relief of certain officers of the Naval Reserve Force, and for other purposes; to the Committee on Naval Affairs.

3. A letter from the Secretary of the Treasury, transmitting communication from the Acting Secretary of State, requesting that the unexpended balance as of June 30, 1920, of the sum transferred from the appropriation for the War Trade Board to the War Trade Board section of the Department of State for the fiscal year 1920 be reappropriated and made available during the fiscal year 1921 (H. Doc. No. 688); to the Committee on Appropriations and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. LUCE, from the Committee on the Library, to which was referred the joint resolution of the Senate (S. J. Res. 167) providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, reported the same without amendment, accompanied by a report. (No. 742), which said joint resolution and report were referred to the House Calendar.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KAHN: A bill (H. R. 13072) to amend section 4878 of the Revised Statutes as amended by the act of March 3, 1897, relating to burial in national cemeteries; to the Committee on Military Affairs.

By Mr. ROGERS: A bill (H. R. 13073) to protect the public against fraud by prohibiting the manufacture, sale, or transportation in interstate commerce of misbranded or misrepresented articles, to regulate the traffic therein, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GREEN of Iowa: A bill (H. R. 13074) imposing an excise tax to be paid by corporations making stock dividends; to the Committee on Ways and Means.

By Mr. LONGWORTH: Resolution (H. Res. 494) to amend section 2 of Rule XXI of the House of Representatives; to the Committee on Rules.

By Mr. FESS: Resolution (H. Res. 495) giving the Committee on Education authority to investigate the Federal Board for Vocational Education; to the Committee on Rules.

By Mr. KAHN: Joint resolution (H. J. Res. 313) authorizing the Secretary of War to expend certain moneys for completion of Liberty Theater at Camp Knox, Ky.; to the Committee on Military Affairs.

By Mr. LITTLE: Joint resolution (H. J. Res. 314) expressing the views of the Congress of the United States on justice to the Armenian people; to the Committee on Foreign Affairs.

# Congressional Record

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(Pages 4317-5384)



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Also, a joint resolution (H. J. Res. 315) instructing the Attorney General to institute proceedings against certain corporations restraining them from distributing surplus war profits; to the Committee on Rules.

By Mr. LUFKIN: Memorial of the Legislature of the Commonwealth of Massachusetts favoring amendment to the Constitution of the United States giving Congress power to regulate the hours of work; to the Committee on the Judiciary.

Also, memorial of the Legislature of the Commonwealth of Massachusetts favoring an early increase of the Federal grant for the soldiers' homes in Massachusetts and other States; to the Committee on Ways and Means.

Also, memorial of the Legislature of the Commonwealth of Massachusetts relative to the maintaining of transportation through Cape Cod Canal; to the Committee on Railways and Canals.

#### PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. AYRES: A bill (H. R. 13075) granting an increase of pension to Anna E. Thomas; to the Committee on Invalid Pensions.

By Mr. BENHAM: A bill (H. R. 13076) granting an increase of pension to John H. Hopewell; to the Committee on Pensions.

By Mr. CANDLER: A bill (H. R. 13077) granting an increase of pension to Thomas B. McClane; to the Committee on Invalid Pensions.

By Mr. HAYS: A bill (H. R. 13078) granting an increase of pension to Peter J. Shindler; to the Committee on Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 13079) granting an increase of pension to William A. McClarty; to the Committee on Pensions.

By Mr. KING: A bill (H. R. 13080) to correct the military record of James M. Winston; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 13081) granting an increase of pension to Louisa Patrick; to the Committee on Invalid Pensions.

By Mr. McPHERSON: A bill (H. R. 13082) for the relief of James W. Taylor; to the Committee on Claims.

By Mr. MAHER: A bill (H. R. 13083) for the relief of Mary Dwyer; to the Committee on War Claims.

By Mr. PURNELL: A bill (H. R. 13084) granting an increase of pension to Lewis Lanum; to the Committee on Invalid Pensions.

By Mr. RICKETTS: A bill (H. R. 13085) granting an increase of pension to Frank L. Johnson; to the Committee on Pensions.

By Mr. ROMJUE: A bill (H. R. 13086) granting a pension to Anna E. Headland; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 13087) granting a pension to Ida Stanley; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

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

2307. By the SPEAKER (by request): Petition of the Military Order of the Loyal Legion of the United States, urging equal laws for all and the repeal of the laws on the statutes that favor any class; to the Committee on the Judiciary.

2308. By Mr. DARROW: Petition of City Council of Philadelphia, favoring the restoration of the pneumatic mail tube service; to the Committee on the Post Office and Post Roads.

2309. By Mr. HERNANDEZ: Petition of citizens of the Sandia, Zia, San Felipe, and San Domingo Indians, of Sandoval County, N. Mex., regarding the government of said Indians; to the Committee on Indian Affairs.

2310. By Mr. JAMES: Petition of Women's Welfare Club, of Marquette, Mich., favoring the passage of the Towner bill, House bill 10925, national aid for care of babies, etc.; to the Committee on Interstate and Foreign Commerce.

2311. By Mr. LINTHICUM: Petition of Dr. Guy L. Hunner, of Baltimore, Md., favoring the Sterling-Lehlbach bill; to the Committee on Reform in the Civil Service.

2312. Also, petition of Miss Elizabeth L. Bryan, president of the Y. W. C. A. of Goucher College, Baltimore, Md., favoring

relief of the starving people of Europe; to the Committee on Foreign Affairs.

2313. Also, petition of the Real Estate Board of Baltimore, Md., favoring the repeal of the Lever law, relative to Government control of the fuel supply; to the Committee on Interstate and Foreign Commerce.

2314. By Mr. MAHER: Petition of the Philip P. Grey Post, No. 309, Veterans of Foreign Wars of the United States, urging the Wadsworth bill for universal military training; to the Committee on Military Affairs.

2315. By Mr. SNYDER: Petition of various Polish societies in the thirty-third New York district protesting against the deprivation of foreign-language publications of the use of second-class mail rates; to the Committee on the Post Office and Post Roads.

2316. Also, petition of Arthur Moran Post, American Legion, of Camden, N. Y., with reference to bonus for members, the Air Service, and the military policy of Congress; to the Committee on Military Affairs.

2317. By Mr. TILLMAN: Petition of citizens of Rogers, Benton County, Ark., urging the passage of the Senate bill 3259 and House bill 10925; to the Committee on Interstate and Foreign Commerce.

2318. By Mr. YOUNG of North Dakota: Petition of citizens of Ellendale, N. Dak., protesting against the Dillingham bill; to the Committee on Immigration and Naturalization.

#### SENATE.

TUESDAY, March 16, 1920.

(Legislative day of Thursday, March 11, 1920.)

The Senate met in open executive session at 12 o'clock noon, on the expiration of the recess.

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

The PRESIDENT pro tempore. The Secretary will call the roll.

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

Borah	Hale	McLean	Simmons
Brandeggee	Harding	McNary	Smith, Ga.
Calder	Harris	Moses	Smith, Md.
Capper	Harrison	New	Smoot
Chamberlain	Henderson	Norris	Spencer
Colt	Hitchcock	Nugent	Sterling
Comer	Johnson, S. Dak.	Overman	Sutherland
Cullerson	Jones, N. Mex.	Page	Thomas
Cummins	Jones, Wash.	Phelan	Townsend
Curtis	Kellogg	Phipps	Trammell
Dial	Kendrick	Pittman	Underwood
Dillingham	Kenyon	Polindexter	Wadsworth
Edge	Keyes	Pomerene	Walsh, Mass.
Fernald	Kirby	Ransdell	Warren
Frelinghuysen	Knox	Reed	Watson
Gerry	Lenroot	Robinson	Williams
Glass	Lodge	Sheppard	Wolcott
Gore	McCormick	Sherman	
Gronna	McKellar	Shields	

Mr. DIAL. I desire to announce that my colleague [Mr. SMITH of South Carolina] is detained by illness in his family.

