

## SENATE.

WEDNESDAY, August 1, 1917.

(Legislative day of Tuesday, July 31, 1917.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

## NATION-WIDE PROHIBITION.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 17) proposing an amendment to the Constitution of the United States.

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

The PRESIDENT pro tempore. The absence of a quorum being suggested, the Secretary will call the roll.

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

Ashurst	Johnson, Cal.	New	Simmons
Beckham	Jones, N. Mex.	Norris	Smith, Ga.
Brady	Jones, Wash.	Overman	Smith, S. C.
Calder	Kellogg	Page	Smoot
Callerson	Kendrick	Pheasant	Sterling
Cummins	Kenyon	Pittman	Stone
Curtis	King	Poindexter	Thompson
Fernald	Kirby	Pomerene	Trammell
Fletcher	La Follette	Ransdell	Underwood
Frelinghuysen	Lodge	Reed	Vardaman
Gerry	McCumber	Robinson	Walsh
Gore	McNary	Saulsbury	Watson
Gronna	Martha	Shafroth	Williams
Hale	Myers	Sheppard	
James	Nelson	Sherman	

Mr. PAGE. I will state that my colleague [Mr. DILLINGHAM] is necessarily absent from the Senate. He is paired with the senior Senator from Maryland [Mr. SMITH].

Mr. FRELINGHUYSEN. I wish to announce the absence of my colleague [Mr. HUGHES], owing to illness.

Mr. KING. I desire to announce that the senior Senator from Oregon [Mr. CHAMBERLAIN] is detained on official business.

Mr. GERRY. I desire to announce that the Senator from Illinois [Mr. LEWIS] is detained on official business.

The PRESIDENT pro tempore. Fifty-eight Senators having answered to their names, there is a quorum present.

Mr. CALDER. Mr. President, the amendment of the Constitution of the United States is a matter that should be given the most careful consideration. The makers of this instrument, in providing how it should be changed, sought to place around it every possible safeguard.

When the Constitution was framed we had but 13 States, and the approval of 9 was required to change it. To-day we have 48 States, and the consent of 36 of them is needed.

The men who framed the Constitution had no conception that a number of States representing a minority of the people of the country might at some time determine whether the fundamental law of the land should be changed. Yet that condition exists to-day.

As the Senator from Alabama [Mr. UNDERWOOD] indicated in his remarks last Monday, there are 12 States in this country whose total population exceeds by 9,000,000 that of the other 36; it is also true that there are 18 States in the Union—namely, Nevada, Wyoming, Idaho, Arizona, Montana, New Mexico, Utah, New Hampshire, Vermont, Rhode Island, North Dakota, South Dakota, Oregon, Delaware, Maine, Florida, Colorado, and Connecticut—with a total population less than that of New York, yet with eighteen times its influence in the final determination of this question.

Congress recently enacted a law, known as the Webb-Kenyon Act, which prevents the shipment of liquor of any description into so-called "dry" territory. I voted for this measure, and also voted to override the President's veto of it, because I believed that every State should be protected in the enforcement of its laws affecting its own people. During the last session Congress also enacted the so-called Reed amendment forbidding the distribution in "dry" States of publications containing liquor advertisements.

These two measures make certain that where the people of any community desire to have prohibition it can be obtained and successfully enforced.

In my own State, at the recent session of the legislature, a bill was passed providing for local option on this question. The people of any section of New York State therefore can at any time provide that no liquor shall be sold in their respective communities; and it is possible at any time for the legislature of the State of New York to submit to the people of that State an amendment to its constitution, State wide in its effect, prohibiting the manufacture and sale of liquor. This can be done without reference to national legislation, and, Mr. President, it is a simple thing for the people of New York and, for that mat-

ter, of every State in the Union, to have just such legislation whenever they wish it.

The food-control bill now in conference, which will in all probability be enacted into law within a few days, carries a provision prohibiting the manufacture and sale of whisky during the period of the war. This, in my judgment, marks the end of the whisky business in the United States. I voted for this provision in the food measure and shall be glad to vote for a substitute for the pending amendment prohibiting the manufacture and sale of whisky but permitting beer and light wines.

Whisky is the curse that we must be rid of. Whisky is the wrecker of homes, the demoralizer of men's minds, and I shall vote whenever the opportunity offers to prevent its manufacture and sale.

Mr. President, I am convinced that no representative of the State of New York in either House of Congress should lightly vote for an amendment to the Constitution, for, once the measure has passed here and been referred to the several States for ratification, the influence of New York in the final determination of the subject is no greater than that of the smallest State in the Union.

During my service in this body I shall hesitate before voting for any amendment to the Constitution unless I feel certain that there is an overwhelming demand for it on the part of the people of my State.

This amendment is of far-reaching importance. It affects the habits and the customs of the people. Forty per cent, or over 2,400,000, of those residing in the city of New York are of foreign birth; 78 per cent are of foreign birth or of foreign or mixed parentage. Only 22 per cent of the total of six million odd people of that city were born here of native parents. That same proportion will hold good in nearly every large city in the country.

These people have fixed customs. It is the habit of the great bulk of them, occasionally and moderately, to partake of beer and light wines.

Now, while we are engaged in a great war, to take that from them would, I very much fear, bring serious dissatisfaction and distrust of the good intentions of the Government. A great proportion of our people regard it as a necessity, a part of their everyday life.

Mr. President, we are working out many problems in these days to which all of us must give our very best thought. I am thinking of the contentment of our people. Its importance can not be overestimated. We are organizing and working the great industries and resources of this country so as to produce the greatest and best results. To do that it is all imperative that we have the whole-hearted and enthusiastic help and cooperation of every individual. Will it help, or will it harm, to say to the average man that he shall not have something to which he has long been accustomed, and causes no appreciable if any detriment to his physical well-being? Shall we deny to him something which he honestly believes to be a necessity? Is this going to produce more of all the things we need to prosecute vigorously the pending war? Or will it lessen the interest of our workman in the product of his toil and his contentment, confidence, and trust in his Government?

I shall vote against the pending amendment. The reasons I have just stated and the ease with which the respective States can pass upon it for their own people, as an evidence of which fact I believe 24 States have already done so, brings me to the conclusion that in justice to the 11,000,000 people I have the honor to represent here I can take no other course than to vote against the amendment as presented by the Senator from Texas.

Mr. PENROSE. Mr. President, I have been tied up for the last two months with my duties as a member of the Finance Committee in the consideration of the revenue bill, and I have had little opportunity to participate in the deliberations on the floor of the Senate. I desire, however, during a brief adjournment of the committee to say a few words on the pending resolution.

I shall vote against the resolution, Mr. President, regardless of the merits or demerits of the proposition contained therein. In my opinion the resolution constitutes a radical, revolutionary departure from the fundamental principles of the American Government.

Serious doubt may be expressed whether any amendment to the Constitution may properly be placed in that instrument which, without the consent of all the States, would deprive any one of them of one or more of the several reserved powers. It was agreed on all sides when the Constitution was adopted that it required unanimous consent of the States, since the States were surrendering powers to the Federal Government, and it will be recalled that until North Carolina finally agreed to the Constitution that State was considered not a part of the Union, and

Congress passed a tariff act in 1789 under which goods coming into the Union from North Carolina were subject to duty; and Congress passed an act exempting North Carolina from the tariff law so soon as North Carolina consented to the Constitution.

If it required the unanimous consent of the States in 1789 to secure the agreement of each to the surrender of its powers delegated to the Federal Government, how can rights of States, such as Pennsylvania, New York, and North Carolina, not unanimously delegated in 1789, and still reserved in the States, be taken from them by mere amendment of the Constitution?

The police power is the most vital of all the reserved powers in the States, but under this proposed amendment certain States in the Union which did not, in 1789, and in all likelihood now, could never be made to surrender the police power to the Federal Government, will find a large part of that power wrenched from them, not only without their consent but in defiance of their wishes. Concede that the only presently important limitation on amendment in Article V of the Constitution provides that no State shall be deprived of its equal representation in the Senate without its consent, this specified limitation on the power of amendment in no way concludes the proposition that States can be deprived of their reserved powers without their consent. On the contrary, it suggests that the framers of the Constitution conceived no amendments as being possible or pertinent except those within the field covered by the original instrument itself, such as those relating to the structure of the Federal Government itself, the treatment of citizens of the United States by the State governments, the relation of the Federal Government to the sovereign States of the Union, and the coordination of the legislative, executive, and judicial departments of the Federal Government. An amendment relating to the representation of the States in the Senate would have fallen within this field, and the States safeguarded this possibility by putting it beyond the reach of amendment.

No historian or student of this Government will agree that, had the thirteen original States conceived that immediately upon the adoption of the Constitution their reserved powers could have been amended out of their possession, the thirteen States would have unanimously assented to the Constitution and made it their contract and charter of Union. If that be the fact, it is as sound law to-day as it was in 1789 that the power to amend is not the power to deprive a State of its reserved powers, including the police power or any part thereof. Such privation of a State can in reason and theory be accomplished only by its assent.

Some of the advocates of this amendment contend that it should have no time limit for ratification by three-fourths of the States. This contention is based on the assumption that a State may reverse its action after having refused to ratify, but once having ratified an amendment it can not change its action. This is supported by the action of Congress in 1868 in declaring that the fourteenth amendment had been ratified by three-fourths of the States, though New Jersey, Ohio, and Oregon declared by resolutions of their legislatures that they withdrew their assent.

If that one example sustains the theory that a State may not withdraw its assent to a constitutional amendment, we still have a constitutional amendment pending before the State legislatures. In 1810 Congress submitted to the States an amendment declaring:

If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honor, or shall, without the consent of Congress, accept and retain any present, pension, office, or emolument of any kind whatever from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States and shall be incapable of holding any office of trust or profit under them or either of them.

This amendment was ratified by 12 States and by the Senate of the South Carolina Legislature. It was assumed that the House of Representatives of South Carolina would vote for ratification, and the amendment was printed as the thirteenth amendment to the Federal Constitution. The South Carolina House of Representatives failed, however, to give an affirmative vote, and the amendment was supported or ratified by only 12 States, one less than the required three-fourths.

If it is the contention that a State once having voted to ratify an amendment can not withdraw its assent, this old amendment submitted by Congress in 1810 must be still pending.

Mr. President, in my opinion, when the people of the different States of the Union come to consider the radical blow which the sovereign rights of the States sustain in the proposition embodied in this joint resolution, it will not be ratified by the necessary three-fourths of the State legislatures.

In the limited time permitted me, Mr. President, I can only refer to the gross inequality which exists in the method by which an amendment to the Constitution is ratified. By referring this

joint resolution to the State legislatures it is possible that it should be ratified by 36 States, with 46,000,000 population, against the wishes of 12 States, with 56,000,000 population, thus subjecting the country to the rule of the minority.

Mr. President, we live in an era preeminently of popular government and popular rule; and how long will a great Nation of over 100,000,000 people tolerate a radical legislative act like this, forced upon them by 36 States, representing 46,000,000 population, as against 12 States representing 10,000,000 more, or 56,000,000 population?

The proposition is intrinsically and radically vicious and intolerable. Legislation of this character, in my opinion, ought to be preeminently and primarily of strictly State concern. There are many States now having prohibition laws where the people acquiesce in them more or less willingly; but if those laws had been handed to them by a mandate from a central authority in Washington, the result in many cases would have been resentment and revolution.

The only practical way to establish prohibition or any other police proposition over an area of country is through the agencies of the States. Otherwise it would take an American army to enforce it.

Criticism has been made that it is impossible to enforce prohibition in a State on account of the fact that liquor is brought into the State from outside. That condition, Mr. President, is being gradually corrected.

The last legislation, which seemed to be quite effective, was the so-called Reed bone-dry amendment. I will vote cheerfully, Mr. President, in the Senate to help in every way to secure the passage of laws calculated to protect prohibition States, and to maintain the prohibition status intact in those States; but I do urge that in other States the question should be left to the people to determine for themselves.

Our country, Mr. President, is vast in area and great in population. In the years to come its growth will almost transcend the imagination.

It, in my opinion, will be inevitable that our system of government will break down if we continue the course which has been followed during the last few years of centralizing everything in the Congress of the United States here in Washington. I believe that the doctrine of State rights, which was once so vigorously maintained by great men in this Senate, and concerning which a great civil war was fought, is more important to-day than at any other time in the history of the country, in view of our tremendous growth of population and resources and wealth and diversified interests.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The time of the Senator from Pennsylvania has expired.

Mr. PENROSE. I will ask, Mr. President, in view of the fact that my time is limited, for permission to insert some extracts from Thomas Jefferson, from Mr. Hughes, and others as a part of my remarks.

The PRESIDING OFFICER. Without objection, leave will be granted. The Chair hears none, and it is so ordered.

The matter referred to is as follows:

It is not enough that honest men are appointed judges. All know the influence of interest on the mind of man and how unconsciously his judgment is warped by that influence. To this bias add that of the esprit de corps, of their peculiar maxim and creed that "it is the office of a good judge to enlarge his jurisdiction" and the absence of responsibility, and how can we expect impartial decision between the General Government of which they are themselves so eminent a part, and an individual State, from which they have nothing to hope or fear? We have seen, too, that, contrary to all correct example, they are in the habit of going out of the question before them to throw an anchor ahead and grapple further hold for future advances of power. They are then, in fact, the corps of sappers and miners, steadily working to undermine the independent rights of the States, and to consolidate all power in the hands of that Government in which they have so important a freehold estate. But it is not by the consolidation or concentration of powers, but by their distribution that good government is effected. Were not this great country already divided into States, that division must be made that each might do for itself what concerns itself directly, and what it can do so much better than a distant authority. Every State again is divided into counties, each to take care of what lies within its local bounds, each county again into townships or wards to manage minute details, and every ward into farms to be governed by its individual proprietor. Were we directed from Washington when to sow and when to reap, we should soon want bread.

It is by this partition of cares, descending in gradation from general to particular, that the mass of human affairs may be best managed for the good and prosperity of all. (From Jefferson's Autobiography.)

But in the face of the difficulties already upon us, and destined to increase in number and gravity, we remain convinced of the necessity of autonomous local governments. An over-centralized government would break down of its own weight. It is almost impossible even now for Congress in well-nigh continuous session to keep up with its duties, and we can readily imagine what the future may have in store in legislative concerns. If there were centered in Washington a single source of authority from which proceeded all the governmental forces of the country—created and subject to change at will—upon whose permission all legislative and administrative action dependent throughout the

length and breadth of the land, I think we should swiftly demand and set up a different system. If we did not have States we should speedily have to create them. We now have them, with the advantages of historic background, and in meeting the serious questions of local administration we at least have the advantage of ineradicable sentiment and cherished traditions. And we may well congratulate ourselves that the circumstances of the formation of a more perfect Union has given us neither a confederation of States nor a single centralized Government but a Nation, and yet a Union of States each autonomous in its local concerns. To preserve the essential elements of this system without permitting necessary local autonomy to be destroyed by the unwarranted assertion of Federal power, and without allowing State action to throw out of gear the requisite machinery for unity of control in national concerns demands the most intelligent appreciation of all the facts of our interrelated affairs and far more careful efforts in cooperation than we have hitherto put forth (From address of Charles E. Hughes before the New York State Bar Association, January 14, 1916.)

If the day should ever arrive (which God forbid) when the people of the different parts of our country shall allow their local affairs to be administered by prefects from Washington, and when the self-government of the States shall have been so far lost as that of departments of France, or even so far as that of the counties of England, on that day the progressive political career of the American people will have come to an end, and the hopes that have been built upon it for future happiness and prosperity of mankind will be wrecked forever. (From Prof. John Fiske's Crucial Period of American History.)

[From the New York Sun, Tuesday, Feb. 17, 1914.]

IS THERE A LIMIT TO CONSTITUTIONAL AMENDMENT?—CAN ONE STATE'S RESERVED RIGHTS BE TAKEN AWAY BY THE VOTE OF OTHER STATES?

TO THE EDITOR OF THE SUN:

SIR: The frequency with which the suggestion is made that the Constitution of the United States shall be amended to authorize the Federal Government to exercise powers that may be exercised by the States, but which at least some of them do not choose to exercise, suggests the question whether there lies in the States collectively a right to limit the reserved rights of any of the parties to the compact whose concrete expression is the American Union; whether there are no such exercises of authority as a dispassionate judge would pronounce *ultra vires*.

It is a fundamental principle of association that charters confer equitable authority to bind with respect only to such matters as are contemplated in their formation; and this restriction is not based on an expressed self-limitation in the documents themselves, but on obvious principles of justice. Yet, while this statement will be generally accepted without question, that charter by which the American Colonies bound themselves originally is, in practice at least, assumed to be an exception to the operation of the principle. Whether it is or not it might be presumptuous to say, but, at any rate, the question is a debatable one whether the thirteen original States entered into the compact with the understanding that their subscription to the Constitution implied that their sovereignty in their reserved rights was thereafter not to be absolute, but contingent on the will of a stated majority to the compact. Due consideration of the circumstances under which the compact was made, as well as of the agreement itself, can, I think, admit of but one conclusion—that they did not; and if this conclusion be valid it follows that, though there is in the Constitution of the United States itself no express limitation of the power to amend, there is in the case of that agreement a natural and necessary limitation in that respect, as well as of the right of legislation by the Federal Government, if any distinction between State and Nation is to be recognized.

Recognizing this distinction, however, one need not be a Marshall to perceive that amendments such as those depriving the States of control over their electorates or compelling them to adopt a prohibition measure are an abuse of the amending power and a violation of the spirit if not of the letter of the Constitution. If the State of Maine, for instance, deems it expedient to prohibit the manufacture and sale of intoxicants within its territory, or the State of Colorado deems it expedient to confer the franchise upon women, they have not been debarred from the exercise of those rights by those States which, like New York, have preferred to adopt a different policy. If three-fourths of the States of the Union wish to adopt the policy of prohibition or universal suffrage they have the unquestioned right to do so within their respective jurisdictions. But if, not satisfied with that, they have the additional right of compelling the minority of "sovereign" States, however much they may be opposed to such a course, however great a hardship it might impose on them, to adopt it also, it is obviously absurd to regard this as a Union of independent Commonwealths that for the purposes of that Union agreed to surrender certain sovereign rights, retaining the rest; there is in principle but one sovereign authority, the Federal authority, of which the States are but administrative subdivisions, because by the process of unlimited amendment all reserved rights may be absorbed in time by the Central Government.

The subject is so profound that one can do no more than advert to it in the compass of a newspaper communication; but if it does not receive greater consideration from layman and legislator alike than it has hitherto commanded, resulting in a more intelligent comprehension by the average man of the character and purpose of the Union, this Government will tend to become what Samuel J. Tilden feared, "Not only the most oppressive but also the most corrupt with which any people has been cursed."

NEW YORK, February 16.

F. J. DUNDON.

DANGER FOR GOVERNMENT LURKS BEHIND NATIONAL PROHIBITION, WILLIAM HOWARD TAFT SAYS.

BOSTON, MASS., 1914.

National prohibition is a dangerous proposition, said former President William H. Taft, speaking before the Bar Association of Boston at its seventeenth triennial banquet.

It would revolutionize the National Government. It would put on the shoulders of the Government the duty of sweeping the doorsteps of every home in the land. If national prohibition legislation is passed, local government would be destroyed. And if you destroy local government, you destroy one of the things which go to make for a healthy condition of the National Government.

National prohibition is nonenforceable; it is a confession on the part of State governments of inability to control and regulate their own especial business and duty; if the matter were placed under

Federal control, it would result in creation of a machinery of Government officials large enough to nominate any President, and would offer too great an opportunity to persons seeking to perpetuate their power in Washington.

[From the New York World, Saturday, May 9, 1914.]  
DEMOCRATS AND PROHIBITION.

It ought not to be very difficult for a Democratic Congressman who believes in the fundamental principles of the Democratic Party to make up his mind how to vote on the Hobson resolution submitting a prohibition amendment to the Federal Constitution.

A Democrat can believe in local option or county option, or even in State-wide prohibition, as a measure of moral expediency; but he can not believe in a national prohibition law based on a national prohibition amendment.

That same principle applies to the suffrage question, too. Ever since there was a Democratic Party Democrats have relegated such issues to the States, and maintained the sovereignty of the States in ordering their own domestic affairs and in establishing the qualifications for voting.

Every State has power to enact a prohibition law for the control of its own people. Every State has power to admit women to the suffrage. That is enough.

Many Democratic States have prohibition laws. Some of the States in which women vote are Democratic; but if prohibition and suffrage are to be recognized as pertinent national issues, the States might as well be dismantled first as last and all powers of government centralized in Washington.

[From annual report of the American Historical Association for 1896.]

The provisions of the Constitution forbidding any person holding office under the United States Government without the consent of Congress, from accepting any present or title from any king, prince, or foreign State did not seem sufficiently stringent to some of the State conventions. The ratifying conventions of Massachusetts, New Hampshire, New York, and later, Rhode Island proposed amendments either forbidding Congress from ever granting its consent, or, for the accomplishment of the same end, proposed eliminating the clause "without the consent of Congress." A similar change was proposed in the Senate and twice in the House of the First Congress during the discussion of the subject of amending the Constitution, but failed to meet the approval of either branch. No further amendments on this subject were presented until 1810. Early in that year Senator Reed, of Maryland, introduced an amendment relative to the acceptance of titles of nobility by American citizens.

The resolutions were referred to a select committee of three, and twice afterwards recommended to a larger committee, who finally reported them in a modified form. Several amendments were presented during the debate, one of which was accepted. It was in these words:

"If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honor, or shall, without the consent of Congress, accept and retain any present, pension, office, or emolument of any kind whatever from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States and shall be incapable of holding any office of trust or profit under them or either of them."

Thus amended, the article passed the Senate by a vote of 19 yeas to 5 nays. The amendment was immediately considered in the House, and passed by that body on the 1st day of May, only three yeas being cast against it.

Unfortunately, the Annals of Congress and contemporary newspapers do not give any of the debate upon this interesting proposition. The only light thrown upon the subject by the Annals is the remark of Mr. Macon, who said "he considered the vote on this question as deciding whether or not we were to have members of the Legion of Honor in this country." What event connected with our diplomatic or political history suggested the need of such an amendment is not now apparent.

Possibly there was no particular event which suggested it, but it probably was only another means of expressing that animosity against foreigners and everything foreign which manifested itself in various ways in the trying period just previous to the war of 1812. That the amendment was in the line of popular sentiment may be inferred, otherwise we can not account for the nearly unanimous vote it received in Congress and the favorable reception it met with from the States.

The amendment lacked only the vote of one State of being adopted. It received the ratification of 12 States, and was passed by the Senate of South Carolina. It was generally supposed that the amendment had been concurred in by the requisite majority of the States. In the official edition of the Constitution of the United States, prepared for the use of the Members of the House of Representatives of the Fifteenth Congress, the article appears as the thirteenth amendment to the Constitution. This led to a resolution of inquiry, as a result of which it was discovered that the House of Representatives of South Carolina had not confirmed the action of the senate, and so the amendment had not been adopted. However, the general public continued to think that this amendment had been adopted, and this misconception was perpetuated for over a third of a century in editions of the Constitution and school histories.

WHAT CONSTITUTES THREE-FOURTHS OF THE STATES?

This question first seriously arose at the time the proposition which afterwards was adopted as the thirteenth amendment was before Congress. At that time, several of the States being in rebellion against the Government, they were without representation in Congress. It was held by some that such States should not be counted as included in the Union. Thus we find amendments presented with the following enacting clause: "Be it resolved . . . That upon the ratification of this amendment by three-fourths of the States represented in Congress it shall become valid to all intents and purposes as part of the Constitution."

The question was undecided when the thirteenth amendment was sent to the States. When the legislatures of 27 States had ratified this amendment, which was exactly three-fourths of all the States in the Union, the Secretary of State issued a proclamation declaring it a part of the Constitution. Of these States, however, several had been in rebellion and had not been readmitted to representation in Congress; in fact, it was not until three years later that the majority of them were restored to the full enjoyment of this right. "The question as to whether they could give valid assent to an amendment to the Con-

stitution was one which might possibly be raised." "If they could not participate in the enactment of statute law, how could they participate in the far weightier duty of framing the organic law of the Republic?" In the case of the fourteenth and fifteenth amendments the requisite majority was secured through the policy pursued by Congress of requiring from the States late in rebellion, as one of the conditions precedent to their recognition and the admission of their Representatives in the Federal Legislature, the ratification of one, and in most cases both, of these amendments. By this expedient the authoritative settlement of this question was rendered unnecessary.

CAN A STATE RECONSIDER ITS ACTION UPON A CONSTITUTIONAL AMENDMENT?

Three States after giving their consent to the fourteenth amendment, and one after similar action upon the fifteenth amendment, declared through resolutions passed by their legislatures that they withdrew their consent. In all but one of these instances this action was taken before the amendment had been ratified by three-fourths of the legislatures of the several States, and it was contended that such action could be taken previous to the incorporation of the amendment into the Constitution. The Secretary of State, in canvassing the votes upon the fourteenth amendment, being in doubt how such cases should be regarded, issued a certificate reciting the facts and declaring the adoption of the amendment in case the ratification of the two States which had attempted to recall their consent was still to be considered valid. Congress immediately passed a concurrent resolution declaring the ratification of the amendment valid and sufficient, and on the 28th of July, 1868, the Secretary of State issued a second proclamation declaring the amendment to be a part of the Constitution.

On the other hand, in the case of the thirteenth amendment one State which had previously rejected the amendment reconsidered its action. Four similar cases occurred in connection with the fourteenth amendment and two with the fifteenth amendment, some even subsequent to the proclamation declaring the adoption of the respective amendments. All these States where the action had been taken previous to the issuing of such proclamation were included by the Secretary of State in the list of States ratifying.

From the above it would seem that practice has decided that a State having once given its consent, the question is closed, and it can not recall its action; but, on the other hand, that a State that has rejected an amendment can reconsider its action at any time previous to the incorporation of the amendment into the Constitution.

The PRESIDING OFFICER. The Secretary will state the first amendment reported by the Committee on the Judiciary to the joint resolution.

The SECRETARY. The first amendment is, on page 2, line 1, after the word "into," to strike out "and" and insert "or."

The PRESIDING OFFICER. The question is on the amendment.

Mr. KENYON. Mr. President, I want to take 10 minutes to express a view or two on the pending subject; and in view of the fact that a bill at present in conference seeks to stop the manufacture of whisky as a food-conservation proposition, but not to stop the manufacture of beer, I desire to submit just an observation or two on that and other propositions in general relating to the subject. That part of my remarks will consist of questions which some proponents of the liquor traffic may perhaps answer in the further progress of this debate.

Why do we prohibit the boys in the Army and Navy from having booze and insist that those who remain at home shall have it?

If liquor is a bad thing for the boys in the trenches, why is it a good thing for those at home?

When they are willing to die for us, should we not be willing to go dry for them?

Will a sober nation not win the war quicker than a drunken nation?

When the food controller asks everyone in the country to conserve the food supply, why must the food supply going into beer be excepted?

Is it not as much waste of foodstuff to put it into beer as to put it into whisky?

If more foodstuff goes into beer than into whisky, why do we prevent foodstuff going into whisky and permit it going into beer?

Will rebellions come in the cities, as we have been told, if the workers do not have their beer?

Sixty per cent of the Nation, territorially, is dry. Are the feelings of people living in that territory entitled to any consideration?

If the beer drinkers are going to rebel unless they get their beer, will the temperance people rebel unless they get temperance?

Does the rule only work one way?

Why do not the temperance people claim that they will rebel also? No one has heard any such thing from them, nor will anybody hear such thing.

The temperance people will be for the Nation no matter if beer and whisky be forced on them. Their patriotism does not depend on having their own way.

Is patriotism purchased by beer worth while anyway?

If some one were taking as much foodstuff as goes into booze and dumping it into the sea, what would the people of the Nation say?

If some one should advance the argument that this was necessary in order to appease certain people who believed in dump-

ing foodstuffs into the sea, and that if they did not do it it would arouse riots, would we accede to their request?

If some learned Senator, speaking as if the Almighty had delegated to him supreme wisdom and in a tone indicating that such wisdom would perish from the floor when he retired to the cloakroom, should so claim, would we be sufficiently impressed?

Should not hereafter all bulletins issued requesting the people to conserve the food supply urge them also, for the interest of public peace, to have all the foodstuff they could make into beer?

Is it reasonable to ask the temperance people of the country to conserve and save every particle of food and at the same time permit some of it to go into booze?

Is beer more essential to the American people than bread?

What kind of people are they in this country who are not willing to give up their liquor to help their country?

Is the food conservation to be for the benefit of the many, or is it to be limited in order that the few may have their drinks?

Have we reached a point in this country where the war can not be won unless people who drink are permitted to tickle their stomachs with wines and beer?

Will beer patriots win the war anyhow?

Are the interests of brewers in this country more important than the winning of the war?

Are we willing to sacrifice everything in the country to win the war, except beer?

If the temperance forces in the Senate were responsible for delaying the food bill, as charged by certain liquor-interest papers, why is it that the food bill has been delayed for three weeks after the temperance sections of the bill were settled?

With the great demand for labor in this country and the high wages, could there ever be a better time, as far as the laboring men are concerned, for the transition from a wet to a dry Nation?

When there is a shortage of labor in the important and necessary work to carry on the war, why waste labor in making booze?

If booze is essential to win the war, why stop selling it to soldiers?

Mr. President, I have listened to the argument as to State rights; but I have discovered that the doctrine of State rights absolutely vanishes in Congress whenever an appropriation is attached to a bill.

The advance in this country of the temperance cause has been due to the fight against the American saloon. That is what has been at the bottom of it. That has brought us to the issue of national prohibition.

This amendment is to give to the States the right to speak their desire on this question. Why should they not have such right? The American people are tired of the saloon.

No one rises on this floor or elsewhere to defend the American saloon directly.

The American saloon has no conscience. It never did a good act or failed to do a bad one.

It is a trap for the youth; a destroyer for the old; a foul spawning place for crime; a corrupter of politics; knows no party; supports those men for office whom it thinks can be easiest influenced; has no respect for law or the courts; debauches city councils, juries, and everyone it can reach; is powerful in the unity of its vote, and creates cowards in office.

It flatters, tricks, cajoles, and deceives in order to accomplish its purpose; is responsible for more ruin and death than all the wars the Nation has ever engaged in; has corrupted more politics, ruined more lives, widowed more women, orphaned more children, destroyed more homes, caused more tears to flow, broken more hearts, undermined more manhood, and sent more people to an early grave than any other influence in our land.

Its day has come. No subterfuge can long save it. It will be dragged into the open, the influences behind it stripped of their masks. A mighty public conscience is aroused, moving on rapidly, confidently, undismayed, and undecieved. Behind it are the churches of the Nation—Protestant and Catholic—schools, colleges, and homes. This public conscience is not discouraged by defeat or deceived by any cunning devices, by any shams or pretenses. Its cause is the cause of humanity, of righteousness, and God Almighty fights with it.

It has no desire to injure the saloon keeper. It would help him, but it asks no quarter of the saloon and it proposes to give none. The forces fighting the saloon are not composed of mollicoddles. The most far-seeing business minds of the country are in the ranks.

Men will have to take their places in this fight. They can not sit on the fence. This fight is no place for the political

coward to stand between the lines. He will be shot from both directions.

No denunciation, no slurs, no jests on the floor of the Senate, no hurling of epithet, no cheap ribaldry in the cloakrooms will stop this fight. It is going on in Congress, and it is going on in the Nation until the tear-producing, orphan-making, home-wrecking, manhood-debauching, character-destroying, hell-filling saloon business is banished from this country. The American saloon is just as certainly doomed as slavery was doomed.

A saloonless Nation means an efficient Nation, better able to cope with any problem threatening it from without or within.

Mr. CUMMINS. Mr. President, I rise simply to make a parliamentary inquiry. Under the unanimous-consent agreement can a Senator speak 10 minutes upon the joint resolution and also 10 minutes upon any amendment that may be offered, or is he limited to a single speech of 10 minutes?

The PRESIDING OFFICER. The present occupant of the chair thinks that a strict construction of the language of the unanimous-consent agreement might be held to confine every Senator to one speech of 10 minutes upon the joint resolution and amendments. The language of the agreement is:

And that after Tuesday, July 31, 1917, no Senator shall speak more than once or longer than 10 minutes upon the resolution and amendments offered thereto.

Mr. CURTIS. Mr. President, I should like to ask if an amendment is offered after a Senator has addressed the Senate would he not be permitted to speak 10 minutes on the amendment?

The PRESIDING OFFICER. The Chair will state to the Senator from Iowa and to the Senator from Kansas that the present occupant of the chair, if called upon to construe that language, will hold that the limitation is 10 minutes upon the joint resolution itself and 10 minutes upon any amendment a Senator may get the floor to speak upon; otherwise the agreement would be ineffective to enable Senators to discuss any amendment, should they discuss the joint resolution proper, and would limit Senators to one speech of 10 minutes, which would probably violate the purpose of the Senate in making the agreement.

Mr. SMOOT. I think that the decision of the Chair is in accordance with the understanding in the Senate at the time the unanimous-consent agreement was entered into.