Mr. GERRY. The senior Senator from Virginia [Mr. SWANSON] is detained by illness in his family.

The Senator from Louisiana [Mr. GAY] is absent on account of illness.

The Senator from Arizona [Mr. ASHURST], the Senator from Oklahoma [Mr. OWEN], the Senator from Kentucky [Mr. BECKHAM], the Senator from Florida [Mr. FLETCHER], and the Senator from Montana [Mr. WALSH] are absent on official business.

The PRESIDENT pro tempore. Seventy-four Senators have answered to their names. There is a quorum present.

#### CASH ADVANCES TO FOREIGN COUNTRIES (S. DOC. NO. 255).

The PRESIDENT pro tempore. As in legislative session, the Chair lays before the Senate a communication from the Secretary of the Treasury, transmitting, in response to resolution of the 4th ultimo, certain information concerning cash advances made by the Secretary of the Treasury to foreign Governments under the acts of April 24, 1917, September 24, 1917, April 8, 1918, and July 9, 1918.

Mr. SMITH of Georgia. I ask that the communication and accompanying papers be printed, also printed in the RECORD, and referred to the Committee on Finance.

The PRESIDENT pro tempore. Without objection, it is so ordered.



The matter referred to is as follows:

THE SECRETARY OF THE TREASURY,  
Washington, March 13, 1920.

SIR: Pursuant to Senate resolution 291, requesting information concerning cash advances made by the Secretary of the Treasury to foreign Governments under the acts of April 24, 1917, September 24, 1917, April 8, 1918, and July 9, 1918, I have the honor to submit the following:

To and including November, 1918, the dates for the collection of interest from foreign Governments were May 15 and November 15. In the spring of 1919 the respective Governments were informed that it would be convenient for the Treasury to receive interest on April 15 and October 15 on approximately two-thirds of their respective obligations and on May 15 and November 15 on the remaining approximately one-third.

The following is an itemized statement showing the amount of interest heretofore paid by each of the foreign Governments on advances made to it by the United States Treasury:

Belgium	\$10,907,281.55
Cuba	645,890.42
Czechoslovakia Republic	304,178.09
France	126,910,635.58
Great Britain	232,312,740.77
Italy	57,598,852.62
Liberia	161.10
Roumania	263,313.74
Russia	3,495,686.72
Serbia	636,059.14
Total	433,074,799.73

NOTE.—The amounts so paid represent, except in the case of Russia, the full amount of interest due up to April 15, 1919, or May 15, 1919, as the case may be. The amount paid on Russian obligations represents the interest up to November 15, 1917, in full, together with a partial payment of \$1,865,925.08 on account of the interest which became due May 15, 1918, and a partial payment of \$300,000 on account of the interest which became due November 15, 1918. The amount paid by the Government of Cuba includes \$251,369.87, being the full amount of the interest accrued for the period from April 15, 1919, and May 15, 1919, up to October 15, 1919, and November 15, 1919, the last interest days. The amount paid by the French Government includes interest amounting to \$1,810,441.50 paid to July 31, 1919, on an obligation dated January 28, 1919. The amount paid by the British Government includes \$1,200,333.86 interest accrued after May 15, 1919, on \$64,164,007.99 principal subsequently repaid by the British Government in connection with the adjustment of accounts. The amount paid by Roumania includes a partial payment of \$154,409.63 on account of interest accrued to October 15, 1919.

The interest accrued to October 15, 1919, and November 15, 1919, as the case may be (the last interest dates), and remaining unpaid on advances made to foreign Governments by the Treasury, is as follows:

Belgium	\$8,370,581.51
Czechoslovakia Republic	1,169,953.42
France	65,858,101.62
Great Britain	105,503,126.38
Italy	39,228,303.32
Liberia	331.24
Roumania	385,316.39
Russia	15,051,977.40
Serbia	672,423.02
Total	236,240,114.90

NOTE.—The Secretary of the Treasury holds a special fund of \$1,808,506, which is equal to the unpaid balance of the interest which became due on Russian obligations on May 15, 1918. It is believed that ultimately this can be applied in discharge of said balance. A similar fund of \$335,095.07 is held, which it is believed will be applicable upon the unpaid balance of the interest which became due November 15, 1918, on Russian obligations.

If no change is made in the interest dates above mentioned or in the distribution as now contemplated of obligations as between the April and May interest dates, the total interest which will have accrued on interest dates falling within the fiscal year 1920, on advances made to foreign Governments by the Treasury up to March 10, 1920, will be as follows:

Belgium	\$16,822,078.09
Cuba	500,686.81
Czechoslovakia	2,515,004.72
France	139,904,272.14
Great Britain	211,828,890.64
Greece	144,808.74
Italy	79,595,569.73
Liberia	969.76
Roumania	1,163,359.90
Russia	9,399,365.55
Serbia	1,340,606.98
Total	463,215,613.06

Of said sum of \$463,215,613.06, there has been paid during the fiscal year 1920 the sum of \$3,416,554.86 as above stated.

The obligations are in the form of certificates of indebtedness to the United States, and are expressed to be payable as to principal and interest without deduction for taxes of the debtor Government in gold coin of the United States of the present standard of weight and fineness at the Subtreasury of the United States in New York or at the Treasury of the United States in Washington. Certain of the obligations, at the option of the holder, are payable in the money of the debtor country, some at a fixed rate expressed in the obligation, and others at the buying rate for cable transfers of the currency of the debtor country in the New York market at noon on the day of demand, as determined by the Federal Reserve Bank of New York.

The certificates of indebtedness are signed in the names of the respective debtor Governments by representatives of such Governments designated to the Treasury by the Department of State as being authorized to sign the same in the name and on behalf of the respective Governments. The earlier certificates were payable at fixed dates of maturity, all of which are now passed, so that such certificates are now held as demand obligations. The earlier certificates bore interest at various

rates of interest from 3 per cent per annum upwards. The certificates of indebtedness subsequently taken were expressed to be payable on demand, and bore interest at the rate of 5 per cent. By arrangement with the respective Governments, substantially all the obligations have since May 15, 1918, borne interest at the rate of 5 per cent. The certificates contain a provision that they are receivable in payment for bonds of the debtor Government or else a provision for conversion into such bonds in conformity with the provisions of the various Liberty bond acts in effect at the respective dates of the certificates of indebtedness. The second Liberty bond act as amended and supplemented provides that the rate or rates of interest borne by the long-time obligations for which the short-time obligations may be exchanged by the Secretary of the Treasury shall be not less than the rate borne by the short-time obligations so converted into such long-time obligations. In view of the fact that the short-time obligations all now bear interest at the rate of 5 per cent, the long-time obligations for which they may be exchanged must, unless the rate of the short-time obligations is changed, also bear interest at the rate of 5 per cent per annum.

Inclosed is a skeleton copy of an obligation received under the fourth Liberty bond act. All the obligations are of the same general character, although there are among them differences, as above set out. The present uniformity of the interest rate and the provision of the Liberty bond acts relative to the interest to be borne by long-time obligations taken in exchange for short-time obligations render such differences immaterial.

Respectfully,

THE PRESIDENT OF THE SENATE,  
Washington, D. C.

D. F. HOUSTON.

#### CERTIFICATE OF INDEBTEDNESS.

\$ (Amount in figures).