Mr. CUMMINS. Mr. President, that means, then, that a Senator can speak 10 minutes upon the joint resolution and then he can thereafter speak 10 minutes upon each amendment that may be offered to it?

The PRESIDING OFFICER. No; the Chair thinks that a Senator when he addresses the Senate, if the rule is invoked, must address himself to the question before the Senate. There is pending now before the Senate an amendment, and a Senator in theory of law when he speaks now speaks to that amendment. When he has done that, he can not speak again until that amendment is disposed of, and then when he takes the floor again he addresses himself in theory of law to the amendment that is then pending.

Mr. CUMMINS. I am quite satisfied with the ruling of the Chair.

Mr. NORRIS. Mr. President, I think the Chair was right in his first interpretation. Although I do not believe the unanimous-consent agreement will bear the construction that he has put on it now, I think it is perfectly proper that we should have an understanding in the beginning. I have no objection, of course, to the ruling indicated by the Chair; but it seems to me the language of the agreement is very plain and that it can not mean two things. If we have an understanding that Senators will be allowed to speak on each amendment as it comes up, I certainly will not object, even though I do not think the construction is correct.

The PRESIDING OFFICER. The present occupant of the chair will state that the discussion of the matter now is more or less academic, as no point of order has been made and no matter is pending that will enable the Chair to determine the matter in a parliamentary way. The Chair is simply indicating the view of the present occupant of the chair out of deference to the Senator from Iowa [Mr. CUMMINS], who submitted an inquiry.

Mr. SMITH of Michigan. Mr. President, I should like to say that I think the Chair is strictly within the rule and has put the proper interpretation upon the agreement. I desire to commend that interpretation.

Mr. UNDERWOOD. Mr. President, I rise to ask that the pending amendment be stated.

The PRESIDING OFFICER. The Secretary will state the pending amendment.

The SECRETARY. On page 2, line 4, it is proposed to strike out the word "and," the first word in the line, and insert the word "or."

Mr. GRONNA. I ask that the context be read for information.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

SECTION 1. The manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 2, line 1, after the word "from," to strike out the comma.

The amendment was agreed to.

The next amendment was, on page 2, line 3, after the word "purposes," to strike out "are" and insert "is."

The amendment was agreed to.

The next amendment was, in section 2, page 2, line 5, after the word "legislation," to strike out "and nothing in this article shall deprive the several States of their power to enact and enforce laws prohibiting the traffic in intoxicating liquors."

Mr. SHEPPARD. Mr. President, as I introduced the joint resolution originally, I will say that the language stricken out by the committee was added by me in order to emphasize and make plain what was really an existing condition. The Judiciary Committee, with practical unanimity, said that the States would not be deprived of the power to enact and enforce laws prohibiting the traffic in intoxicating liquors, and therefore did not deem it advisable to place it in the joint resolution. I trust, therefore, that the amendment will be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The Chair informs the Senate that the joint resolution is still in Committee of the Whole and open to amendment.

Mr. POMERENE. Mr. President, before the final vote is taken I desire to express briefly my reasons for the vote that I am going to cast upon this joint resolution.

I yield to no man in the desire to promote genuine temperance in my State and in the Union. I have tried to, and I think I always have lived a temperate life. I believe in living and letting live. I have an intense admiration for the genius of our institutions. I do not believe that the fundamental principles of our people have changed. I believe in democracy. I believe that the principles of democracy are best conserved when we deal with all subjects in a spirit of moderation rather than by following the extremist on either side of any question. I always try to have before me as my guide not the view of the extremist on any subject, but I am intensely interested in knowing what the average man in my State thinks, and I always try to keep before me a picture of the composite Ohioan as I see him. Now, the question is, What is my duty to my constituency as I am permitted to see it? That leads me to review for a moment the conditions as they prevail in Ohio, and I am going to beg the indulgence of the Senate for just a few minutes while I advert to them.

This is no new question in Ohio. We have had it before us for many years, and we will continue perhaps to have it for many years, whichever way it is decided. In the year 1912 most of us thought that the question was settled at least for a few years. That year we voted upon 42 amendments to the constitution. All but two or three were adopted. One of the amendments involved the question of licensing the saloon. At that time in our State we had residential local option, township local option, municipal local option, and county local option. When this vote came before the public most of those, and I think all of those who were leaders in the councils of the Prohibition Party, were opposed to the license amendment. There was only about 50 per cent of the total vote cast on the license amendment. There were for the license system 273,361 votes; against it, 188,823 votes. The majority for license was 84,538.

Again, in 1914, our people were called upon to vote upon the prohibition question. The election was held November 3, 1914. The vote against the prohibition amendment was 588,329; the vote for it, 504,177. The majority against prohibition was 85,152.

In 1915 we voted upon it again. The vote that year against prohibition was 540,377; in favor of it, 484,969; the majority against prohibition was 55,408.

Mr. President, at the present time in Ohio we have residential district local option, township local option, municipal local option, and there is now pending before the people of our State a prohibition amendment which will be voted upon this fall.

Under the Ohio constitution our people have the right by petition to initiate an amendment to the constitution or new laws on this subject. They have full power, therefore, at any time to adopt prohibition or new legislation when they see fit so to do.

In my judgment, I must either ignore what seems to be the voice of Ohio, as evidenced by the result of the elections I have just referred to, by voting for this amendment, or I must vote in favor of what I believe is the judgment of the people of Ohio by voting against it.

Have we arrived at that state of mind on this or any other question when the majority of the people in any State shall not have any voice in determining what changes in the fundamental law shall be proposed?

I know that the cry is made that it ought to be referred to the people, and many of the people in the country to-day are of the opinion that when we adopt this joint resolution and refer the matter to the States the people will have a right to vote upon it. Of course all men who are informed know that the people of the several sovereign States will have no opportunity to vote upon this amendment; but it is a question, under the plan proposed here, which will address itself solely to the legislatures of the several States, who may or may not be elected upon the prohibition issue, or who may be elected upon other issues quite as well as upon this one.

The State of Kansas claimed the right to vote as she saw fit, without let or hindrance by any State of the Union, when she decided this question for herself. The State of Texas claims that right. The State of Washington claims that right. The State of Michigan claims that right; and, sirs, if they had the right, it seems to me that the people of Ohio should have the right to determine the liquor question for themselves.

And now, if I may, in the few minutes allowed me, I want to call attention to another proposition.

In 1910 the 13 States of Nevada, Wyoming, Delaware, Arizona, Idaho, New Mexico, Vermont, Utah, Montana, New Hampshire, North Dakota, South Dakota, and Oregon had, all told, 4,657,052 people. The State of Ohio had 4,767,121. In other words, in the year 1910 Ohio had 110,069 more people than the 13 States I have named. Yet if this amendment is to be submitted to the States for their votes, these 13 States, with less population than the State of Ohio, will have thirteen times as much voice as the State of Ohio in determining whether or not this amendment shall be added to the Constitution.

Again, 18 States—Nevada, Wyoming, Delaware, Arizona, Idaho, New Mexico, Vermont, Utah, Montana, New Hampshire, Rhode Island, North Dakota, South Dakota, Oregon, Maine, Florida, Colorado, and Connecticut—had, in 1910, 8,608,432 people; but the State of New York in that year had 9,113,614 people, or 505,182 more people than the 18 States I have named. Let me ask those who believe in democratic institutions since when has it come to pass that upon a question of this kind the principles of American government would permit these 18 States to have eighteen times the voice that New York shall have in amending the Constitution, if this amendment is to be submitted?

Inasmuch as Ohio in 1914 voted against prohibition by a majority of 85,152, and again in 1915, when a less vote was cast, by a majority of 55,408, thereby declaring her sentiments on the subject, how can I, as one of her Senators, vote for this resolution and put up to the people of the country the prohibition question in such form that we in Ohio will have only one-thirteenth as much influence in the adoption or rejection of prohibition as a fewer number of people in the 13 States of the Union to which I referred a moment ago, or thereby give to New York only one-eighteenth as much influence in determining this question as a fewer number of people in the 18 States which I have named? Surely the majority of voters in Ohio have some rights to be considered. Surely as their representative in the Senate I ought to bear this fact in mind in casting my vote.

Let me put the question in another form. If it were proposed to offer an amendment to the Constitution, the object of which was to permit the manufacture and sale of liquor in each of the States of the Union, would Senators representing dry States feel themselves justified in voting for that resolution because a substantial minority of the electors in their State wanted them to do so? Would not they feel bound by the majority sentiment in their States? If that be their position, am I less bound by the majority sentiment in my State? My belief is that in matters which are so intimately related to the habits of the people, each elector should have the same right to determine the question as any other elector, no matter what his views might be on the subject.

In my judgment the result will be much more satisfactory if this question is left to the people of each individual State to determine the kind of legislation they want upon the subject,

For these reasons, in brief, I feel compelled to vote against the joint resolution.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. POMERENE. Mr. President, I ask leave to attach to my remarks the tables that I have here, showing the population in the several States named.

The PRESIDING OFFICER. Without objection, leave will be granted. The Chair hears no objection, and it is so ordered. The matter referred to is as follows:

*Population figures, census 1910.*

Nevada.....	81,875
Wyoming.....	145,965
Delaware.....	202,322
Arizona.....	204,354
Idaho.....	325,594
New Mexico.....	327,301
Vermont.....	355,956
Utah.....	373,351
Montana.....	376,053
New Hampshire.....	430,372
North Dakota.....	577,056
South Dakota.....	583,888
Oregon.....	672,765
Total.....	4,657,052

Population of Ohio, 1910..... 4,767,121  
Ohio's excess population over the combined population of these 13 States, 110,069.

*Population figures, census 1910.*

Nevada.....	81,875
Wyoming.....	145,965
Delaware.....	202,322
Arizona.....	204,354
Idaho.....	325,594
New Mexico.....	327,301
Vermont.....	355,956
Utah.....	373,351
Montana.....	376,053
New Hampshire.....	430,372
Rhode Island.....	542,610
North Dakota.....	577,056
South Dakota.....	583,888
Oregon.....	672,765
Maine.....	742,371
Florida.....	752,619
Colorado.....	799,024
Connecticut.....	1,114,756
Total.....	8,608,432

Population of New York in 1910..... 9,113,614  
New York's excess population over the combined population of these 18 States, 505,182.

Mr. MYERS. Mr. President, ever since the beginning of the world this old world has been steadily becoming better; a better place in which to live; a better place for humanity. Ever since the creation of man, mankind has been steadily pressing onward, forward, upward; slowly, awkwardly, stumblingly, toilsomely, painstakingly; painfully and discouragingly slow has been its progress, in the face of innumerable difficulties and beset with almost insuperable obstacles; but ever onward and upward; often stumbling, falling, slipping backward, but ever animated by hope and faith in the future, mankind has progressed steadily forward and upward. Man's face has ever been set to brighter and better conditions.

The desire of man for the betterment of his condition is heaven born and God given and can be no more taken out of his breast than he can be bereft of his inborn desire for liberty, for freedom. In all the ages since the creation of the world the steady effort of mankind has been to climb out of the miasma, the mire, the fog, the darkness, the murkiness of the lowlands, the fog of ignorance, the fetters of tradition, and to attain the heights of the mountain peaks, where God's bright sunshine of reason exists, and where the pure air is that of freedom and liberty.

In making progress to that end, mankind has had to contend with ignorance, superstition, tradition; has been fettered by the obstacles of avarice, greed, cupidity, oppression; but always looking up to the heights where is the sunshine and bright light of the future, where there are better conditions awaiting man's efforts.

As results of long and toilsome struggle, we witness many improvements in the condition of mankind. Slavery, once prevalent nearly all over the world, is now happily abolished, and scarcely anywhere on the earth does there exist human bondage, except as punishment for crime; and who would go back to human slavery? Yet its abolition was the result not only of centuries but of thousands of years of steady, persistent effort; of awakened conscience, in the face of tradition, immemorial sanction, and the efforts of man to subvert to his use even his fellow human beings, everything that might come to his hand.

In making every improvement of human conditions, mankind has had to contend with avarice, greed, and every sordid element

of human nature, but nevertheless mankind's progress has ever been onward and upward, and every century has marked progress in man's travel toward the betterment of humanity.

Feudalism, once dominant in nearly all the nations of the earth, so that a few owned nearly all of the land and the many were mere vassals, has disappeared from the face of the earth. Religious freedom is a thing that was once unknown on the face of the earth. Now happily it prevails in nearly every quarter of the globe, to the betterment of mankind, making the world a freer and better world in which to live, and making better conditions for humanity. Now, in nearly every quarter of the globe man may worship God as his conscience may dictate, and his worship is a free worship, not enforced worship. What centuries of struggle it took to bring about that happy condition.

The sacred right of kings was once prevalent all over the earth and was acknowledged as a necessity of government in every quarter of the earth. In fact, it had Biblical sanction; it had the sanction of everybody, and it was necessary in early centuries. The people then were not capable of self-government. Nobody questioned it. Fortunately the divine right of kings to rule is rapidly crumbling and fading away, and I believe in a few generations more will be wiped from the face of the earth. So may it be!

Formerly education was not prevalent nor general in the countries of the world. Even in our own country at the beginning of its existence it was generally held that "it is not my duty to see that my neighbor's children are educated; let them grow up in ignorance; that is the outlook of their parents; I have nothing to do with it." It is now realized that man may no longer say, "I am not my brother's keeper." Fortunately, early in the history of our country common-school education, public-school education at the expense of the Government, was provided for, and happily it has proven one of the greatest factors for liberty and freedom and enlightened self-government that the world has ever known.

In our own country, in the last 130 or 140 years, many notable achievements in the progress of mankind have been made. One hundred years and more ago, the right of suffrage in nearly all the States was confined to those who owned property, to freeholders. Happily that was abolished early in the history of our country, and ever since then suffrage has been becoming more general, more dependent upon intelligence, upon the capacity of the voter, and extended to all who acquired sufficient intelligence to exercise it properly. To-day we have in a large number of the States of our Union universal suffrage, for men and women alike, and I believe the time is coming in the near future when there will be in this country universal suffrage by an amendment to our Federal Constitution.

There are many things which are now on the statute books of our country by virtue of national legislation which in the beginning of our history were not considered proper subjects of national legislation. Pure-food control, sanitation, child-labor regulation, limitation of hours of labor for men, women, and children—all these things were attained in the face of intense opposition. It took time and toilsome effort. The people in attaining them were fettered by traditions of the dark ages of the past, but by persistent effort they emerged and came out in the bright sunlight of a better day.

I believe that the people of this country, through an enlightened conscience and a sounder public opinion, have about arrived at a point where they are ready to adopt by a national constitutional amendment national prohibition of the manufacture and use of liquor. The time has come to strike for it. The people are ready to pass on it. They want a chance. It is the sense of an enlightened public, sustained by the best professional and scientific authorities, that the use of liquor has no merit in it, neither as food nor medicine. It is neither food nor medicine. It is a palpable evil, socially, physically, morally, politically, economically. The progress in this reform has been slow, but steady and sure, and I believe the day for marking the milestone of that achievement is finally at hand.

In regard to the argument that if three-fourths of the States adopt this constitutional provision the people of the remaining one-fourth of the States of the Union will be at their mercy, I simply have to say that when any State came into the Union it knew the provisions of our Federal Constitution. It did so with its eyes open. It accepted the conditions. It knew there was a provision in the Federal Constitution that constitutional amendments might be submitted and that if ratified by three-fourths of the States the other one-fourth would have to submit to it as the dominant law of the land. There was nothing to compel any State to come into the Union. Any one of the Thirteen Colonies which did not like that provision in the proposed Fed-

eral Constitution could have remained out of the Federal Union, and in that even would be to-day a sovereign, independent, separate, individual nation. The Colonies exercised their choice. They came into the Union to get all the benefits of a consolidated Union of States and of our Federal Constitution, and if they get the benefits they must submit to all the provisions which were inserted for the common welfare of all. There is nothing to argument to the contrary. Ohio did not have to come into the Union. Montana did not have to come into the Union. They could have stayed out. Having come in voluntarily, they must submit to the Federal scheme of government and should not complain about it. I am for this amendment and shall support it. I believe it will be submitted, and the day it is ratified by three-fourths of the States, as I believe it will be in time, will be a great day for humanity. It will put us on a higher plane than we have ever occupied. It will be a greater day than the day that witnessed the abolition of human slavery. It will be a second Declaration of Independence. It should be observed ever after as a second Fourth of July. May God speed the day!

The PRESIDING OFFICER. The time of the Senator from Montana has expired.

Mr. CUMMINS. Mr. President, in view of the limited time at my command, I must select a phase of the several questions involved in the resolution now before the Senate, and I select for an observation that phase of the general matter presented by the Senator from New York [Mr. CALDER] and the Senator from Pennsylvania [Mr. PENROSE]. Their view of it is that the power to deal with this question should remain with the States; that it is ill advised for the General Government to assume the control of the habits and customs of the people in this regard. I am compelled to disagree entirely and utterly with their view of the question. If there is one matter concerning which the United States should have the right of legislation and control, it is with regard to the use of intoxicating liquor.

Many things have become national, Mr. President, since our forefathers adopted the Constitution in 1789, and this is one of them. Every vital matter of legislation, every question which now deeply concerns the people of the United States, finds its way eventually to the Congress of the United States. It is for the Federal power to make this country great or contemptible. It is for the Federal power to give this country stability or confer upon it weakness. The General Government is vastly more concerned in the habits of the people, in their strength, in their sobriety, in their efficiency, than any State government can be.

The people of my State are just as much involved in the conduct of the people of the State of New York as are the people of New York themselves, because in the great consensus of opinion that is finally expressed in national legislation comes either safety or danger not only for the people of New York but for the people of Iowa as well.

If it is true that the Republic will better serve its high mission in the world through sobriety than through the use of intoxicating liquors intemperately then it is for the Republic to erect a standard which shall control the habits, customs, and manners of the people.

Mr. President, the view so honestly, I have no doubt, expressed by the Senator from New York and the Senator from Pennsylvania upon this subject can not be accepted in these days when the influence of the State so far as the world is concerned has well-nigh disappeared and the influence of the Republic alone is potential in determining our destiny. I repeat, if there is one subject which ought to be within the complete control of the Federal power it is the subject involved in the resolution.

I agree with the Senator from Pennsylvania and the Senator from New York upon one phase of the matter—especially do I agree with the view taken by the Senator from Pennsylvania—that there is an element of inequity in permitting 36 States with a population of 46,000,000 to override the wishes of 12 States with a population of 56,000,000. Our forefathers, however, have determined that for us. There is no other way to amend the Constitution at the present time.

I recall to the memory of Senators the fact that four or five years ago I introduced a resolution for an amendment to the Constitution providing that a referendum through which a proposed amendment should be adopted or rejected should be taken by popular vote. I believe in that amendment to the Constitution now, but I found it utterly impossible to secure a favorable report upon the resolution from the Committee on the Judiciary. Why? Because of the influence of the very States which are now complaining with regard to the present method of ratifying constitutional amendments. I think not only ought a referendum to be by a popular vote, but I think that the citizens of the United States in their individual capacity ought to have the right to initiate amendments to the Constitution, and when they

have initiated those amendments, supported by a fair and reasonable proportion of the people, they ought to be submitted for adoption without regard to the Congress of the United States. Logically and properly considered the Congress of the United States ought to have no more to do with an amendment to the Constitution than any other collection of citizens of similar number. Such is my answer to the contention that this particular power should remain with the States.

Mr. President, I do not intend at this moment to discuss the policy of prohibition. I may, if I have an opportunity, speak of it a little later, but I would vote to submit this amendment to the people or to the States even though I did not believe in the policy of prohibition. I believe it is the duty of Members of Congress, when they find there is a fair and reasonable demand upon the part of the people for an opportunity to express their opinions regarding an amendment to the Constitution, to submit it irrespective of our individual judgment or opinion upon the merits.

I am one of those who think that our forefathers made the way altogether too difficult for constitutional amendments. I do not think they ought to be submitted for light or trivial reasons. I do not think they ought to be submitted unless there is found a fair and decent proportion of the people urging or soliciting an opportunity to express themselves with regard to their organic law. We take ourselves, I think, altogether too seriously and impute to ourselves a guardianship of the Constitution which we ought no longer to hold or to exercise. It is the Constitution of the people of the United States; and when, as I said before, a reasonable proportion of the people want a chance to vote upon an amendment to it, it is our highest duty to see that they have the chance.

The PRESIDING OFFICER. The time of the Senator from Iowa has expired.

Mr. CURTIS. Mr. President, I have listened with some surprise to the speeches of the Senator from Alabama [Mr. UNDERWOOD], the Senator from Pennsylvania [Mr. PENROSE], the Senator from Ohio [Mr. POMERENE], and the Senator from New York [Mr. CALDER]. One would imagine from these speeches that the friends of this measure were proceeding in some way not authorized by the Constitution, when, as a matter of fact, the friends of this resolution are proceeding in the only regular way to amend the Constitution of the United States. The Constitution provides that—

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid, to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress.

All the friends of this proposition are doing is to ask that this question shall be submitted in the regular way. The Senators might just as well complain about the representation in the United States as to complain that three-fourths of the States shall not have the right to amend the Constitution because their population might be less than that of the one-fourth unfavorable to the amendment of the Constitution. In this body, while the great State of Kansas may not equal the State of Pennsylvania in ability in its representation, yet we equal the State of Pennsylvania in our vote. The State of Kansas equals the vote of New York and all the other more heavily populated States, and it is right that we should have equal power with our vote. The Senators from Pennsylvania, Massachusetts, New York, Ohio, and Alabama might just as well complain of the vote we have and the power that the State of Kansas has here.

Mr. President, I am going to vote for the submission of this amendment because I am personally in favor of it and believe it to be right to submit the question to the States. In the second place, I am going to vote for it because it carries out the sentiments of a vast majority of the people of the State I have the honor in part to represent.

But, Mr. President, I desire to say a word or two in regard to the amendment offered by the Senator from Ohio [Mr. HARDING]. I should like ordinarily to have this question submitted without limitation, but I have taken the pains to carefully go over the situation in the Senate with the Senator from Texas [Mr. SHEPPARD], the Senator from Washington [Mr. JONES], and other friends of this proposition, and I am satisfied from the canvass we have made that there are several Senators who would like to vote for this amendment and who will vote for it if the limitation is put in requiring the State to act within six years. Without that provision some of them may vote against it. I am satisfied that without the provision the vote will be very close, and to assure the passage of this resolution to-day I am going to vote for that limitation, because I believe we

should waive our personal opinion on questions of this kind if we can help the passage of the provision thereby.

Mr. NORRIS. Mr. President—

Mr. CURTIS. I yield to the Senator.

Mr. NORRIS. I do not wish to interrupt the Senator in his time unless it is agreeable to him.

Mr. CURTIS. It is perfectly agreeable.

Mr. NORRIS. Does the Senator think it right to tack a proposition of this kind upon the resolution when we have not attempted to do it on any other proposed amendment of the Constitution?

Mr. CURTIS. I would vote the same way on other amendments if the conditions were similar, and I think there should be a limitation upon all questions submitted.

Mr. NORRIS. Does the Senator believe that there is any Member of the Senate who is opposed to the prohibition amendment who does not favor that proposition? In other words, it is favored by the enemies of the proposition?

Mr. CURTIS. I would not say that. It is favored by some of the Senators who desire to vote for the resolution but do not care to vote for it unless this limitation is put in it.

Mr. NORRIS. Does the Senator think that any Senator is in favor of that limitation on it because he believes by that means he can defeat the amendment?

Mr. CURTIS. I do not know.

Mr. NORRIS. What other reason could there be?

Mr. CURTIS. So far as I am concerned, I believe that this amendment will be adopted by three-fourths of the States in the legislatures of 1921. The very first chance the States get to vote upon this question, in my judgment, they will settle it; and if this fight can not be won in 6 years, in my opinion, it can not be won in 16 years. For that reason also I am going to vote for the amendment of the Senator from Ohio.

Mr. NORRIS. Mr. President, I had not intended to speak of any of these amendments, but ever since the offering of the amendment by the Senator from Ohio to this proposition, although that amendment is not now technically before the Senate, I have felt that Senators who are friendly to the prohibition amendment are making a mistake if they support the amendment of the Senator from Ohio. I am finding no fault as to the offering of the amendment. If I were opposed to this joint resolution, I should certainly be for the amendment offered by the Senator from Ohio, because it gives to those who are opposed to the adoption of this constitutional amendment a last chance. If for six years they can prevent the favorable action of enough States, so that the three-fourths for the ratification of this amendment shall be lacking, they will have defeated the amendment.

I am in favor of the proposition of the Senator from Ohio as a general amendment. If we should add that kind of an amendment to the Constitution as a limitation which should apply to every proposed constitutional amendment, there would be some reason, it seems to me, to put it through. I believe there ought to be some limitation; but why select this particular amendment and attach that kind of a limitation to it? Why not make the limitation general; put it through the Senate as a general amendment, and let it apply to every proposed amendment to the Constitution of the United States? It seems to me that would be the only fair thing to do.

There is another reason why this amendment ought not to be tacked onto this proposed constitutional amendment. While I have not had the opportunity to examine any of the decisions of the courts on the subject, it seems to me that the amendment is of very doubtful constitutionality. The Constitution of the United States provides how the Constitution may be amended, but it places no limitation whatever as to the time within which the States may act through their legislatures upon any amendment which may be submitted by Congress. Now it is proposed here to put in reality into the Constitution, having the same effect as amending the Constitution, an amendment providing that the time for the ratification of this particular amendment on prohibition shall be limited. The proposition has, in my judgment, neither fairness nor reason behind it. I confess I am surprised that the Senator from Texas [Mr. SHEPPARD], and others like him, who have been fathering this proposition and who are the leaders in this contest, have surrendered to influences of that kind and have agreed to put on here an amendment which, in my judgment, means the defeat of the constitutional amendment, even though it receives a two-thirds majority in both branches of the National Legislature and is submitted to the States.

Mr. WEEKS. Mr. President, it is my purpose to vote against the submission of this proposition to the States; and having but a limited time in which to discuss the proposition, I want



to give the reasons, so far as I can within that time, for my action.

The pending question is one which should be considered by Congress solely on its merits and not on the assumption that it has reached a state of agitation and resulting favor which justifies its being submitted to the States without any reference to the individual opinions of Senators as to the advisability of such action. When a referendum is submitted in a State the people of that State have an opportunity to decide what action they wish to take; and, while I think that in many cases they decide public questions without the knowledge and information they should have before passing on proposed laws, yet it is their own fault if they do not decide the question wisely. This case is entirely different, and it should not be misunderstood by Senators, many of whom seem to have the impression that in passing along this important question to the States they are performing their full duty.

It is true that the advocates of national prohibition—very largely those connected with the Anti-Saloon League—are urging this matter and doing so with the argument that they are not asking any Member of Congress to declare that he is in favor of national prohibition, but simply that he shall not "become an avowed exponent and protector of the liquor traffic by refusing to vote to allow the people of the Nation, by States, through their Representatives, to determine this question." The proposed action to be taken by Congress in this matter is not a function similar to that performed by a Cabinet officer in performing some ministerial duty, but it is proposing an amendment to the Constitution, to be adopted by a two-thirds vote of the Senate and House of Representatives, and then for a long time leaving the question in the hands of the States, to be finally determined by their respective legislatures. Even if three-fourths of the States in the end should indorse this proposition I suggest that it is distinctly different from submitting the question to the people, for by the census of 1910 the population of three-fourths of the States of the Union is only about 41,000,000 and the population of the remaining 12 States is 51,000,000. Therefore this question might be decided in favor of national prohibition even though a very large majority of the people of the country were opposed to it.

Too much emphasis can not be placed on the grotesqueness of this proposition advanced under the catchword "Let the people rule." As I have suggested, the people need not necessarily rule in deciding a matter of this sort, and, moreover, the division between prohibition States and those opposed to prohibition is very largely along the lines of size of the State, and therefore is essentially contrary to the policy of letting the people rule. Why should the 90,000 people in Nevada have the same weight that the 9,000,000 people of New York have in determining what the social customs and practices of the 9,000,000 people of New York shall be in a matter of this kind? Then it must not be forgotten that while there are two distinctly differing interests in this matter—those who are constitutionally opposed to the sale of liquor, believing it to be without excuse, and those engaged in the liquor business—yet, as a matter of fact, these two classes comprise a very small part of the population of the country, and it is unfair and unreasonable to include those who oppose this measure—a measure which is of momentous importance in connection with our organic law—among the exponents and protectors of the liquor traffic. There are millions of people in the United States who do not sell liquor, but who do occasionally like to drink it; there are other millions who are quite indifferent to drinking, but who believe it unwise and inexpedient to interfere with the action of other citizens in such matters, and they honestly believe that national compulsion in a matter of this sort, where every State wishing to be dry is now fully protected in its rights, is a disastrous blunder.

Climatic, racial, and social conditions, as well as density of population, vary so greatly that a solution which might logically apply to the smaller and more sparsely settled States would not apply with equal force to the larger States, and especially in those States having cities with great populations, like Boston, New York, Philadelphia, Baltimore, Cleveland, Detroit, Chicago, and St. Louis. If this question could be referred directly to the people and all of the people of the country could vote for or against it, Senators might be justified in avoiding their duty, but not otherwise.

I am now, and always have been, a believer in local option, and firmly believe that this is a question which should be decided by the people of the several States in accordance with their own wishes. The police powers are inherent in the

States, and the question of controlling the sale of spirits largely comes within that constitutional provision.

Formerly there was some logic in the position taken by many that if liquor were sold in any States it could be shipped into other States against the wishes of the people of the States that had adopted prohibition. That condition has been cured by the Webb-Kenyon bill, for which I voted, which prohibits the shipment of liquor into dry territory; and the act making this prohibitive has been declared constitutional by the Supreme Court, so there is no possibility of such complaint if the officers of the States are attending to their duties.

Moreover, in order to prevent or discourage the purchase of liquor in dry territory, a bill passed Congress last winter prohibiting the carrying by mail of newspapers into dry territory if they contained liquor advertisements. I voted for that bill, and I shall vote for any other legislation to protect the desires of those living in territory which has become dry.

One of the serious weaknesses of this proposed measure is that it may be brought before the legislatures of the several States as many times as its proponents desire, or until the legislatures of three-fourths of the States are found favorable to the proposition. If it were submitted at one time, it might be found that the legislatures of 25 or 30 States would be favorable to it and the legislatures of the other States unfavorable; but it can be brought up again and again in the States which have not adopted the provision until a legislature may be found, years hence, favorable to it. By that time, there might be legislatures in some of the States which had adopted the amendment unfavorable to it, but they could not retrace their steps. That makes the whole question a constant irritant in connection with our elections, distracting attention from the issues which divide political parties, and very largely breaking down the party spirit and action which I believe essential to the best interests of the Republic. I need not cite any other instance of that condition than that found in the State of Maine, where prohibition has prevailed for substantially 50 years—a prohibition which most people admit has not prohibited, largely because the law officers have not performed their full duty, but really because the sentiment of the State, or of localities within the State, has been against prosecutions for violations of the law.

No law can be enforced unless it accords with public sentiment; in fact, when a law does not conform to public sentiment, ordinarily, there is no attempt to enforce it. We have a good illustration of that in the law passed a few years ago by Congress regulating the speed of automobiles in the District of Columbia, limiting their speed to 12 miles an hour, and this law was passed largely at the instance and urging of those unfamiliar with automobile traffic. It is unnecessary to say to the Senate that this law is violated by every automobilist in the District of Columbia every day he uses his automobile, and unless an automobilist indulges in excessive or unreasonable speed no attention whatever is paid to it. Therefore, while the law is neglected, it becomes positively harmful, because it begets a disregard for all law and creates a tendency to evade reasonable statutes.

No one has stated the difficulties incident to the enforcement of liquor laws in large communities better than Hon. Newton D. Baker, the present Secretary of War, whose conclusions were reached as a result of his experience as mayor of Cleveland. In a contribution to the Atlantic Monthly for July, 1915, he said:

All this shows the wrought-up state of the public mind on the liquor question. Into such a divided society the Anti-Saloon Leagues and other organized temperance bodies, by their control of the rural vote, bring regulations, wise enough and moderate enough for the country districts and small towns, but violently disruptive of the settled habits of large city populations. These regulations the police are to enforce. If they do, the executive under whom they act is frequently voted promptly out of office; if they do not, the more excitable and sensational ministers and other excellent but hasty people conclude and proclaim that the executive and police alike are in corrupt collusion with the forces of evil, and the lines are laid for a municipal campaign in which all the great interests of the city are lost in the question whether the respective candidates for mayor are "fanatics" or "liberals."

Those familiar with Maine politics will justify me in saying that during all this time prohibition has prevailed in Maine it has been one of the campaign issues which, perhaps, has been discussed more than any other question and has prevented in many instances men making their natural political alignments. I personally believe that one of the most desirable conditions in our form of Government is that there shall be two active, vigorous, contesting political parties, divided along the lines of industrial and other questions forming the usual basis for political differences, and that introducing any questions into our political life which distracts from those conditions breaks down political parties and, therefore, is essentially harmful.