The Government of (name of foreign Government) for value received promises to pay to the United States of America, or assigns, the sum of (number of dollars in words) on demand, with interest from date hereof at the rate of (rate per cent) per cent per annum. Such principal sum and the interest thereon will be paid without deduction for any (name of foreign Government) taxes, present or future, in gold coin of the United States of America of the present standard of weight and fineness at the Subtreasury of the United States, in New York, or at the option of the holder at the Treasury of the United States, in Washington.

This certificate will be converted by the Government of (name of foreign Government), if requested by the Secretary of the Treasury of the United States of America, at par with an adjustment of accrued interest into an equal par amount of (rate per cent) per cent convertible gold bonds of the Government of (name of foreign Government), conforming to the provisions of acts of Congress of the United States, known, respectively, as Second Liberty bond act, Third Liberty bond act, and Fourth Liberty bond act. If bonds of the United States issued under authority of said act shall be converted into other bonds of the United States bearing a higher rate of interest than 4½ per cent per annum, a proportionate part of the obligations of the Government of (name of foreign Government) of this series acquired by the United States under authority of said acts shall, at the request of said Secretary of the Treasury, be converted into obligations of said Government of (name of foreign Government), bearing interest at a rate exceeding that previously borne by this obligation by the same amount as the interest rate of the bonds of the United States issued upon such conversion exceeds the interest rate of (rate of this obligation) per cent, but not less than the highest rate of interest borne by such bonds of the United States.

(Signature of representative of foreign Government.)

For the Government of (name of foreign Government).

Dated the — day of —.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 8062. An act to extend the permit privilege to include first-class mail;

H. R. 11769. An act to amend an act entitled "An act to provide a civil government for Porto Rico, and for other purposes," approved March 2, 1917;

H. R. 12537. An act to provide for an examination and report on the condition and possible irrigation development of the Imperial Valley in California; and

H. R. 12954. An act providing for the relief of populations in Europe and in countries contiguous thereto suffering for want of food.

#### ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 9023) to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes, and it was thereupon signed by the President pro tempore.

#### PETITIONS AND MEMORIALS.

Mr. LODGE. As in legislative session I present resolutions of the General Court of Massachusetts favoring an early increase of the Federal grant for the soldiers' home in Massachusetts and in other States. I ask that the resolutions be printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the resolutions were referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:



# Congressional Record

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## PROCEEDINGS AND DEBATES

OF THE

SECOND SESSION OF THE  
SIXTY-SIXTH CONGRESS

OF

THE UNITED STATES  
OF AMERICA

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VOLUME LIX—PART 5

MARCH 15 TO APRIL 8, 1920

(Pages 4317-5384)



WASHINGTON  
GOVERNMENT PRINTING OFFICE  
1920

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Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Ohio [Mr. HARDING] with the Senator from Alabama [Mr. UNDERWOOD];

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN];

The Senator from Connecticut [Mr. McLEAN] with the Senator from Montana [Mr. MYERS];

The Senator from Minnesota [Mr. NELSON] with the Senator from South Carolina [Mr. SMITH]; and

The Senator from Washington [Mr. POINDEXTER] with the Senator from Arkansas [Mr. ROBINSON].

The result was announced—yeas 25, nays 39, as follows:

## YEAS—25.

Calder	Fletcher	McNary	Sutherland
Capper	Hale	New	Townsend
Colt	Jones, Wash.	Phipps	Wadsworth
Cummins	Kellogg	Smith, Ga.	Watson
Curtis	Keyes	Smoot	
Edge	Lenroot	Spencer	
Elkins	Lodge	Sterling	

## NAYS—39.

Ashurst	Harris	McKellar	Smith, Md.
Beckham	Harrison	Norris	Stanley
Borah	Hitchcock	Nugent	Swanson
Brandegee	Johnson, S. Dak.	Owen	Thomas
Comer	Jones, N. Mex.	Phelan	Trammell
Dial	Kendrick	Pittman	Walsh, Mass.
Fernald	Kenyon	Pomeroy	Walsh, Mont.
France	King	Reed	Williams
Gerry	Kirby	Sheppard	Wolcott
Grounau	La Follette	Shields	

## NOT VOTING—32.

Ball	Gore	Moses	Ransdell
Chamberlain	Harding	Myers	Robinson
Culberson	Henderson	Nelson	Sherman
Dillingham	Johnson, Calif.	Newberry	Simmons
Fall	Knox	Overman	Smith, Ariz.
Frelinghuysen	McCormick	Page	Smith, S. C.
Gay	McCumber	Penrose	Underwood
Glass	McLean	Poinexter	Warren

So Mr. LENROOT's reservation was rejected.

Mr. LODGE. Mr. President, I renew my request for unanimous consent that no Senator shall speak more than 15 minutes or more than once on any reservation or any amendment to a reservation now pending or hereafter to be offered.

The PRESIDENT pro tempore. The Secretary will state the proposed unanimous-consent agreement.

The ASSISTANT SECRETARY. The Senator from Massachusetts asks unanimous consent that no Senator shall speak more than once nor for a longer time than 15 minutes on any reservation or any amendment that may be pending or that may be hereafter offered.

The PRESIDENT pro tempore. Is there objection?

Mr. REED. I wish the Senator would strike out "more than once," so that a Senator could divide his 15 minutes if he wanted to do so.

Mr. LODGE. I mean 15 minutes on each reservation or on any amendment.

Mr. REED. But the Senator says "more than once." Suppose a Senator offers a reservation and some one says something to which he wants to reply within his 15 minutes.

Mr. LODGE. Of course, he has his whole 15 minutes.

Mr. REED. The Senator proposes to say "more than once."

Mr. LODGE. He can divide it himself.

Mr. REED. But the proposition does not permit that, if I heard it aright.

Mr. LODGE. I think it does. It certainly was intended to do so. It is 15 minutes on each reservation that any Senator is to have, or on each amendment, and he can divide it as he pleases.

Mr. REED. I suggest to the Senator to strike out "more than once," and say "not more than 15 minutes in all."

Mr. LODGE. I will leave it for the Assistant Secretary to word, because he can word it better than anybody else.

The PRESIDENT pro tempore. The Secretary will again state the proposed agreement.

The ASSISTANT SECRETARY. The Senator from Massachusetts asks unanimous consent that no Senator shall speak more than once nor longer than 15 minutes on any reservation or any amendment now pending or hereafter offered.

Mr. LODGE. Fifteen minutes in all.

Mr. BRANDEGEE. I suggest that I think we can accomplish the object we have in view if we would strike out the words "more than once," and simply say "no Senator shall speak more than 15 minutes in all on each reservation or on any amendment thereto."

Mr. REED. That is the suggestion I made.

Mr. LODGE. That covers it, and is the best way to word it.

The PRESIDENT pro tempore. The Secretary will state the proposed agreement as modified.

The Assistant Secretary read as follows:

It is agreed by unanimous consent that no Senator shall speak more than 15 minutes in all on any reservation, or on any amendment now pending or that may hereafter be offered.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the agreement is entered into.

## RECESS.

Mr. LODGE. I wish to give notice that to-morrow, if the Senate will sustain me, I shall ask the Senate to remain in continuous session into the evening, if necessary. I move that the Senate take a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and (at 6 o'clock p. m.) the Senate, in open executive session, took a recess until to-morrow, Thursday, March 18, 1920, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES.

WEDNESDAY, March 17, 1920.

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore (Mr. WALSH).

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

We bless Thee, Infinite Spirit, Father in Heaven, that the good that men do lives after them and the spirit which moves them to deeds of kindness, self-sacrifice, and glory enters into the hearts of their admirers. Thus good is handed down from generation to generation. And we look forward to the time when good shall banish evil and Thy kingdom indeed come on earth. Hence we join in the encomiums and songs of praises which shall fall from thousands of lips to-day in memory of Ireland's patron saint. Long may his memory live, and long may he inspire men to live Christ-like, God-like lives, and thus may his life be a blessing to millions yet to come. In the name and spirit of the Lord Jesus Christ. Amen.

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

## EXTENSION OF REMARKS.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting two short editorials printed in the American Federationist, the official organ of the American Federation of Labor. These editorials are very vigorous attacks upon bolshevism and communism, and they warn the American workmen of the evil effects of bolshevism and communism in Russia.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by inserting two editorials from the American Federationist on the subject of bolshevism. Is there objection?

Mr. CLARK of Missouri. Reserving the right to object, I would like to inquire of the gentleman how long they are?

Mr. COOPER. I should say they would cover about two pages of the RECORD.

Mr. CLARK of Missouri. The reason why I ask is that the other day a Member got leave to print a letter of some one in the RECORD, and he inserted a stump speech of three pages of the RECORD under the guise of inserting a letter. But I shall not object to this.

The SPEAKER pro tempore. Is there objection?

There was no objection.

## INCOME TAXES ON STOCK DIVIDENDS.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent to have printed in the RECORD a letter of the Secretary of the Treasury showing the amount of loss in revenue caused by the Supreme Court's recent decision on taxes upon stock dividends, and so forth.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to have printed in the RECORD a letter from the Secretary of the Treasury relating to the stock-dividend decision of the Supreme Court. Is there objection?

Mr. CLARK of Missouri. Reserving the right to object, I would like to inquire of the gentleman from Michigan if as yet his committee has taken any steps to recoup on that loss?

Mr. FORDNEY. There has been a bill introduced by the gentleman from Iowa [Mr. GREEN], and it is now before the committee, but the committee has not yet taken action, waiting for some reliable information as to the loss of revenue because of this court decision. It is not yet given in full, but this letter explains it rather clearly.

Mr. CLARK of Missouri. Is the committee inclined to try to fill up the hole that the Supreme Court made in the income-tax law?

On March 17, 1920:

H. R. 12164. An act to authorize the construction of a bridge and approaches thereto across the Columbia River, between the towns of Pasco and Kennewick, in the State of Washington; and

H. R. 12213. An act authorizing F. R. Beals to construct, maintain, and operate a bridge across the Nestucca River; in Tillamook County, Oreg.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill:

H. R. 9023. An act to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 299. Joint resolution extending the term of the National Screw Thread Commission for a period of two years from March 21, 1920.

The message also announced that the Senate had passed with amendment the bill (H. R. 11309) to authorize the Secretary of the Treasury to fix compensation of certain laborers in the Customs Service, in which the concurrence of the House of Representatives was requested.

The message also announced that the President pro tempore had appointed Mr. WALSH of Montana and Mr. FRANCE members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Treasury Department.

RESIDENT COMMISSIONER, LINCOLN MEMORIAL.

Mr. CANNON. Mr. Speaker, I ask unanimous consent for the present consideration of the following joint resolution.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent for the present consideration of the following joint resolution, which the Clerk will report.

The Clerk read as follows:

House joint resolution 316.

*Resolved, etc.,* That in the exercise of its control and direction for the construction of the Lincoln Memorial, authorized by act of Congress approved February 9, 1911, the commission created by said act shall designate to perform the duty of special resident commissioner to represent the commission in the oversight of the work the Hon. John Temple Graves, recently appointed a member of the Lincoln Memorial Commission as the successor of the Hon. Joseph C. S. Blackburn, deceased, and for the special service of the member so designated he shall be entitled to receive compensation at the rate of \$5,000 per annum out of the appropriations for the construction of such memorial.

The SPEAKER pro tempore. Is there objection?

Mr. LONGWORTH. Reserving the right to object, Mr. Speaker, I would like to make a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LONGWORTH. Is it in order for the House on Calendar Wednesday to consider such matters to-day?

The SPEAKER pro tempore. In the view of the Chair, that this is presented under a request for unanimous consent on Calendar Wednesday before the call of the calendar is proceeded with, it would be in order.

Mr. LONGWORTH. I have no objection to the resolution, but I simply wanted to know the situation.

Mr. MANN of Illinois. Reserving the right to object, Mr. Speaker, will my colleague inform the House under what authority Mr. Graves was named as a member of the commission? I may be in error about it, but I was under the impression that it took a resolution of Congress to appoint a member of the commission.

Mr. CANNON. He was appointed by the President.

Mr. MANN of Illinois. I understand that.

Mr. CANNON. And confirmed. Senator Cullom was the first resident commissioner.

Mr. MANN of Illinois. He was appointed by resolution of Congress and so was Senator Blackburn.

Mr. CANNON. This is a joint resolution now to appoint as resident commissioner Mr. Graves.

Mr. MANN of Illinois. I have no objection to that, but I wanted to inquire under what authority the President had named a member of that commission.

Mr. CLARK of Missouri. If the gentleman from Illinois [Mr. CANNON] will yield to me half a minute, I will tell the gentle-

man. My own impression was, until yesterday afternoon, that the President did not have anything more to do with it than the man in the moon. But I hunted up the original act, and to my utter surprise it provides that the President is authorized to fill vacancies.

Mr. MANN of Illinois. That settles that. I have another suggestion which I wish to make to the two distinguished gentlemen who are members of the commission. It was recently announced that it was expected to dedicate the Lincoln Memorial, I think, next fall, when, undoubtedly, these two members of the commission will be here themselves. I think it would be a burning shame if the Lincoln Memorial should be dedicated when Congress is not in session. The project originated with Congress, was carried through and provided for by Congress, and yet it is proposed to dedicate that memorial, before it is finished, before the grounds are arranged, when Congress will be on vacation. I think we are entitled to be here as well as the members of the commission. [Applause.] I hope we will not make any appropriation to have that dedication occur at any time when Congress is not in session.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the joint resolution.

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

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

NAVAL APPROPRIATION BILL.

Mr. BUTLER rose.

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

Mr. BUTLER. With the consent of the House, this being Calendar Wednesday, by direction of the Committee on Naval Affairs I report herewith the bill (H. R. 13108) making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes, which I send to the desk. If I may be permitted further, I would say that we hope to take this bill up for consideration when the Army reorganization bill is passed.

The SPEAKER pro tempore. The gentleman from Pennsylvania reports the naval appropriation bill, which the Clerk will report.

The Clerk reported the title of the bill.

The SPEAKER pro tempore. Without objection, the bill, with the accompanying report, will be referred to the Committee of the Whole House on the state of the Union and ordered printed.

There was no objection.

Mr. PADGETT. Mr. Speaker, I reserve all points of order on the bill.

CALENDAR WEDNESDAY.

The SPEAKER pro tempore. To-day is Calendar Wednesday, and the Clerk will call the committees.

DECLARING LINCOLN'S BIRTHDAY A LEGAL HOLIDAY.

The Clerk called the Committee on the Judiciary.

Mr. VOLSTEAD. Mr. Speaker, I call up the bill H. R. 12724, to declare Lincoln's birthday a legal holiday.

The SPEAKER pro tempore. The gentleman from Minnesota calls up the bill H. R. 12724, which the Clerk will report.

The Clerk read as follows:

*Be it enacted, etc.,* That the 12th day of February in each year, being the anniversary of the birth of Abraham Lincoln, is hereby made a legal holiday within the District of Columbia, to be known as Lincoln's birthday, and in its observance and effect it shall be subject to all the provisions of law applicable to holidays within said District.

Mr. VOLSTEAD. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. HUSTED].