I do not wish to unnecessarily emphasize the financial phase of this question, for if all the people of the country could decide that they prefer to raise the revenue incident to this business in some other way I should not care to advance that argument in any form, but, as a matter of fact, it has been a large factor in our national revenues, and when we return to normal times we shall find some difficulty and a good deal of opposition to substituting other sources of revenue for it. Neither can the revenue question be entirely confined to national receipts; they are important in a local way. All large cities, which vote more or less frequently on this subject and vote for the maintenance of a license system, obtain from this source a very considerable revenue, which will be taken from them against their will if this proposition prevails. Then, again, there is no attempt made by the proponents of this legislation to make provision for any compensation on account of the destruction of a business which has continued to exist during the entire life of the Republic by national license. I am opposed to confiscation of property in any form at any time, whether or not I entirely approve of the individuals engaged in this business or the character of the business conducted. When we propose confiscation we are inaugurating a policy which is likely to be most far-reaching in its effect. Some one may conclude that some other form of business is not entirely for the public interest, and the fact that we have established a confiscation precedent may result in its being extended to other fields.

Finally, it seems to me that the individual has rights which should be protected. The vast majority of those who indulge in stimulants, in these days especially, do so to a very moderate degree. I am not satisfied that the multitudinous statistics which are given out about the harm coming from wines and light beers are well founded. Prof. William T. Sedgwick, president of the American Public Health Association, in commenting on public-health boards, says:

Their knowledge is based wholly on experiments on animals, or on statistical data of one sort or another. Medical science is now prepared to show how unreliable these two sources are in solving this problem.

There are innumerable things in which we indulge which are undoubtedly more or less harmful to individuals, and I think that statement would be equally true in its application to food consumed in unreasonable quantities and at unreasonable times.

When the rights of individuals who are temperate are taken from them, not by those living within the same political division or even by the same number of people in some other political section, it seems to me that the action is illogical, unfair, and from every standpoint undesirable. I firmly believe that the world is advancing satisfactorily in its relation to this question; that the good old times are a myth, as far as it is concerned; that the modern business man or professional man will not tolerate in an associate or employee a failure to observe proper temperance rules; and an one who observes the social practices of to-day and compares them with those of 25 years ago must readily admit that gradually we are coming to a real temperance in the use of all forms of stimulants, and a temperance which not only satisfies the individual but does no real injustice to the community. Progressing as we are in this respect, it seems to me particularly unfortunate that what many will consider an unreasonable course is likely to be taken by the National Government. They will resent it, and properly so, in my opinion. I honestly believe that this ill-advised attempt, if it succeeds, will be harmful rather than beneficial to real temperance. I hope not, as far as I am concerned, because I shall be glad to see moderation in the use of stimulants as in all other matters, but I am fearful that the result will be unsatisfactory even to those who are most urgent in pressing this proposition.

Mr. HARDWICK. Mr. President, I desire to offer the amendment which I send to the desk, so that it may be pending.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 1, line 9, after the word "sale," it is proposed to insert "purchase, use."

Mr. HARDWICK. Mr. President, the joint resolution of the Senator from Texas proposing an amendment to the Constitution prescribes, without reading the preliminary part:

ARTICLE —, SECTION 1. The manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

I have proposed by the amendment which has just been read to amend this section so that it shall read as follows:

The manufacture, sale, purchase, use, or transportation—

If the amendment I have suggested is agreed to, we will not only prohibit the manufacture, sale, transportation, and importa-

tion of intoxicating liquors for beverage purposes but also prohibit, if this article should be ratified by the requisite number of States, the purchase and use of intoxicating liquors.

It is hard for me to see why it should be made unlawful to sell an article and not equally unlawful to buy it. It is hard for me to see why, if the manufacture and sale are to be forbidden, the purchase ought not also to come under the ban of the law. It is impossible for me to understand why, if it is to be unlawful to manufacture and to sell it, to buy it and transport it, to import it or export it, it ought not also to be unlawful to use it.

Now, if we are going to perform this task thoroughly, if we are going to work it out completely, let us go the whole length while we are at it; let us prohibit not only the exportation, importation, transportation, and sale, but the purchase as well, and if all those things are to be forbidden, let us forbid its use as well. That is complete prohibition, practical prohibition, and it seems to me those who are so anxious to give the people real prohibition ought to be willing to vote for the amendment; that is, if they are really for real prohibition.

Mr. BORAH. Mr. President—

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

Mr. BORAH. I desire to ask the Senator if that would not accentuate rather than lessen the evils which he presented so ably to the Senate yesterday with reference to the fundamental objections which the Senator has to the joint resolution?

Mr. HARDWICK. The answer is perfectly plain. It will be impossible for the Senator from Georgia to vote for this proposition, because it is inherently wrong, according to his viewpoint, and he could not vote for it, with or without the amendment; but from the standpoint of those who advocate this proposal and who can get their own consent to support the proposition surely there ought to be no objection to an effort to perfect it, even though it comes from a Senator who can not support it.

Mr. NORRIS. Mr. President—

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

Mr. NORRIS. I wish to ask the Senator if he does not think it would be more difficult to secure a conviction or to secure evidence of an illegal sale if the purchase of it also were made illegal, because the witness, who, as a rule, is the purchaser, would be protected from answering on the ground that the answer might incriminate himself.

Mr. HARDWICK. I do not think that is true. It seems to me that evidence could be obtained without that. The people who buy very rarely give evidence anyway.

Mr. NORRIS. Never willingly; but, as a rule, in the prosecutions for the illegal sale of liquor the purchaser is a witness, although an unwilling one. If the Senator's amendment were agreed to—

Mr. HARDWICK. That could be very easily provided for. The witnesses could be given immunity by a statute Congress might pass. The joint resolution provides that power is conferred on Congress to pass appropriate legislation to carry out this amendment. If we find any serious trouble of that kind, we can provide immunity for witnesses of the character suggested by the Senator. But it strikes me, Mr. President, that it is utterly and entirely dishonest to say that we will make it unlawful to sell this article and not equally unlawful to buy it. It strikes me that it is utterly and totally insincere and uncandid to say that we are going to make the manufacture, sale, importation, exportation, and transportation of this article unlawful, and yet are unwilling to make its use unlawful.

While I am not for this proposition, and can not support it, for the reasons I explained to the Senate yesterday, it does seem to me that we ought to perfect it and make it a rounded proposition before we vote on it, whether we intend to vote for it or against it.

Mr. SHERMAN. Mr. President, hitherto in the world's wars disease and vice have been more destructive than the sword. Modern surgery and science have mitigated or cured or successfully avoided disease and treated wounds. The most signal chapter in history is written by the patient searcher in the realms of medicine and surgery. What a mighty debt humanity owes the physician and surgeon and all those who in the laboratory and by ceaseless experiment have given their effort to enlarge the science, the art, and the skill to save life! They toil to preserve mankind from his follies and his crimes. The warrior strives to destroy. One fans the flickering spark of life to renewed vitality and returns its possessor to live his allotted span. The other kills and ruthlessly destroys multitudes and cuts short the lives of nations. Marble and bronze rise to blazon the warrior's deeds, but comparatively few memorial shafts proclaim the preservative and enduring greatness of the physician, the surgeon, and the scientist. Mankind is

yet constituted so as to make a hero of those who spill blood and consign to oblivion those who save life.

The Governments of the earth have promptly adopted all that medicine and surgery have offered for disease and injuries. The vices more insidious and deadly than disease or wounds are left by human government to work their destruction unchecked and unheeded, in peace or war. Why does Congress leave vice to besiege our Army and disable our men in the great struggle for free government?

Drunkenness is the monarch of all human vices. Other evils are its mere satellites. It permeates and poisons and rots every department of life and every avenue and faculty of the human body. Once in a distant age intoxicating liquor was the supposed instrument of fellowship and good cheer. It is now the debased and adulterated instrument for the exploitation for profit and the promotion of personal vices. It has grown to astounding proportions. The longer it continues the greater its evil and the more potent its strength. It has entrenched itself with human avarice and become its ally to exploit the pitiable weakness of humanity to accumulate fortunes. The men who have made it their instrument of pecuniary gain have assumed to control political parties, to threaten candidates, to decide elections, to administer civil government, to make new laws, to promote profitable evils, and contemptuously to break existing laws they can not repeal.

The liquor interests have written their own indictment and accumulated the evidence justifying their own extinction. The breweries have been asked for years to cease to promote the disreputable and irresponsible saloon keeper. They have been asked to clean up the vicious resorts that have been a bane and a menace to decent communities. Their reply was a sneer and the statement that it was the brewery's business to make and sell beer. Whisky has been denounced as a dangerous beverage and restraints demanded for more than half a century.

The answer has been opposition or abuse of those who would regulate as well as those who would prohibit. All who have asked that present laws be obeyed have been stigmatized as fanatics, and fresh infractions of regulatory laws have followed every effort for their enforcement. Wine growers have been advised of the evils gathering about their heads. They, too, have been deaf to the developing hostilities of this generation to intoxicating liquor. If they are caught in the whirlpool of an aroused and righteous indignation, they will but suffer the penalty resulting from their indifference or open sympathy with the more culpable of their kind. A business whose system is lawlessness and whose finished product is a drunkard ought to have no lawful abiding place in this Republic. It is an outlaw measured by its practices and a criminal tested by its results. A business that will not be regulated by law must at last be destroyed by law. The traffic in intoxicating liquor has refused to be regulated, and therefore earned the penalty of legislative extinction. Its promises of reformation are to be weighed in the light of its past performances. The breweries' efforts to reform the saloon keeper are to be measured by their creation of his disreputable kind.

From a broken-hearted mother I have a letter on the taking of her only son to be sent across the sea to help free the world from kingcraft and autocracy. Her own father died in our Civil War. She knows what it means. No braver blood ever ran in the veins of the Spartans of old than the ruddy drops that visit her sad heart. She does not fear he may be one of that number whom we know will not return. She knows that a soldier keeps step with death and marches in the shadow of his own headstone. Her appeal is not against the inevitable risks of the hospital and the camp, the perils of the trench and the battle field. She asks only that her own flesh and blood typified in her son be shielded from the insidious but more deadly perils of drunkenness and its kindred evils. She is a God-fearing woman, who believes in the immortality of the soul and the life of which a human grave is but the threshold. She knows that life is but the way we must pass through nature to eternity. She watched him in his cradle. Her hand wrought for him his tiny garments before he was born. She bent above his cradle on winter nights and tucked him in to keep him safe until the dawn. She watched over him as he grew to understanding and now putting off the garments of peace and wearing a soldier's garb, he has passed beyond her hand and eye. She has made the supreme sacrifice that mothers have always offered since man has scourged the earth with his endless wars. For all this she utters none but words of loyalty and hope. From the deadly vices that stain the soul and corrupt the body she asks this Government to protect her son. She belongs to that mighty host of earth's women who wait and suffer and pray in obscurity and silence. While man has fought on the red hill-sides where every helmet caught a ray of glory, she has kept

her patient vigil unseen of men, unknown to a careless world. Shall not some one give voice to her unspeakable anxiety? Are the rights of property superior to the dumb, inarticulate woe of a nation's motherhood on the eve of its Gethsemane?

Why should not Congress vote to the uttermost limits to give her that guaranty and peace of mind in return for the priceless sacrifice she has made? When our final audit shall come before the Great Searcher of human hearts, I would rather have one broken-hearted mother ask for me justice, tempered with mercy, than all the breweries, the saloons, and the institutions built upon intoxicating liquors this side of the bottomless pit.

Let it be considered by the Senate. Let the rights of property be considered more sacred than the rights of humanity, if you will; but in this great day of struggle let us at once rise to the level where moral sacrifices are made, and where regulation can be made possible by constitutional power that will keep pace with the requirements of a new world after the regeneration of the mighty war in the Old World.

Mr. STERLING. Mr. President, I have here a piece of evidence and an argument, too, that I consider very pertinent in connection with the remarks just made by the Senator from Illinois [Mr. SHERMAN], especially that part of his remarks first made in regard to the work and the experience of the medical profession. I find this evidence and argument in a short chapter in a book entitled "Alcohol; Its Relation to Human Efficiency and Longevity," written by Eugene Lyman Fisk, medical director of the Life Extension Institute. The chapter I refer to is entitled "Attitude of American medical profession," and it reads as follows:

At the meeting of the American Medical Association held on June 6, 1917, Dr. Charles H. Mayo, the noted surgeon, in his presidential address stated that the only legitimate use for alcohol was in the arts and sciences, and that its use in medicine had become greatly restricted because other less menacing drugs and remedial measures could be used instead. He stated that the advisability of national prohibition as a war measure was beyond discussion, and that the medical profession would welcome national prohibition. These expressions brought enthusiastic response from the assembled physicians, which left no doubt as to their sentiments.

At a later meeting the house of delegates of the American Medical Association passed the following resolution:

"Whereas we believe that the use of alcohol is detrimental to the human economy, and

"Whereas its use in therapeutics as a tonic or stimulant or for food has no scientific value: Therefore be it

*Resolved*, That the American Medical Association is opposed to the use of alcohol as a beverage; and be it further

*Resolved*, That the use of alcohol as a therapeutic agent should be further discouraged."

Entirely apart from moral grounds, the judgment of the majority of scientific men is against even the so-called moderate use of alcohol, and this judgment, long withheld through scientific conservatism, but now unequivocally and boldly stated by the distinguished surgeon who has received the highest mark of confidence that the medical profession can offer, should be accepted by the lawgiver, business man, and patriotic citizen who wishes to best serve his country with his total and maximum efficiency of mind and body.

There, Mr. President, is what I regard as one of the most valuable pieces of evidence we can find in support of the submission of this amendment to the several States of the Union.

Mr. President, the liquor traffic is an evil, and I think we must all admit it, from the economic point of view. Indeed, it is from that point of view that it is now for the most part being considered; but it is an evil from the moral point of view. It is an evil from the political and the social point of view. It is an evil from the physiological, the health, and the medical point of view, as is conclusively shown by the chapter I have just read, giving the resolutions enacted by the American Medical Association and the opinion of Dr. Mayo.

The argument is made, Mr. President, that it will be against the will of individual States, and that if it were submitted to a vote in several States of the Union they would vote against prohibition. The Senator from Ohio [Mr. POMERENE] a while ago stated what he believed to be the sentiment in his State and that it was opposed now to prohibition. That sentiment may vote against this amendment, Mr. President; and yet it must be remembered that even in those States whose legislatures would vote against the amendment, were it submitted now, there is a great body of progressive, patriotic, dependable citizens who would, if permitted, vote for State-wide prohibition in their respective States; who would, if they could be permitted, vote for this amendment to the National Constitution; and I have the confidence to believe that the votes of this class of people, combined with the prohibition vote in prohibition States, would in the aggregate give throughout the Union a majority in favor of national prohibition.

Again, Mr. President, those who oppose the joint resolution and the submission of this amendment to the people do not take account of the rapid growth of public sentiment. States which to-day are opposed may a year hence or two years hence, or before the legislatures meet to act upon this amendment, be

in favor of prohibition, so rapid is the change of sentiment likely to be. Hence the amendment, though it should be adopted against the present will of a majority in certain States of the Union, may a year hence be quite in accord with the majority sentiment in those States. I think those who oppose this resolution should take an account of the fact that the movement for prohibition is, as it were, a great national movement, and that several States now opposed to the proposed amendment will in all likelihood be in favor of it within a comparatively short time.

Mr. President, it has been said by one great writer and critic of our institutions, still living, and one whom I think sympathizes with and appreciates them as no other foreign critic has done, that the United States disclose a type of institutions, one growing out of the principle of the rule of the multitude, toward which all the rest of civilized mankind have been forced to move as by a law of fate, some with swifter, other with slower, but all with unresting feet. A splendid thing it will be if to the United States of America, this great Republic of the west, toward which other people have looked as an example of free institutions, they can also look as an example on this great economic and moral question involving as it does the sobriety, efficiency, the happiness of many millions—an example toward which they, whatever their practices and traditions are, may move, "some, indeed, with swifter, others with slower, but all with unresting feet."

The PRESIDENT pro tempore. The pending question is on the amendment of the Senator from Georgia [Mr. HARDWICK].

Mr. SHEPPARD. Mr. President, I hope the amendment of the Senator from Georgia will be voted down. It is not necessary to the accomplishment of the purposes of the resolution. We should employ in the organic law as few terms as possible in order to reach the purpose we have in mind.

The amendment now framed prohibits the manufacture of intoxicating liquors within the limits of the Republic and the importation of such liquors into the Republic. It destroys the traffic in intoxicating liquors. With that object accomplished, use will cease and purchase will cease, and therefore it is unnecessary to have specific provisions as to purchase and use embodied in the amendment. I trust that the amendment of the Senator from Georgia will be rejected.

Mr. HARDWICK. Does the Senator state any specific objection to my amendment?

Mr. SHEPPARD. I say it is unnecessary, and I do not want to put any unnecessary language in the constitutional amendment.

Mr. KIRBY. Mr. President, I am glad to stand in this presence to-day and confirm the great truth as expressed by the poet:

Yet I doubt not through the ages one increasing purpose runs,  
And the thoughts of men are widen'd with the process of the suns.

I believe this proposal shows a distinct advance in the development of the civilization of our time. This is but another phase of the world-old battle of right against wrong, another phase of that everlasting conflict between the forces which conduce to uplift and upbuild the race against those which tend to tear down and destroy it.

To-day I am glad that I can add my voice in support of this resolution, leaving to the people of the States of this greatest of all nations to say whether we shall longer be inflicted with the open saloon and the liquor traffic, from which we have suffered so terribly in times past, with its innumerable difficulties and obstructions thrown in the way of our progress.

Mr. President, the saloon and the liquor traffic have been convicted at the bar of public opinion of being an enemy to mankind, to the individual, to the family, to the home, the community, the State, the Nation, and the race; and this is but an effort to-day in self-defense, and I am glad to support it.

We must play the game according to the rules. I have but little patience with those Senators who insist that the people of the State of Arkansas, because it does not have as much population as the State of New York, are not entitled to as great weight in the adoption of this resolution into the national Constitution as other States. The people when we established the Union said that this Constitution must be amended in a particular way, and prescribed the rules therefor, and according to those rules this matter must and ought to be determined.

We have not to go outside of the rules as already prescribed, and we do not expect that others than the friends of this sort of legislation shall have amendments tacked onto it to its injury, as would be the effect of the one proposed by the Senator from Georgia. We believe it is better to submit it as it has been offered here, and I believe the people of the States will ratify it within less than six years, the time proposed.

All of us understand what the liquor traffic means. All of us understand its past. All of us understand that it has been the corrupter of honesty and a destroyer of virtue and a murderer of happiness throughout this whole land. There is no excuse for its longer continuance now, and there never was any substantial reason for its inexcusable reign.

I have long thought this way about the question, so far as I am individually concerned, and I believe that the time has come when the people of this Nation have come to that conclusion. I am anxious that they shall have an opportunity to express that conclusion if they have already formed it in their minds, as I believe they have done.

There can be no objection certainly to submitting it as all other amendments to the Constitution have been submitted, and there can be no objection, so far as I am concerned, in having it submitted in the language that its friends think ought to be used in its submission and that will tend most strongly to secure its adoption when it shall come to the time for adoption by the different States.

I have not heard one single objection here that I regard a valid or substantial objection to the submission of the amendment at this time to the people of the United States; and I believe when it shall have been submitted and when it shall have been adopted we will wake up as we proceed with the different avocations and along the usual lines of employment, building up our Nation and improving it hereafter, we will look back upon the past as a hideous nightmare, when this traffic was permitted throughout the United States by intelligent men and submitted to by women because, forsooth, they had no voice to prevent it.

As you all know, the great God omniscient, who has seen the rise and fall of all the nations of the past, the rise and fall of all the nations that are now, and the rise and fall of all nations that shall ever be, He did not say that the thundering tread of marching millions, He did not say that proud riding navies heavily armored with long-distance guns, He did not say that all the wealth of the world stored up, but that "righteousness"—simple righteousness—"exalteth a nation." I believe that that righteousness has been inculcated into the minds and lives of the people, and that it has been accentuated to such an extent by the contrast with this awful curse that has afflicted the people, from which they have suffered grievously so long, that it has been so impressed that this amendment will be adopted; and when it has been adopted, then indeed may we all say that the Nation has truly been exalted.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Georgia [Mr. HARDWICK] to insert the words "purchase, use" after the word "sale."

Mr. HARDWICK. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. PAGE (when Mr. DILLINGHAM's name was called). I wish to announce the necessary absence of my colleague [Mr. DILLINGHAM]. He has a pair with the senior Senator from Maryland [Mr. SMITH]. I should like to have this announcement stand for the day.

Mr. FLETCHER (when his name was called). I have a general pair with the Senator from New Hampshire [Mr. GALLINGER], who is absent, but under the terms of the pair I am at liberty to vote. I shall therefore vote. I vote "nay."

Mr. MYERS (when his name was called). I have a pair with the Senator from Connecticut [Mr. McLEAN], who is absent from the city. Not being able to obtain a transfer of my pair, in the absence of the Senator from Connecticut I withhold my vote.

Mr. SHAFROTH (when Mr. THOMAS's name was called). I desire to announce the unavoidable absence of my colleague [Mr. THOMAS]. I will state that he is paired with the senior Senator from North Dakota [Mr. McCUMBER]. My colleague is absent on account of sickness.

Mr. SMITH of Michigan (when Mr. TOWNSEND's name was called). I desire to announce the unavoidable absence of my colleague [Mr. TOWNSEND] on account of sickness. He is paired with the Senator from Arkansas [Mr. ROBINSON]. If my colleague were present, he would vote "nay."

The roll call was concluded.

Mr. McCUMBER. I have a general pair with the senior Senator from Colorado [Mr. THOMAS]. He being absent, I am compelled to refrain from voting.

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX] who is absent. I understand that if present he would vote as I do. I vote "nay."

Mr. THOMPSON. I desire to announce the unavoidable absence of the Senator from Illinois [Mr. LEWIS] and also the

unavoidable absence of the Senator from Wisconsin [Mr. HUSTING] on important business.

Mr. BECKHAM. Has the Senator from West Virginia [Mr. SUTHERLAND] voted?

The PRESIDENT pro tempore. He has not.

Mr. BECKHAM. I have a general pair with that Senator. In his absence I withhold my vote. If permitted to vote, I should vote "nay."

Mr. OVERMAN (after having voted in the negative). I observe that the senior Senator from Wyoming [Mr. WARREN] has not voted. I transfer my pair with that Senator to the Senator from Nevada [Mr. NEWLANDS] and let my vote stand.

Mr. STERLING (after having voted in the negative). I have a general pair with the Senator from South Carolina [Mr. SMITH]. In his absence I withdraw my vote.

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

The Senator from Wisconsin [Mr. HUSTING] with the Senator from New Mexico [Mr. FALL]; and

The Senator from South Carolina [Mr. TILLMAN] with the Senator from West Virginia [Mr. GOFF].

The result was announced—yeas 4, nays 62, as follows:

YEAS—4.			
Broussard	Harding	Hardwick	Reed.
Ashurst	Hitchcock	New	Smith, Ariz.
Bankhead	Hollis	Norris	Smith, Ga.
Borah	James	Overman	Smith, Mich.
Brady	Johnson, Cal.	Page	Smoot
Brandegee	Jones, N. Mex.	Penrose	Stone
Calder	Jones, Wash.	Phelan	Thompson
Chamberlain	Kellogg	Pittman	Trammell
Cummins	Kendrick	Poindexter	Underwood
Curtis	Kenyon	Pomerene	Yardaman
Fletcher	King	Ransdell	Wadsworth
France	Kirby	Robinson	Walsh
Frelinghuysen	La Follette	Saulsbury	Watson
Gerry	Lodge	Shafroth	Williams
Gore	McKellar	Sheppard	Wolcott
Gronna	McNary	Shields	
Hale	Martin	Simmons	

#### NOT VOTING—30.

Beckham	Hughes	Nelson	Swanson
Colt	Husting	Newlands	Thomas
Culberson	Johnson, S. Dak.	Owen	Tillman
Dillingham	Knox	Sherman	Townsend
Fall	Lewis	Smith, Md.	Warren
Fernald	McCumber	Smith, S. C.	Weeks
Gallinger	McLean	Sterling	
Goff	Myers	Sutherland	

So Mr. HARDWICK's amendment was rejected.

The PRESIDENT pro tempore. The joint resolution is before the Senate as in Committee of the Whole and open to amendment.

Mr. HARDING. I desire to call up the amendment I proposed.

The PRESIDENT pro tempore. The Secretary will read the amendment of the Senator from Ohio.

The SECRETARY. Insert a new section to be known as section 2, as follows:

SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, on or before the 1st day of July, A. D. 1923.

Mr. HARDING. Mr. President, I have offered the amendment as representing the judgment of a number of Senators on the floor, with a view to placing a limitation on the pendency of the proposed amendment to the Constitution. I do it because that policy is involved in my consent to support the pending resolution.

I am so very much in earnest about it, Mr. President, that if I could have my way, if it were possible to get this body to consent to such an amendment, I would insist on limiting it to one vote or expression on the part of each State legislature. That would be a rather drastic procedure.

Mr. STONE. Mr. President, I can not hear at this distance a word that the Senator from Ohio is saying.

The PRESIDENT pro tempore. The Senator from Ohio will suspend. Order must be maintained in the Chamber. The Senator from Ohio will proceed.

Mr. HARDING. The thought I have in mind, Mr. President, is the elimination of this unending prohibition contest in the Halls of Congress. At the same time, I am in sympathy with the opposition to the resolution about the unfairness of adopting a Federal amendment under the provisions of the Constitution on a question relating to personal liberty, and if there were any other method of submitting an amendment I should be very glad to employ it.

I am not a prohibitionist, Mr. President, and never have pretended to be. I do claim to be a temperance man. I do

not approach this question from a moral viewpoint, because I am unable to see it as a great moral question. I can remember very distinctly, when I was a boy, during the early days of a hardy rural citizenship in Ohio some of the most moral people the State boasted had a jug of whisky in the fence corner during the harvest time. I am not saying that I favor that. I only cite it as an instance that it is not always and invariably a moral question.

But I do see the ethical and economical side of it, and when it comes to a decision on this point, at a time when we are boasting of our warfare for popular government, I can not be inconsistent enough to deny the settlement of this much-mooted question by popular will in the only manner in which the Constitution provides.

I do think it is unwise, imprudent, and inconsiderate to force the issue at this time. I do not question the sincerity or the high purpose of the prohibition forces, but I do believe, and very sincerely, that it is a great imposition on Congress and a great misfortune to the country to divide American citizenship into two hostile camps over this question of personal liberty at a time when we ought to be promoting the concord of citizenship that is essential to win this war. But having expressed myself as regretting the pressure brought to settle this issue now, I must go further and say that since it is insistent and intruding, so that we must reach a decision now, I find myself impelled to take the side which I think must in the end contribute to the most good of our common people.

I do not think a prohibition amendment will be effective, Mr. President. You can not make any law stronger than the public sentiment which sees to its enforcement. I have watched the progress of this question from the conflict in the hamlet to the municipality, to the county, the State, and the Nation, and while I stand here and freely express my doubts about its practicability, at the same time I recognize that it is growing and insistent and persistent and it must be settled.

Ever since I have been in public life in a small way I have seen men continually measured by the wet and dry yardstick, and the submission of this amendment is going to measure every candidate for public office by the wet and dry yardstick until the final settlement. When I say that, I have expressed my strongest reason for putting a limitation upon the pendency of the amendment. I want to see this question settled. I want to take it out of the Halls of Congress and refer it to the people who must make the ultimate decision. I want to meet the demand for submission, and witness a decision.

So then, in spite of its untimeliness, in spite of the lack of prudence in submitting it now, since we have come to this question of prohibition as a war measure, and there has been a yielding on the one hand against drastic prohibition in the food bill, I think this submission is a sort of a compromise between the contending forces, and I am willing to be counted a compromising agent. All our great movements are the result of just such endeavors. I do not hesitate to say that I approach the question from a strong sense of justice, and if this amendment is submitted to the people of the United States and receives the sanction of three-fourths of the general assemblies, then, if my tenure of office still obtains, I am willing to go further and join in a movement to make it effective through a process of compensation to the business destroyed.

So then, Mr. President, in these rather rambling remarks which I have made, rather than turning to some written ones I wished to offer, I will say that I should like to see this amendment adopted, because it accomplishes one great thing: It forces this great public question to a final settlement within the period of six years. We shall have the question acutely presented until it has been finally disposed of within that time. I am sure that after we have disposed of it, we shall find national legislative and State legislative duties adjusted to much more normal lines.

I hope that the judgment of the Senate will be such that it will agree to this limitation amendment. I know there are arguments against the constitutionality of such a course, but there can be no argument offered that will question the validity of the amendment if it is adopted within the time prescribed.

Mr. SHEPPARD. Mr. President, I suggest an amendment to the amendment by changing the number of the section from 2 to 3, as we already have two sections of the joint resolution; and also by striking out the words "on or before the 1st day of July, anno Domini 1923," and inserting "within six years from the date of the submission hereof to the States by the Congress." That will insure the period of six years for consideration. If the other House should not vote on this proposition, and it should not be submitted for eight or ten months to come, there would not then be six years remaining for the ratification of the proposed amendment.

Mr. LODGE. I did not quite hear the limitation of time. Will the Senator from Texas kindly repeat it?

Mr. SHEPPARD. The language I propose to substitute is "within six years from the date of the submission hereof to the States by the Congress."

Mr. HARDING. Mr. President, as to the latter part of the amendment of the Senator from Texas to my amendment I am quite agreed, because that is the spirit of my amendment. I think it would be more prudent, however, to let the amendment stand as section 2 and let it be followed by what is now section 2 of the joint resolution to be numbered 3.

Mr. SHEPPARD. That is acceptable.

Mr. HARDING. Then, Mr. President, I am very glad to accept the suggestion of the Senator from Texas to modify the time limit so that the language shall read "within six years from the date of its submission by the Congress," if that be the language which the Senator proposes.

Mr. SHEPPARD. The exact language is "within six years from the date of the submission hereof to the States by the Congress."

Mr. HARDING. That is quite agreeable.

Mr. SHEPPARD. I withdraw the part of the amendment to the amendment which I have offered relating to the number of the section. After we vote on the proposition I will submit an amendment to change the number of section 2 so that it will be section 3, or the Secretary may make the necessary change by unanimous consent.

Mr. HARDING. That is entirely agreeable.

The PRESIDING OFFICER. The Senator from Ohio accepts the suggestion of the Senator from Texas. The amendment of the Senator from Ohio, as modified, is the question before the Senate.

Mr. BORAH. Mr. President, I have very grave doubts about whether or not this can be done. If this proposed constitutional amendment goes to the States at the present time, as the Constitution of the United States now stands the States have a right to ratify it within any time they may see fit. The number of years within which they may take action is not limited. If it is submitted to the States, the Constitution of the United States will stand with reference to amendments at the time the ratification is going on just as it now is; there will be no change in the machinery which the Constitution provides for ratification; and when the States vote upon this question they will be voting on it under the Constitution of the United States as it now exists. We having submitted it to the States, it is in the possession of the States, and we can not control it. They have a perfect right to say, "We shall ratify this now" or "We will ratify it in 10 years from now," and when they shall ratify it they will have acted in accordance with the provisions of the Constitution of the United States. I have not any doubt about that at all.

I would vote for an amendment to change the Constitution of the United States in regard to the machinery provided for the ratification of proposed amendments, because I think there is much merit in the proposition that there ought to be a time within which constitutional amendments should be ratified; but we can not change the Constitution of the United States as to the machinery by which ratification takes place by the manner in which we submit a particular constitutional amendment. In other words, we can not provide in the submission a rule for ratification of that particular proposal when there is another existing rule in the Constitution.

Mr. HARDING. Mr. President, will the Senator from Idaho yield to me?

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Ohio?

Mr. BORAH. I yield.

Mr. HARDING. Does the Senator from Idaho know of any inhibition in the Constitution that prevents putting in this condition?

Mr. BORAH. Yes; I have just called attention to it. As the Constitution now exists, there is no limitation upon the time within which the States may ratify an amendment. The time therein provided is "when ratified," and by that rule this amendment is controlled. Now, if this amendment goes to the States, suppose that at the end of six years within two of the requisite number of States have ratified the amendment; suppose after six years and within eight years two more ratify it, will they not inevitably say "We have ratified it in accordance with the provisions of the Constitution as it now stands"? How are you going to prevent the amendment from taking effect? They can point to the fact that here is the Constitution under which we are acting; it has not been changed; the Congress of the United States can not hold a tether on an amendment and pull it back after it is once submitted even

though it is not seen fit by the States to ratify it within a certain time. When we submit it, it goes to the States and they act under the provision of the Constitution which fixes no limit of time. They do not act under a rule which the Congress fixes in the proposal submitted, but under the rule found in the Constitution. Under our Constitution the proposal can not carry its own rule of ratification because the Constitution fixes the rule.

Mr. STONE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Missouri?

Mr. BORAH. I yield.

Mr. STONE. I wish to ask a question of the Senator. The Senator says that he would vote for an amendment to the Constitution fixing a time limit for the adoption of amendments to the Constitution; in other words, he would be willing to incorporate that idea into the body of the Constitution.

Mr. BORAH. Yes.