Mr. HUSTED. Mr. Speaker, of course no words can add to or detract from the glory of Abraham Lincoln. It is imperishably fixed not only in the public mind of America but of the whole world. I shall, therefore, not attempt to extoll him, but simply call attention to the fact that 26 States of the Union have made the anniversary of his birth a legal holiday, while it has received no Federal recognition. The purpose of the present bill is to give such recognition. It seems to me highly fitting that it should be so recognized, especially at this time when we are soon to dedicate the beautiful memorial in his honor which has been erected upon the banks of the Potomac. The bill in its application is confined to the District of Columbia and affects only the per diem employees of the Government stationed in Washington and also the employees of the navy yard, the Government Printing Office, and the Bureau of Printing and Engraving. A bill was introduced for this purpose by the gentleman from

# Congressional Record

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Marinus Jansma, Hospers.  
 Alva Humeston, Humeston.  
 Willard S. Branson, Irwin.  
 James E. Kelley, Le Mars.  
 Joseph M. Rosse, Lohrville.  
 Earle D. Lovell, Luverne.  
 Edward M. Carr, Manchester.  
 Miller S. McFarland, Marshalltown.  
 Albert J. Killmer, Mason City.  
 George J. Boitnott, Maxwell.  
 William D. Kennedy, Milton.  
 John E. Klutts, Mondamin.  
 Frederick W. Wodrich, jr., Mount Vernon.  
 Leon R. Valentine, Murray.  
 Lee E. Evans, Mystic.  
 Fred H. Moss, Osage.  
 Esther M. Olson, Pacific Junction.  
 Charles C. Incas, Pocahontas.  
 Frank J. Oehmke, Pomeroy.  
 William E. Murray, Rockwell.  
 Frances M. Purviance, Shannon City.  
 James M. Schollan, Sheffield.  
 Wynema Bower, State Center.  
 Gustavus Anderson, Stockport.  
 Frank E. Lundell, Stratford.  
 Charlie C. Clifton, Thompson.  
 Cora B. Alberty, Thornton.  
 Loin N. Barbour, Thurman.  
 Thompson C. Moffit, Tipton.  
 Charles L. Arbuckle, Villisca.  
 Cecil H. Hamilton, Wapello.  
 Jacob Wenger, Wayland.  
 Ora L. Garton, Weldon.

## MASSACHUSETTS.

Anna E. C. Barrett, Siasconset.

## NEW YORK.

James M. Kelly, Monticello.

## OHIO.

Henry W. Streb, Dover.  
 Fred D. Hart, Garrettsville.  
 Ethel D. Young, Linden Heights.  
 Robert E. Friel, Lore City.  
 Edwin H. Hayman, Murray.  
 Allan R. Trumbull, Swanton.  
 Asher O. Earley, Woodsfield.

## PENNSYLVANIA.

Herald H. Spaide, Ashland.  
 Rollo E. Shirey, Foxburg.  
 Laura M. Peacock, Houston.  
 Robert F. Turner, Lincoln University.

## WISCONSIN.

John Een, Amherst.  
 Edward H. Wilford, Baldwin.  
 Henry W. Radcliff, Balsam Lake.  
 Edwin T. Mattison, Blair.  
 Milton McDonald, Bloomer.  
 Emma L. Zernicke, Bonduel.  
 Soren B. Andersen, Butternut.  
 Wallace B. Telyea, Cambridge.  
 Clara J. Petermann, Cecil.  
 Julius Prenzlów, Clintonville.  
 Edward Porter, Cornell.  
 M. Joseph Heffron, Cudahy.  
 James E. O'Neill, Dodgeville.  
 Frederick C. Krueger, Dousman.  
 Charles F. West, Eau Claire.  
 Mark M. Sanderson, Ellsworth.  
 John W. Kane, Fredonia.  
 Neils Pederson, Galesville.  
 Charles H. Roser, Glidden.  
 Ophelia M. Crevier, Goodman.  
 Edwin J. Pynn, Hartland.  
 Johan G. A. Mollenhoff, Iron River.  
 Jeremiah J. Cunningham, Janesville.  
 Willard S. Hollister, Kendall.  
 James Gorman, Kenosha.  
 Arthur A. Kleimenhagen, Kilbourn.  
 Lewis G. Brown, Lake Geneva.  
 Erskine E. McCoy, Lancaster.  
 Galen Moore, Lone Rock.  
 Leo J. Evans, Marinette.  
 Philip B. Bartlett, Melrose.  
 Walter H. Smith, Mondovi.

Emery A. Odell, Monroe.  
 James H. Beirne, Oakfield.  
 Thomas J. Crowley, Pittsville.  
 Edward B. Shanks, Portage.  
 Charles L. Calkins, Rhinelander.  
 John Maegerlein, Sauk City.  
 Thomas McNulty, Spring Green.  
 Roy D. Larrien, Spring Valley.  
 Claud E. Burton, Strum.  
 William N. Coffland, Viroqua.  
 Harry J. Koltas, Waunakee.  
 James A. Corcoran, Webster.  
 Robert R. Porter, Wheeler.

## HOUSE OF REPRESENTATIVES.

MONDAY, March 22, 1920.

The House met at 12 o'clock noon.

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

We bless Thee, Almighty God our Heavenly Father, for the Christian religion and its holy ordinances. Especially do we thank Thee for the Christian Sunday—preeminently the Lord's Day—for its quiet and rest, and the peace it brings to the weary and heavy laden; for the opportunity it affords to the devout and worshipful soul; for the inspiration it brings to all, toward the higher and nobler life.

May the day that has gone prepare us for better work in the days that are to follow. Encourage every noble effort. Discourage every ignoble and selfish desire; that we may be in deed followers of the Lord Jesus Christ. Amen.

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

## NAVAL APPROPRIATION BILL.

Mr. BUTLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill (H. R. 13108).

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13108, the naval appropriation bill, with Mr. MANN of Illinois in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the naval bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 13108) making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes.

The CHAIRMAN. The Clerk will read the bill.

The Clerk read as follows:

## GENERAL EXPENSES.

The Secretary of the Navy shall send to Congress at the beginning of its next regular session a complete schedule or list showing the amount of money of all pay and for all allowances for each grade of officers in the Navy, including retired officers, and for all officers included in this act and for all enlisted men so included.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. Under this term of "general expenses" I want to call the attention of the Chairman and the members of the Committee of the Whole House on the state of the Union who are so patriotically assembled this morning for the purpose of considering that subject, to a fact that appears in yesterday's press to the effect that last month—February, 1920—in the various departments of this Government here, instead of reducing the unnecessary idle clerical force now existing in this city, that there were nearly a thousand additions to the service. To be exact, there were 2,573 separations from the service, while there were 3,362 new, green clerks employed and given a civil-service status, making an addition of 789 to the clerical force in one month, rather than a decrease. That is the most remarkable incident of governmental failure to economize of which I am able to conceive. It is generally understood and conceded by those who have investigated that there are about 40,000 useless, idle, unnecessary Government employees still here in Washington, and this exists notwithstanding the alleged attempt on the part of every committee to reduce them, because it is stated at the beginning of almost every bill that we have reduced expenditures and diminished the force, thus giving it out to the public that we have cut them loose and sent them home, when, as a matter of fact, almost each month the number of unnecessary employees here,



affairs we may very well consider the suggestion made by the gentleman from North Carolina [Mr. KITCHIN] as to whether or no we should now continue our great dreadnought plan, which will cost us, if carried out as now contemplated, in addition to the \$104,000,000 carried in this bill, something like \$365,000,000 additional.

Mr. KAHN. Will the gentleman yield?

Mr. MONDELL. If I have the time.

Mr. KAHN. I saw in the newspaper dispatches about two or three months ago an item from Tokyo to the effect that Japan was contemplating the building of eight superdreadnoughts of 40,000 tons each. Does the gentleman know anything about that?