Mr. STONE. Very well. Now, if we could submit, which we could do, an amendment to the Constitution providing that all amendments to that instrument thereafter submitted should be adopted within a fixed time limit, can not the Congress, following the same idea, exercising the same privilege, provide, in submitting a given amendment, that it shall be adopted within a given time?

Mr. BORAH. I can convince the Senator in a minute I think that the two propositions are as wide apart as day and night as questions of constitutional law. If we submit a general amendment to the Constitution of the United States changing the machinery and fixing a limit of time, that goes to the States and when ratified becomes a part of the Constitution of the United States; but when we submit this time-limit amendment to the States it is not a part of the Constitution.

Mr. HARDING. Will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Ohio?

Mr. BORAH. I shall do so in just a moment. The States are proceeding all the time to ratify the amendment under a Constitution which exists and is unchanged. The one instance is a case where the Constitution is changed; the other instance is where we submit an amendment to the Constitution as to which we propose to have a rule with reference to its ratification other than that which exists in the Constitution.

Mr. HARDING. Mr. President, the Senator from Ohio has read Article V of the Constitution, and that article of the Constitution itself gives an example of explicit limitation by providing that there shall be no amendment prior to 1808.

Mr. BORAH. But that was a part of the Constitution.

Mr. HARDING. Exactly so; and it does not put any inhibition on Congress expressing a condition as part of an amendment.

Mr. BORAH. But let me ask the Senator this question: If this proposed amendment should go to the States now and they should proceed to ratify it, they would be ratifying it under the Constitution as it now exists, and it would be ratified under the Constitution as it now exists clear on through until they shall have finished their work.

Mr. HARDING. Supplemented by—

Mr. BORAH. Wait a moment. Suppose that at the end of six years only 31 States have ratified the amendment. Certainly the time-limit provision has not become a part of the constitutional change proposed, because the amendment has never been ratified; and yet Congress holds a tether upon it and draws it back, notwithstanding the States have a right to say, "This has been submitted to us under the Constitution as it exists and we are entitled to go ahead."

Mr. HARDING. I think the Senator is wrong, because Congress, in its exercise of power in submitting the amendment to the Constitution, specifically says, "If you do not exercise your right to ratify it within six years, then this amendment is withdrawn."

Mr. BORAH. Yes; but the States in answer to that say, "Congress can not do that, because the fundamental law of the land says we do not have to ratify it in six years from now. You have submitted it to us and we may ratify it in eight years."

Mr. LODGE. The fundamental law of the land does not say anything about it.

Mr. BORAH. I beg the Senator's pardon. The fundamental law of the land does say very plainly, that it places no limitation upon the time when or within which it must be ratified. It says, "when ratified," and fixes no limit.

Mr. LODGE. It says nothing about it.

Mr. POMERENE. Mr. President—

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

Mr. BORAH. I yield.

Mr. POMERENE. I am always glad to find myself in accord with the Senator from Idaho on legal propositions, but I confess I must differ from him on this. The Constitution itself authorizes the submission of amendments to the Constitution by a joint resolution passed by a two-thirds vote of Congress. There is no limitation attached to that. This Congress can submit any amendment that it sees fit, and, in my judgment, with any limitations or conditions attached to it.

Mr. BORAH. That is where I differ from the Senator.

Mr. POMERENE. I know we differ in that respect. If there were no limitation placed upon this proposed amendment as to the time within which it must be ratified, then, perhaps, by a different amendment at another time we might not be able to accomplish that end; but we submit here, as a part of this proposition which goes to the organic law, the further statement that this is inoperative unless it is ratified within a given time. That is a part of the proposition, in my judgment.

Mr. BORAH. But here, Mr. President, let me ask the Senator a question. Suppose that this amendment were submitted to the States just as the joint resolution is written, with section 2 in it, and at the end of six years 31 States had ratified it, certainly it would not be a part of the Constitution, would it?

Mr. POMERENE. How many States did the Senator suggest?

Mr. BORAH. Thirty-one States.

Mr. POMERENE. No; it would not be a part of the Constitution.

Mr. BORAH. It would not be a part of the Constitution. It never could be a part of the Constitution under any circumstances until 36 States had ratified it.

Mr. POMERENE. That is true.

Mr. BORAH. And if 36 States had ratified it in 10 years, they could reply to this proposition, "We proceeded under the Constitution as it existed."

Mr. POMERENE. Yes; but it seems to me that the Senator overlooks the fact, if the so-called Sheppard amendment is adopted, that is one thing—

The PRESIDENT pro tempore. The time of the Senator from Idaho has expired.

Mr. POMERENE. But it is proposed to amend—

The PRESIDENT pro tempore. Does the Senator from Ohio desire recognition?

Mr. POMERENE. I will ask the attention of the Senate for just a moment.

The PRESIDENT pro tempore. The Senator from Ohio.

Mr. POMERENE. But if the amendment proposed by my colleague [Mr. HARDING] is agreed upon by the Senate, we are not proposing to submit the simple proposition of the Senator from Texas, but the amendment of my colleague becomes an integral part of the constitutional amendment proposed by the Senator from Texas.

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

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Idaho?

Mr. POMERENE. I do.

Mr. BORAH. After it has been ratified by the States, then, of course, this particular amendment becomes a part of the Constitution; but the States can proceed to vote after the end of six years, for the reason that as yet the Constitution has not been changed.

Mr. POMERENE. But, Mr. President, the amendment of the junior Senator from Ohio, if adopted, becomes an integral part of the resolution. It becomes as much a part of the resolution itself as the original resolution presented by the Senator from Texas, in my judgment; and I know of nothing in the Constitution which says that the Congress can not attach any condition or qualification to a proposition which it submits in the form of a proposed amendment to the Constitution.

Mr. BORAH. Mr. President, I do not want to interrupt the Senator again only to say that the friends of this movement will find in after years that they have been led into a cul-de-sac. I do not challenge men's motives, but that is the effect and that will be the result.

Mr. POMERENE. I am not prognosticating as to what may happen later. I was addressing myself solely to the legal proposition, and I feel quite as convinced I am right as my learned friend from Idaho does that he is right.

Mr. BRANDEGEE. Mr. President, I would favor the submission of a separate constitutional amendment providing that all proposed constitutional amendments which have not secured the favorable action of three-quarters of the legislatures of the

States in a definite period of years shall fail; but I agree entirely with the Senator from Idaho [Mr. BORAH] in the view which he takes of the amendment proposed by the Senator from Ohio [Mr. HARDING].

I intend to vote against the proposed constitutional amendment, but it is not with any relation to that that I say what I am about to say. In my opinion the attachment of this time-limit amendment to the proposed prohibition constitutional amendment is extremely liable to result in the loss of the amendment, and if I wanted by more or less of a trick to secure the defeat of the amendment I would want no better opportunity to embarrass this proposed constitutional amendment than to vote for the amendment of the Senator from Ohio.

Article V of the Constitution, providing how amendments shall be submitted to the States for the approval of their legislatures or State conventions, says that amendments—

shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States.

The Constitution itself, therefore, provides that an amendment shall be ratified when approved by the legislatures of three-fourths of the States; and I think there is no question that that word "when" always has been interpreted, and is correctly interpreted, as though it were "whenever." That has been the practice of the States in connection with all constitutional amendments which have been adopted.

Suppose the amendment of the Senator from Ohio is added to the joint resolution. I can readily see that when the matter is taken to the Supreme Court the Supreme Court may hold that Congress, by attempting to prescribe an unconstitutional condition to the machinery by which the amendment must be approved by the legislatures of the States, has exceeded its authority, and the whole amendment may fail, although ratified by the States in eight years. For instance, suppose six years go by and three-fourths of the States have not acted favorably upon this proposed constitutional amendment, but that at the end of eight years three-quarters of the States have acted favorably upon it; the friends of this amendment, of course, I suppose, would then, in order to secure the amendment, have to turn around and claim that Congress had no authority to attach a time limit to it, and that it had become a part of the Constitution.

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

The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the Senator from Kansas?

Mr. BRANDEGEE. I yield.

Mr. THOMPSON. Would not the Senator think, if his view of the constitutional power is correct, that it would only invalidate this particular section and not the entire resolution?

Mr. BRANDEGEE. If the amendment of the Senator from Ohio only invalidated itself, no harm would be done, of course; but if the court should hold that it was, in the language of the senior Senator from Ohio [Mr. POMERENE], such an integral part of the amendment as that it could not be dissected from the body of the amendment, then the risk would be run of having the whole amendment defeated.

Mr. HARDING. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the Senator from Ohio?

Mr. BRANDEGEE. I do.

Mr. HARDING. Suppose there is no limit placed upon the pendency of the amendment, and suppose the State of Ohio votes to adopt the amendment, we will say, in 1919, and then in 1921 reverses that decision and seeks to withdraw its approval, what happens?

Mr. BRANDEGEE. I am informed, Mr. President, although I have not looked the cases up, that the courts have held that a legislature may reject an amendment and then at another session may adopt it, and such action will enable that State to be counted as one of the three-quarters necessary to approve the amendment. On the other hand, if a legislature adopts an amendment, it can not then at another session or at the same session reject it and have its action count against the amendment. In other words, a time watch is set, and whenever it strikes a certain way that concludes the matter, while if it strikes the other way it is still open to further action, because, under the language of Article V of the Constitution, it becomes valid when approved, irrespective of how many times it has been disapproved before that.

Mr. HARDING. Then, I want to ask the Senator, suppose a State—we will say Massachusetts, for example, with its annual elections—has rejected this amendment six successive times, does the Senator think it ought to be still left open for the seventh to adopt it?

Mr. BRANDEGEE. I do not think it ought to be; and if the Senator from Ohio, with whose intent I thoroughly agree, and his friends would now prepare another proposed constitutional amendment providing that all constitutional amendments to be submitted to the States shall be approved within six years or eight years—whatever time limit may be desired—and that those not approved within that time shall be deemed to have failed, I would vote for it. If such an amendment were passed now by a two-thirds vote in both branches, and the States voted on and ratified it first, then the Constitution would be amended, and the amendment would be applicable to the pending prohibition amendment; but it is utterly beyond my mental apparatus to comprehend the claim that, with the Constitution as at present written, with its existing machinery for its own amendment, a proposed amendment which it is sought to make a part of the Constitution can include a provision which will so change the Constitution as to make it applicable to the very amendment which itself can not take effect until it has been ratified by three-quarters of the States. It is an attempt to hoist yourself by your own boot straps, if I may use a homely phrase.

The Constitution stands as it is until amended, and yet it is proposed to attach an amendment to a proposed constitutional amendment changing the existing constitutional machinery so that it will operate under a proposed amendment, which is no amendment until it also has been adopted, at the same time the attempt is made to adopt the condition.

Mr. HARDING. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Connecticut yield further to the Senator from Ohio?

Mr. BRANDEGEE. I yield.

Mr. HARDING. Does the Senator believe if this amendment were ratified by the States within six years, that there would be any question of its validity?

Mr. BRANDEGEE. I think there would be a serious question of its validity, because it would not have been submitted in a constitutional manner. Whether it would be contested or not is a different proposition, but the effect of this amendment will be to destroy large amounts of property which the courts have declared to be entitled to the protection of the Constitution, and it can not be taken or destroyed, by the General Government at least, no matter what may be done by a separate State under its police power, in an arbitrary manner. All sorts of legal questions. I apprehend, will be raised by the owners of this property and by those engaged in the liquor business to prevent the destruction of their rights, and it would seem to me that it would be well for Congress to consider before it leaps.

Mr. BORAH. Mr. President—

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

Mr. BORAH. If we can submit in this proposal a proposition to limit the time within which the States may ratify it, could we not with equal force submit a proposition that when a majority of the States ratify this amendment it shall be an amendment to the Constitution?

Mr. BRANDEGEE. Yes, Mr. President, we could with equal power and authority, in my opinion, attempt to say that the amendment shall take effect and become a part of the Constitution to all intents and purposes when ratified by a majority of the electors of the several States, which is what ought to be done.

The PRESIDENT pro tempore. The time of the Senator from Connecticut has expired.

Mr. JOHNSON of California. Mr. President, if the experience of other Senators upon this floor has been at all similar to mine they will have realized that there is a complete misunderstanding and misconception of what to-day the United States Senate is doing upon this particular proposition. From the hysterical telegrams that have come to me upon both sides of the issue the people of the State which I in part represent apparently are laboring under the delusion that we are affirmatively enacting now a prohibition measure which at once will go into effect and which at once will render this Nation dry. This is such a total misconception and misunderstanding that I think, from our standpoint in the far West at least, it ought to be made plain that to-day in presenting and proposing a constitutional amendment we are but following our conception of the fundamental principle of popular rule—popular rule, which has been with us not a mere empty phrase, but which has been a basic governmental idea written in our State into our constitution. We are, Mr. President, but following this idea and this principle of popular rule in enabling the people of the Nation, when a considerable number ask that privilege, to pass upon an important matter of national legislation.

We do not to-day, of course, enact a prohibitory law; indeed we do not even to-day express an opinion upon a national prohibitory law; but under the resolution that is presented and under that which we here understand, all we do in the language of the resolution is to propose "to the States an amendment to the Constitution to be acted upon and to be ratified by the various States of the Union if they shall see fit."

In the territory from which I come the question of the right of the people to pass upon any given matter has become fundamental and vital. In 1911, when our political revolution occurred in the State of California, all of us with feverish anxiety turned in every direction to ascertain how we could place in the hands of the people just liberated from a quarter of a century of corporate rule the weapon by which they might maintain that freedom so hardly and with such difficulty won. Then, when we turned to find the weapon we found it only by enabling our people, whenever they sought to pass upon any legislation, to have the right to pass upon it whenever they desired; to halt recalcitrant representatives and themselves pass upon their acts. What I do to-day in regard to this particular amendment is only following that rule, that particular fundamental principle, the right of our people to govern themselves by submitting to them a proposed constitutional amendment in the only manner that is accorded to us under our organic law, and by letting them, and them alone, determine whether or not that which a very large number of our people desire shall become a part of the Constitution of the United States.

I would, indeed, submit any question by constitutional amendment where there was a really considerable number of our people who desired its submission. I expect within the next 24 or 48 hours to ask the chairman of the Committee on Woman Suffrage why it is that a particular resolution that has been concurred in by every member of that committee is not presented to the Senate of the United States, and by the Senate of the United States presented to the Nation for the Nation's action and for the Nation's determination of equal suffrage in this land. If there be any other question, economic, ethical, or moral, that any really great number of our people wish submitted to the electorate or to the States, I would vote to submit that particular question, no matter what my individual view might be.

Turning now from the particular subject thus discussed to the amendment presented by the Senator from Ohio [Mr. HARDING], I want to say that I am in thorough accord with the views expressed by that Senator and those expressed by his colleague in reference to its legality. This particular amendment, with its limitation of six years, is not an abrogation of the Constitution of the United States. It is not an effort to amend that Constitution or in any way to alter any substantive part of it.

The amendment offered by the Senator from Ohio is a limitation and a condition imposed upon the particular constitutional amendment, and it is just as legal and just as valid that that sort of limitation and that kind of condition should be imposed upon the proposed constitutional amendment as it would be if we wrote after the words "manufacture, sale, or transportation," a particular time limit within which the manufacture, sale, or transportation might be permitted within our particular territory.

I feel that the Senator from Idaho [Mr. BORAH]—for whom I have the most profound respect, and who, as a constitutional expounder, stands second to none in all this land—is in error when he insists that we are amending the Constitution of the United States by this particular limitation and this specific condition. We are not amending the Constitution. We are simply imposing that limitation and that condition upon the specific amendment, and the specific amendment alone.

So I trust that the particular amendment may be passed, and I shall cast my vote for the joint resolution that is presented by the Senator from Texas [Mr. SHEPPARD] upon the ground and upon the theory—fundamental with us of the West, upon the very basic idea upon which we have builded new Commonwealths there—that the people finally have the right to pass upon any question where any considerable number of the people ask that right.

During the discussion upon the Resolution (S. J. Res. 17) proposing an amendment to the Constitution of the United States, Senator FRANCIS E. WARREN, of Wyoming, said:

Mr. President. I have been detained on public duty at another place during most of the time this matter has been up for discussion; but, judging from what has occurred during the brief periods I have been on the floor, I believe it has been very thoroughly discussed.

Time does not permit nor does inclination impel me to make any extended remarks upon the resolution now about to be voted upon by the Senate. Argument for or against the



measure at this stage of its procedure, on my part, would be futile, and therefore I shall not attempt to make even the briefest form of one. It has been proclaimed that there are votes enough and to spare to carry it. My only purpose in rising is to state my own position, and that, to some extent, of my State.

I can not give my support to the joint resolution, because I believe, and I think my State believes the same way, that the police powers should be provided by State legislation and rest with the people rather than that the United States should usurp those powers.