Mr. MONDELL. Mr. Chairman, in the old days the "yellow peril" used to be waved and flaunted before us every time a naval bill was before us, but certainly that can not be done now with Japan's 4 dreadnoughts to our 17 and 10 building, and particularly at a time when Japan is having difficulty in getting the steel to build merchant ships. No; the time is past when the small navy of Japan can be used to urge an enlarged naval program here.

Mr. KITCHIN. Will the gentleman yield for a question? I agree with the gentleman in—

Mr. MONDELL. I have not the time.

Mr. KITCHIN. Does not the gentleman believe that we ought to reduce this \$104,000,000 given to these uncompleted dreadnoughts in the bill?

Mr. MONDELL. I think it is well to consider a reduction of it.

Mr. KITCHIN. If the gentleman will offer an amendment, and I think it ought to be offered, I believe he will find a large support in the House.

Mr. MONDELL. I am not personally sufficiently informed to be able to say that that sum carried in this bill is too much. I am of the opinion that we might well somewhat reduce it, but I realize the committee has gone into the matter much more thoroughly than I.

Mr. BUTLER. Mr. Chairman, I desire to offer a little bit of information, following up the statement made by the gentleman from Wyoming. According to the latest information we have from the department it is contemplated keeping in commission next year—if the gentleman from North Carolina will give me his attention, he is interested in this—it is contemplated keeping in commission next year many ships less than those originally estimated. I do not know whether I am violating any bit of confidence given me—I hope not, for I surely do not intend to do it—but I expect there will not be kept in full commission next year more than 17 great ships, 9 cruisers, 133 submarines, and 144 destroyers, with a corresponding number of smaller vessels—that is, in full commission; and that there will be in reduced commission—that is, with only 65 per cent of the full personnel—13 other big ships, 6 armored cruisers, 8 submarines in reserve, and 154 destroyers, with the remaining smaller vessels; and I think that this reduction in the number of ships to be kept in commission is due largely to the action of the Committee on Naval Affairs in reducing the personnel; because, if the new ships spoken of by the gentleman from Wyoming should be kept in commission, it would require almost every man we have provided for in this bill—in other words, 107,000 men at sea all the time. That is not contemplated.

Mr. KITCHIN. One minute. I would like to get some other information from the gentleman. The gentleman from Wyoming this morning said that the Committee on Naval Affairs and the Military Affairs Committee had, in reporting their bills, reduced the demands or estimates of appropriations from the departments about a billion dollars.

Mr. BUTLER. I intended coming to that, but I did not have the time; I did not say all I wanted to say.

Mr. KITCHIN. I desire to ask the gentleman another question. The Military Establishment asked for an Army of 504,000 men, and the bill passed the other day provided for 300,000 men, in round numbers. A difference, if you count \$1,200 to a man, of \$240,000,000, which was the so-called saving on the military bill. Now, in reference to the naval bill. Did not the Navy Department, after sending down its first estimate, go back and write to the gentleman's committee that it could cut the estimates at least \$100,000,000 from the former estimate?

Mr. BUTLER. Is the gentleman asking me a question?

Mr. KITCHIN. Yes.

Mr. BUTLER. I did not write this report. It was written by a much better man.

Mr. KITCHIN. I do not agree that it was written or could be written by a better man.

Mr. BUTLER. I only approved of it. I considered it absolutely fair. One of my colleagues who has worked hard on this bill, and I commend and thank him for the great work he has done in helping me and the rest of my colleagues, did write to the department—with reference to the views of the House as we understood them to be and our own views in particular—and asked whether the department could not further reduce its estimates, and the department did.

Mr. KITCHIN. Then the gentleman's committee, according to its report, reduced the estimates of the department \$133,000,000, in round numbers. This added to the Military Committee reduction of \$240,000,000 makes all together \$373,000,000, so the difference between the amount stated by the gentleman from Wyoming and the actual fact is about \$630,000,000.

I want to say this, that I congratulate the committee on reducing the naval appropriation bill, and I am for the reduction.

Mr. KELLEY of Michigan. After the heads of the bureaus had reduced the amount as indicated, the Secretary of the Navy sent supplemental estimates amounting to \$73,000,000 more, which we took off. We reduced the estimates of the Secretary by \$221,000,000.

Mr. BUTLER. We reduced it \$222,341,680.80, and of that amount, as I understand it, \$88,724,985 may be credited to the action of the department chiefs.

Mr. KITCHIN. I understood from your report, and I was just taking your report for it, that from the second estimates of the Navy Department you reduced in round numbers \$133,000,000.

Mr. BUTLER. I want to say to my friend from North Carolina that I listened to his colloquy with the gentleman from Wyoming, and if this House sees fit to take the spine out of the Navy, the House will be responsible. We have done the best we could, but I only want my friend to think of it. I believe at this time it would be an awful mistake.

Mr. KITCHIN. I am inclined to follow the gentleman from Pennsylvania and his committee in naval matters.

Mr. BUTLER. We have done the very best we knew how.

Mr. KITCHIN. I believe that in this and the last year's bill this committee, under the leadership of its chairman, the gentleman from Pennsylvania, has saved to the taxpayers of this country many tens of millions of dollars.

Mr. BUTLER. I believe in another year further reduction can be made, and I believe the reduction will run on.

Mr. KITCHIN. If the gentleman from Wyoming [Mr. MONDELL] should offer an amendment to reduce the appropriation of \$104,000,000 for the construction of these big dreadnoughts that have just about begun, and two that have not begun yet, I think it would be in the interest of economy and carry out the gentleman's economy program.

Mr. BUTLER. I think it would be wrong this year.

#### MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. GREENE of Vermont having taken the chair as Speaker pro tempore, a message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed a joint resolution and bill of the following titles:

On March 19, 1920:

H. J. Res. 194. Joint resolution amending joint resolution extending the time for payment of purchase money on homestead entries in the former Colville Indian Reservation, Wash.; and H. R. 9023. An act to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes.

#### NAVAL APPROPRIATION BILL.

The committee resumed its session.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last three words.

I trust that my very dear friend from Pennsylvania, the distinguished chairman of the committee, for whom I have great respect and also affectionate regard, will not consider that I was making any reference to him when I asserted that the table from which he is reading was altogether incorrect. It is true that Admiral Niblack did furnish a table in which, among other things, it was stated that nine big dreadnoughts were building for France. It is also true that later Admiral Niblack stated that four of those forms for the dreadnoughts, so far as they had got them started, were scrapped, torn down, and that there were only two left on the ways; that the building program that France was actually carrying on—and you will find this on page 846 of the hearings—"is six light cruisers, 4,500 tons displacement, and six destroyers of 2,000 tons displacement." That is the building program in France instead of

## CONVENTION FOR THE PROTECTION OF TRADE-MARKS

OCTOBER 24, 1919.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. NOLAN, from the Committee on Patents, submitted the following

### REPORT.

[To accompany H. R. 9023.]

The Committee on Patents, to which was referred H. R. 9023, a bill to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes, reports the bill to the House with a recommendation that the bill do pass.

Hearings were held on this measure on October 15, at which time there appeared before the committee Hon. James T. Newton, United States Commissioner of Patents; Mr. C. E. McGuire, assistant secretary general, International High Commission; Mr. Thomas P. Robinson, representing the American Patent Law Association; and Mr. Chauncey P. Carter, Washington, D. C., all urging the passage of this bill.

The purpose of this legislation is to give effect between the convention of the United States and the Central and South American States and Cuba for the protection of trade-marks. This convention was signed in Buenos Aires August 20, 1910, and ratified by the Senate February 8, 1911.

An international bureau which will act for the northern States of South America and for the United States has been established in Habana, pursuant to the convention, but is unable to deal with the United States in the absence of specific statute giving the requisite authority to the Commissioner of Patents. South American States which subscribed to the convention are awaiting action by Congress on the pending bill.

A statement from the Secretary of the Treasury, Hon. Carter Glass, concerning the convention and its purposes is herewith attached:

TREASURY DEPARTMENT,  
*Washington, October 14, 1919.*

MY DEAR MR. CHAIRMAN: I understand that the Committee on Patents is about to consider House bill 9023, permitting the Commissioner of Patents to open a register for marks transmitted by the International Trade-Mark Registration Bureau at Habana



as duly registered there. I trust that the committee will see its way clear to recommend the passage of this bill, which will enable the Commissioner of Patents to record in the appropriate way and with proper legal sanction the receipt of the official notice from Habana that marks there deposited have been given the full effect of the international convention.

The International Trade-Mark Registration Bureau has already begun actively to function, and we have every reason to believe that it will render genuine and substantial purpose to the manufacturers and exporters of the United States.

No hesitancy has been observed on our part in appropriating the quota of the United States toward the expense of the bureau in its initial year, and we ought not, therefore, to refrain from taking any other steps necessary to give full effect to the convention. In future years the bureau will be practically self-supporting and will be a source of satisfaction to all of those interested in closer commercial and financial relations between the American Republics.

I am, my dear Mr. Chairman,

Yours, sincerely,

CARTER GLASS, *Secretary.*

Hon. JOHN I. NOLAN,

*House of Representatives, Washington, D. C.*

The Committee on Patents reports the bill unanimously with a favorable recommendation for its passage.

This country will have failed to carry out its part of the convention unless this legislation is enacted.



## TRADE-MARK CONVENTION AT BUENOS AIRES.

FEBRUARY 21, 1920.—Ordered to be printed.

Mr. BRANDEGEE, from the Committee on Patents, submitted the following

### REPORT.

[To accompany H. R. 9023.]

The Committee on Patents, to whom was referred the bill (H. R. 9023) to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes, having considered the same, report favorably thereon with the recommendation that the bill do pass with amendments.

Page 1, line 4, before the word "all" insert "(a)."

At the end of section 1 add the following: "(b) All other marks not registerable under the act of February 20, 1905, as amended, but which have been in bona fide use for not less than two years in interstate or foreign commerce, or commerce with the Indian tribes by the proprietor thereof, upon or in connection with any goods of such proprietor upon which a fee of \$10 has been paid and such formalities as required by the Commissioner of Patents have been complied with."

Page 4, section 6, line 2, strike out "29" and insert in lieu thereof "28 (as to class (b) marks only)."

At the end of the bill add the following section:

That section 5 of the trade-mark act of February 20, 1905, being Thirty-third Statutes at Large, page 725, as amended by Thirty-fourth Statutes at Large, page 1251, Thirty-sixth Statutes at Large, page 918, Thirty-seventh Statutes at Large, page 649, is hereby amended by adding the following words thereto: "And if any person or corporation shall have so registered a mark upon the ground of said use for 10 years preceding February 20, 1905, as to certain articles or classes of articles to which said mark shall have been applied for said period, and shall have thereafter and subsequently extended his business so as to include other articles not manufactured by said applicant for 10 years next preceding February 20, 1905, nothing herein shall prevent the registration of said trade-mark in the additional classes to which said new additional articles manufactured by said person or corporation shall apply, after said trade-mark has been used on said articles in interstate or foreign commerce or with the Indian tribes for at least one year."



This bill has already passed the House and is identical with the bill S. 4889, Sixty-fifth Congress, which passed the Senate and was favorably reported in the House but failed of passage because of lack of time.

The reasons for the amendments are that recently H. R. 7157, to amend section 5 of the trade-mark act of February 20, 1905, was favorably, unanimously reported by the House Committee on Patents and at the hearing on it before the House committee, the chairman suggested that the entire bill might be added to H. R. 9023, which had passed the House and is herewith reported, and therefore the provisions of this bill are incorporated in the suggested amendments. At the same hearing before the House committee the Commissioner of Patents, in order to get protection for American citizens in foreign countries, other than those covered by H. R. 9023, suggested the provisions also incorporated in the amendment herein set out, as paragraph (b), to be added to section 1.

The committee therefore recommends that the bill be amended as above indicated and that as so amended it do pass.

This legislation has no effect on the domestic rights of anyone. It is simply for the purpose of enabling manufacturers to register their trade-marks in this country for the purpose of complying with legislation in foreign countries, which necessitates registration in the United States as a necessary preliminary for such foreign registration. As the law now stands, it enables trade-mark pirates in foreign countries to register as trade-marks, the names and marks of the American manufacturers, and thus levy blackmail upon them.





## PROTECTION OF TRADE-MARKS, ETC., BUENOS AIRES.

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MARCH 12, 1920.—Ordered to be printed.

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Mr. NOLAN, from the committee of conference, submitted the following

### CONFERENCE REPORT.

[To accompany H. R. 9023.]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9023) to give effect to certain provisions of the convention for the protection of trade-marks and commercial names made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

Amendment numbered 2:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by the Senate amendment insert the following:

*(b) All other marks not registerable under the act of February 20, 1905, as amended, except those specified in paragraphs (a) and (b) of section 5 of that act, but which have been in bona fide use for not less than one year in interstate or foreign commerce, or commerce with the Indian tribes by the proprietor thereof, upon or in connection with any goods of such proprietor upon which a fee of \$10 has been paid to the Commissioner of Patents and such formalities as required by the said Commissioner have been complied with: Provided, That trade-marks which are identical with a known trade-mark owned and used in interstate and foreign commerce, or commerce with the Indian tribes by another and appropriated to merchandise of the same descriptive properties as to be likely to cause confusion or mistake in the mind of the public or to deceive purchasers, shall not be placed on this register.*

And the Senate agree to the same.



Amendment numbered 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by the Senate amendment insert the following: 28 (*as to class (b) marks only*); and on page 4, line 6 of the engrossed bill, after "Act" insert: *of a mark falling within class (a) of section 1*; also on page 4, line 19, of the engrossed bill, after "date," insert: *and the provisions of section 2 of the act entitled "An act to amend the laws of the United States relating to the registration of trademarks," approved May 4, 1906*; and the Senate agree to the same.

Amendment numbered 4:

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows:

In lieu of the matter proposed by the Senate amendment insert the following:

*Sec. 9. That section 5 of the Trade-Mark Act of February 20, 1905, being Thirty-third Statutes at Large, page 725, as amended by Thirty-fourth Statutes at Large, page 1251, Thirty-sixth Statutes at Large, page 918, Thirty-seventh Statutes at Large, page 649, is hereby amended by adding the following words thereto: "And if any person or corporation shall have so registered a mark upon the ground of said use for ten years preceding February 20, 1905, as to certain articles or classes of articles to which said mark shall have been applied for said period, and shall have thereafter and subsequently extended his business so as to include other articles not manufactured by said applicant for ten years next preceding February 20, 1905, nothing herein shall prevent the registration of said trade-mark in the additional classes to which said new additional articles manufactured by said person or corporation shall apply, after said trade-mark has been used on said article in interstate or foreign commerce or with the Indian tribes for at least one year provided another person or corporation has not adopted and used previously to its adoption and use by the proposed registrant, and for more than one year such trade-mark or one so similar as to be likely to deceive in such additional class or classes."*

And the Senate agree to the same.

JOHN I. NOLAN,  
FLORIAN LAMPERT,  
GUY E. CAMPBELL,

*Managers on the part of the House.*

W. F. KIRBY,  
FRANK B. BRANDEGEE,  
G. W. NORRIS,

*Managers on the part of the Senate.*



STATEMENT OF THE HOUSE MANAGERS.

The conferees on the part of the House on the disagreeing votes of the two Houses on H. R. 9023, a bill to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes, having met, submit herewith a statement of the action of your conferees.

Amendments Nos. 1 and 3 are clerical changes which subdivide into paragraphs section 1 of this bill and the House recedes.

Amendment No. 2. The House recedes from its disagreement to same and agrees to same with an amendment which provides that the \$10 fee shall be paid to the Commissioner of Patents and adds a proviso to this section to protect trade-marks that have already been in use and not entitled to registration.

The House conferees recede from their disagreement to amendment 4 and agree to same with the proviso to protect trade-marks already in use and not subject to registration under the old law.

JOHN I. NOLAN,  
FLORIAN LAMPERT,  
GUY E. CAMPBELL,

*Managers on the part of the House.*



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P295P

# PROTECTION OF TRADE-MARKS

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## HEARINGS

HELD BEFORE THE

## COMMITTEE ON PATENTS

HOUSE OF REPRESENTATIVES

SIXTY-SIXTH CONGRESS

FIRST SESSION

ON

H. R. 9023

THE LIBRARY

OF THE

UNIVERSITY OF ILLINOIS

JUN 14 1940

A BILL TO GIVE EFFECT TO CERTAIN PROVISIONS OF THE  
CONVENTION FOR THE PROTECTION OF TRADE-MARKS AND  
COMMERCIAL NAMES, MADE AND SIGNED IN THE CITY OF  
BUENOS AIRES, IN THE ARGENTINE REPUBLIC, AUGUST 20,  
1910, AND FOR OTHER PURPOSES

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### COMMITTEE ON PATENTS

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LOREN E. WHEELER, Illinois.

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JOHN B. JOHNSTON, New York.

JOHN J. BABKA, Ohio.

EWING L. DAVIS, Tennessee.

JOHN McDUFFIE, Alabama.

T. C. GLYNN, *Clerk*.

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OCTOBER 15, 1919



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## PROTECTION OF TRADE-MARKS.

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COMMITTEE ON PATENTS  
HOUSE OF REPRESENTATIVES.  
Wednesday, October 15, 1919.

The committee met at 10.30 o'clock a. m., Hon. John I. Nolan (chairman) presiding.

The CHAIRMAN. The committee has been called together this morning to consider H. R. 9023, a bill to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes.

I received a communication some time ago from the Commissioner of Patents in reference to this bill, and, at his request, introduced it. The Treasury Department and State Department are very much interested in it, and I am going to ask to have incorporated in the hearing a communication I received from the Secretary of the Treasury, addressed to me as chairman of the committee. He says:

THE LIBRARY  
OF THE  
UNIVERSITY OF ILLINOIS  
TREASURY DEPARTMENT,  
Washington, October 14, 1919.

MY DEAR MR. CHAIRMAN: I understand that the Committee on Patents is about to consider House bill 9023, permitting the Commissioner of Patents to open a register for marks transmitted by the International Trade-Mark Registration Bureau at Habana as duly registered there. I trust that the committee will see its way clear to recommend the passage of this bill, which will enable the Commissioner of Patents to record in the appropriate way and with proper legal sanction, the receipt of the official notice from Habana that marks there deposited have been given the full effect of the international convention.

The International Trade-mark Registration Bureau has already begun actively to function, and we have every reason to believe that it will render genuine and substantial purpose to the manufacturers and exporters of the United States.

No hesitancy has been observed on our part in appropriating the quota of the United States toward the expense of the bureau in its initial year, and we ought not, therefore, to refrain from taking any other steps necessary to give full effect to the convention. In future years the bureau will be practically self-supporting and will be a source of satisfaction to all of those interested in closer commercial and financial relations between the American Republics.

I am, my dear Mr. Chairman,  
Yours, sincerely,

CARTER GLASS, Secretary.

Hon. JOHN I. NOLAN,  
House of Representatives, Washington, D. C.

Now, Mr. Newton, do you desire to open the hearing?

### STATEMENT OF HON. JAMES T. NEWTON, UNITED STATES COMMISSIONER OF PATENTS.

Mr. NEWTON. I would like to give the committee a copy of that convention we are operating under, or propose to operate under. You will find it on pages 979 and 980, volume 163, Patent Office Official Gazette.



The CHAIRMAN. Is there any objection on the part of the committee to having the convention incorporated as part of the hearings? If there is no objection the commissioner will incorporate that as part of his statement.

(The convention is as follows:)

#### CONVENTION.

##### PROTECTION OF TRADE-MARKS.

Their Excellencies the Presidents of the United States of America, the Argentine Republic, Brazil, Chili, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Salvador, Uruguay, and Venezuela:

Being desirous that their respective countries may be represented at the Fourth International American Conference, have sent thereto the following delegates, duly authorized to approve the recommendations, resolutions, conventions, and treaties which they might deem advantageous to the interest of America:

*United States of America:* Henry White, Enoch H. Crowder, Lewis Nixon, John Bassett Moore, Bernard Moses, Lamar C. Quintero, Paul Samuel Reinsch, David Kinley.

*Argentine Republic:* Antonio Bernejo, Eduardo L. Bidau, Manuel A. Monte de Oca, Epifanio Portela, Carlos Rodríguez Larreta, Carlos Salas, José A. Terry, Estanislao S. Zeballos.

*United States of Brazil:* Joaquim Murtinho, Domicio da Gama, José L. Almeida Nogueira, Olavo Bilac, Gastão da Cunha, Herculano de Freitas.

*Republic of Chili:* Miguel Cruchaga Tocornal, Emilio Bello Codecido, Aníbal Cruz Díaz, Beltrán Mathieu.

*Republic of Colombia:* Roberto Anczar.

*Republic of Costa Rica:* Alfredo Volio.

*Republic of Cuba:* Carlos García Vélez, Rafael Montoro y Valdés, Gonzalo de Quesada y Aróstegui, Antonio Gonzalo Pérez, José M. Carbonell.

*Dominican Republic:* Américo Lugo.

*Republic of Ecuador:* Alejandro Cárdenas.

*Republic of Guatemala:* Luis Toledo Herrarte, Manuel Arroyo, Mario Estrada.

*Republic of Haiti:* Constantin Fouchard.

*Republic of Honduras:* Luis Lazo Arriaga.

*Mexican United States:* Victoriano Salado Alvarez, Luis Pérez Verdía, Antonio Ramos Pedrueza, Roberto A. Esteva Ruiz.

*Republic of Nicaragua:* Manuel Pérez Alonso.

*Republic of Panama:* Belisario Porras.

*Republic of Paraguay:* Teodosio González, José P. Montero.

*Republic of Peru:* Eugenio Larrabure y Unánue, Carlos Alvarez Calderón, José Antonio de Lavelle y Pardo.

*Republic of Salvador:* Federico Mejía, Francisco Martínez Suárez.

*Republic of Uruguay:* Gonzalo Ramírez, Carlos M. de Pena, Antonio Rodríguez, Juan José Amézaga.

*United States of Venezuela:* Manuel Díaz Rodríguez, César Zumeta.

Who, after having presented their credentials and the same having been found in due and proper form, have agreed upon the following Convention for the Protection of Trade-Marks.

ARTICLE I. The signatory nations enter into this convention for the protection of trade-marks and commercial names.

ART. II. Any mark duly registered in one of the signatory States shall be considered as registered also in the other States of the union, without prejudice to the rights of third persons and to the provisions of the laws of each State governing the same.

In order to enjoy the benefit of the foregoing, the manufacturer or merchant interested in the registry of the mark must pay, in addition to the fees and charges fixed by the laws of the State in which application for registration is first made, the sum of fifty dollars gold, which sum shall cover all the expenses of both bureaux for the international registration in all the signatory States.