It has been and is my belief that each State should have unrestricted control of its police powers, and I think the Supreme Court of the United States has held in various decisions that the police powers of a State within its own borders are paramount and can not be lawfully interfered with even by the Federal Government. In fact, in a somewhat celebrated case—United States against John Racehorse—in which the police powers of the State of Wyoming came in conflict with certain rights granted by a United States treaty to certain Indians, the Supreme Court decided that the police powers of the State were paramount and superseded even treaty-made rights coming in conflict with them. The Supreme Court decided that the State should have unrestricted control of all these matters within her lines.

I gave my support in the war bill to a measure of temperance and which provided that the men of the United States Army should not be surrounded with immorality. I gave my support in the food bill to the so-called food conservation along lines of temperance, but what was really very much of a prohibition bill. But beyond that I do not feel that I can go at this time.

The State of Wyoming has provided, through its legislature, that its people shall vote next year upon an amendment to the State constitution covering this subject. The State of Wyoming, which I in part represent, was, like other new and frontier States, called "wild and woolly," and it was "wide open" in its early career, with "wide-open" towns. One of them, and the one of which I am now pleased and proud to call myself a citizen, was said by some disrespectful critics to be the wickedest city in the world. We commenced from that standard to develop along lines of industry, temperance, and good morals. We first gave the right of suffrage to women and men alike, but we required all who might enjoy suffrage to have sufficient education to read and write. We limited, from time to time, the sale and use of intoxicating beverages until we have to-day simply those few places, in the cities where there is a sufficient police force, that the city governments may permit, limited in number, and a very large license charged against them, and under very close supervision. The State stands second to none in this country in morality and progress along the lines of character and intellectual growth.

In dealing with the liquor question, Wyoming has been practical but not radical. As I have said, the earlier Territorial days of unrestricted use and sale of liquors gave way to the restrictions of high license and later to prohibition outside of incorporated cities and towns. Regulation brought beneficial results, and cities and towns once wide open—"wild and woolly"—became as peaceful and sedate as New England villages of the days of the Puritans.

The State of Wyoming stands only second or third from the top of the list in the per capita amount of money she gave to the Red Cross in its late canvass. She went far beyond her proportion in subscribing to the liberty loan. She furnished more than her quota of troops in the State, one-third of her counties, or 7 of the 21, not being called upon to furnish any troops through draft and having a surplus to their credit. It seems to me that in a State that has provided for her own government and has made the good progress that Wyoming has, it is enough to ask of her that she abide by the decision of her legislature—and the vote was unanimous, or nearly so; there was no party division—and let the State settle what she shall do along the lines of intoxicating beverages.

If the States, as is said to be the case, are falling in line one after another, we have only to wait a short time until the matter will take care of itself without the United States Government entering with its strong hand. If that is the case, we do not need to have the proposed constitutional amendment. If, on the other hand, there are enough States who do not believe the time has arrived, then of course it is useless.

Control of the liquor traffic is essentially a police power vested in the individual States. We of Wyoming think we know how to exercise that power so as to conform to the wishes of our own people. We do not assume to have the knowledge of conditions and views in, say, the State of Texas to the extent that

we should frame the laws of that State in regard to the liquor or any other business which is carried on within its jurisdiction. At the same time we do not concede that the people of Texas know us well enough to make our Wyoming laws.

And yet in this resolution that is what is proposed—a certain number of States can inject the views and beliefs of their citizens into the laws and regulations of other States.

I prefer to have Wyoming make its own laws for the regulation of the liquor traffic within its boundaries. I believe the people of my State are qualified to do this; I believe they will do it, and do it in the sensible, practical way they have carried on other reforms—with a due sense of proportion and the observance of the rights and equities of all.

Therefore upon this resolution I shall vote to permit Wyoming and each of the other States of the Union to continue to make its own laws for the regulation of the liquor business within its own jurisdiction.

I have believed, and I believe now, that progress can be truly made faster where we go just fast enough in these lines of reform so that our laws are obeyed and administered actively and completely. There are States in the Union that are ostensibly "bone dry" that put to shame, through the use of liquors and through intoxication, some of the States that are under license.

Mr. President, I shall not take further time; but I simply say that I shall be found among perhaps the few that will vote "no" on the proposed constitutional amendment.

Mr. CUMMINS. Mr. President, I offer the matter which I send to the desk as a substitute for the amendment proposed by the Senator from Ohio.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The Secretary will state the amendment, in the nature of a substitute, offered by the Senator from Iowa.

The Secretary read as follows:

*Resolved, etc.*, That the following amendment to the Constitution of the United States be proposed, which when duly ratified by three-fourths of the several States shall be valid to all intents and purposes as a part of said Constitution, to wit:

Amend Article V of the said Constitution by adding thereto the following, to wit:

"*Provided*, That all amendments to the Constitution so proposed and submitted to the States for ratification after January 1, 1917, in order to become valid to all intents and purposes as a part of the Constitution, shall be so ratified within a period of eight years after such submission: *And provided further*, That the action of any State ratifying an amendment must be without modification or condition and shall not be subject to rescission or recall in any form whatsoever."

The PRESIDING OFFICER. The question is on the amendment, in the nature of a substitute, offered by the Senator from Iowa.

Mr. CUMMINS. Mr. President, I am very much opposed to the amendment suggested by the Senator from Ohio [Mr. HARDING]. It is not only an exercise of authority which has not been granted to us by the Constitution, but it is exceedingly unfair and unjust. The amendment which I have proposed is a further proposal of an amendment to the Constitution, and would, if adopted, be voted upon by the States as a separate amendment to that instrument.

I am in favor of supplying what is manifestly a defect in our Constitution and providing some limit of time within which amendments to the instrument must be ratified, but I am earnestly opposed to the attempt to attach to the joint resolution offered by the Senator from Texas a condition which is not only unfair in itself, but is unauthorized by the organic law.

The Senator from Idaho [Mr. BORAH] is entirely right, from my standpoint. We are empowered in the Constitution to do what? To propose amendments to that instrument. We have no other authority. From what part of the Constitution do we get the power to attach a condition to an amendment which we submit to the States for ratification? Our authority is exhausted when we declare that an amendment shall be proposed to the States.

The amendment offered by the Senator from Ohio does not amend the Constitution. It does not pretend to amend the Constitution. It is simply an effort, if passed, upon the part of the Senate to qualify the power which we are attempting to exercise, namely, to propose an amendment to the Constitution.

I have no doubt whatever that if ratifications were to occur after the period of six years named in the amendment of the Senator from Ohio the courts would either recognize those ratifications or set aside the entire amendment, and the possible outcome of adopting the amendment of the Senator from Ohio will be to plunge the whole subject into litigation that may continue for years to come. I for one am not willing

to embarrass the cause of prohibition by any such unwarranted exercise of power.

Mr. SHIELDS. Mr. President—

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

Mr. CUMMINS. I yield to the Senator.

Mr. SHIELDS. I desire to make a suggestion to the Senator along the line of his argument, in which I am very much interested. I will say to him that I have not thought a great deal upon the subject so far, and I wish his opinion upon this view of it. I understand the Senator from Iowa to take the position that the Congress has not the power to limit in any way the action of the States in adopting an amendment.

Mr. CUMMINS. I assume that position. I say that the only way in which we can limit the time within which a proposed amendment shall be acted upon is by a definite and substantive amendment to the Constitution.

Mr. SHIELDS. I correctly understood the Senator, then. I call the attention of the Senator to this principle, and ask his views of it:

Wherever there is a grant of power, it carries with it the grant of a lesser degree of the full extent of the power granted. I will illustrate my proposition, if the Senator will bear with me, and then I will ask the Senator to express his views.

Mr. CUMMINS. I hope the Senator will remember that I have only 10 minutes.

Mr. SHIELDS. The pardoning power is given the Executive by the Constitution of the United States. It is an absolute grant of that power; but under that grant the courts have always held that the lesser being embraced in the greater, the Executive may commute a sentence; he may grant a conditional pardon. Now, is not this an absolute power for the Congress to submit to the States the proposed amendment to be ratified? Can it not be coupled with a condition or a limitation, and come within the principle that the greater involves the lesser?

Mr. CUMMINS. May I ask the Chair how much time I have left?

The PRESIDING OFFICER. The Senator has one minute remaining.

Mr. CUMMINS. The Senator from Tennessee has taken up so much of my time that I could not pretend to answer his question within that minute.

Mr. SHIELDS. Mr. President—

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. SHIELDS. I did not fully understand the Senator's reply, and I shall be glad to yield to him in my time to answer the question.

Mr. CUMMINS. If the Senator from Tennessee will be kind enough to do that, I reply that the rule to which he refers can have no application in a constitutional grant of power to Congress upon a subject like this. There is no lesser degree of power. Our power is to propose an amendment to the Constitution. It is complete in itself and there are no gradations of that power, and, as it appeals to me, there could not be. The two Houses of Congress are the instrumentalities chosen by the Constitution to submit to the States proposed changes in our organic law. That is the power given to us. If we do not want to exercise that power, we of course can decline it; but if we exercise it, it is not susceptible, from my point of view, of a division. The very moment we attempt to divide it we ourselves are attempting to amend the Constitution, an authority which of course is not claimed by anyone for Congress. I must therefore adhere to my view that so much of the resolution, if it were amended as proposed by the Senator from Ohio, as limits the time, would be entirely ineffectual and could give rise to nothing but embarrassment, delay, litigation, and confusion.

Mr. SHIELDS. I should like to ask the Senator further to express his views upon this phase of the matter: What objection is there to further amending the Constitution by providing that the amendment shall be ratified within a limited time, as here proposed?

Mr. CUMMINS. I have offered as a substitute a definite amendment to the Constitution, limiting the time in which all amendments may be ratified. If the States under the Constitution as it is shall adopt that amendment, then it is manifest that any other amendment which is not ratified within the period of eight years, as I have made the period, could not become a part of the Constitution.

Mr. SHIELDS. Mr. President, I should like to have the Senator's views as to why both propositions can not be embraced in the same amendment?

Mr. CUMMINS. My objection to the amendment of the Senator from Ohio is that we are attempting to exercise an authority that we do not possess, and that if it is adopted it can lead to nothing but trouble for those who believe in national prohibi-

tion. I can easily understand why those who are opposed to prohibition should desire the adoption of the amendment of the Senator from Ohio. No matter what the motive may be in offering it, the effect must be, if it has any, the delay, the possible defeat, of national prohibition.

Mr. SHIELDS. Now, Mr. President, following what the Senator from Iowa has stated in expressing his views, I desire to ask him whether there is any limitation whatever in the Constitution of the nature or character of the amendment that may be submitted to be ratified, except that in regard to the representation of the several States in this body?

Mr. CUMMINS. There are but two limitations—one, as the Senator will remember, forbidding amendments on a certain subject up to a certain time; the other forbidding all amendment unless agreed to by all of the States. There are no other limitations.

Mr. SHIELDS. Neither of those limitations applies to the present proposition.

Mr. CUMMINS. Neither of them, as I understand, would apply to this subject.

Mr. SHIELDS. Then there is no limitation or provision whatever in the Constitution that prohibits this amendment in the conditional form proposed?

Mr. CUMMINS. There are no limitations. I have always believed, Mr. President—if I may continue to answer—that if the matter were ever submitted to the court in a proper way, the court would hold that the States must ratify amendments, under the Constitution as it is, within a reasonable time. What that reasonable time may be would differ with each case.

Mr. BECKHAM. Mr. President, it is of course impossible in the limited time allowed to speak in this debate to discuss at length any of the many features of the important subject now before the Senate. This is an extraordinary occasion in the history of this body. A vote is soon to be taken upon the question of submitting a constitutional amendment providing for nation-wide prohibition, and if this Congress submits this amendment, then the States of the Union will be given an opportunity of determining whether or not it shall become a part of our organic law. If it is submitted and as many as 36 of the States ratify it, it will then become the law of the land. The occasion is especially remarkable in view of the fact that a considerable majority of the Senators, and probably as many as two-thirds of them, favor the amendment and will so vote when the roll is called.

Mr. President, if a dozen or more years ago any man had predicted such an event so soon as this, he would have been considered an idle dreamer, or possibly a lunatic. But conditions have changed swiftly in recent years, and the time has come much sooner than most of the friends of prohibition believed when the Senate of the United States seems ready and anxious by a two-thirds vote to submit this question to the States for their ratification.

The rapid and widespread growth in sentiment favorable to prohibition among the people of this country in recent years is one of the most interesting and remarkable experiences in our history. It has grown in strength not only in our country but throughout the civilized world. It has not been so many years since that for a man to be called a prohibitionist was an offensive epithet, and meant in many instances at least political ostracism. To-day no man needs to defend himself from such a designation. The opponents of prohibition are on the defensive, and are without argument to uphold their cause.

We see in both Houses of Congress substantial majorities in favor of nation-wide prohibition; we see at least one-half of the States now under prohibition laws, and we have reason to believe that the people in many of the other States will adopt it when the opportunity is offered them. Every argument advanced by those opposed to the movement has been met and answered, and the liquor interests of the country to-day stand without a friend that can present a single valid reason to justify their continued existence.

Alcohol used as a beverage has been unmistakably and unanswerably stamped by the medical profession, by other scientists, by the best thought of the age, as a poison. It has been shown by overwhelming evidence that when so used even in moderate quantities it is a positive injury to the human system. It weakens the body, it blurs the mind, it invites disease, and it destroys the soul of man. It produces more pauperism, more crime, more sorrow than all other causes combined. It is the prolific mother of prisons, jails, insane asylums, and almshouses. It has no friends left, except those who manufacture and sell it and make a profit out of the business. It is a curse against which widows and orphans and sorrow-stricken people in every community in our land have lifted up their prayers and have petitioned their Government to abolish.

No one can now stand before an intelligent audience and defend the existence of the saloon. That evil institution is now recognized as one without a saving grace, and as the chief breeding place of human misfortunes and tragedies. That the saloon is doomed is a fact now generally admitted, and another generation will marvel at the patience and forbearance of this generation in tolerating it so long. No State nor city nor community has abolished the saloons that has not been greatly benefited in every way by doing so. Prohibition is not only a moral but also an economic blessing to any State that adopts it. As a revenue producer the liquor business is worse than a failure. It gives only a small percentage of the large sums it takes from the consumers to the support of Government and it weakens the taxpaying powers of the people among whom it is tolerated.

If, therefore, Mr. President, the saloon is bad, what good can there be in the distillery or the brewery whose business it is to manufacture supplies for the saloon? If the one is abolished, why should the other remain? It has been estimated that the amount wasted in this country each year for alcoholic drinks amounts to nearly two and one-half billions of dollars. Think of what an enormous and inexcusable waste of our national wealth, to say nothing of the infinite harm, that its use inflicts upon the people. No good whatever comes from that staggering expenditure, and it is all absolute waste. What a tremendous saving of our national wealth can be accomplished by stopping it altogether. Let the people of this country have the opportunity in the constitutional way to express their wishes in regard to it. Let this Congress at least respond to this unmistakable demand and give the people a chance through their States to ratify this amendment.

This is not simply a war-time movement. The arguments in favor of prohibition have been, accentuated, not created, by the existence of the present world-wide war. It is a bad policy to waste wealth in time of peace; it is a worse policy, and may be a fatal policy, to waste it in time of war. I should, Mr. President, support this constitutional amendment in time of peace. I can do so with even greater earnestness at this time when we are engaged in a titanic war and when all of the energies and resources of the Nation and the strength of the people should be conserved. I hope to see this amendment receive the requisite number of votes, both in the Senate and in the House, and that this session of Congress will before its adjournment give to the people the opportunity to settle this question according to their wishes.

Mr. NORRIS. I ask unanimous consent to print in the RECORD an article by Prof. Irving Fisher, of Yale University, on the question of conservation of food by prohibition.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

**HOW MUCH FOOD CONSERVATION IS POSSIBLE FROM WAR-TIME PROHIBITION AND HOW GREATLY IS IT NEEDED.**

(By Irving Fisher, professor of political economy, Yale University.)

LIQUOR USES UP 94,000,000 BUSHELS OF GRAIN A YEAR.

*Grain used by brewers, 1916.*

[Reported by Department of Agriculture, 1917; figures given to the nearest 100,000 bushels.]

	Bushels.
Barley .....	52,400,000
Corn .....	13,600,000
Rice .....	2,400,000
Total .....	68,400,000

*Grain used by distillers.*

[Includes that for industrial alcohol. Internal Revenue report, 1916, figures given to nearest 100,000 bushels.]

	Bushels.
Corn .....	32,100,000
Barley .....	4,500,000
Rye .....	3,100,000
Total .....	39,700,000

*Total grain used by distillers and brewers combined.*  
[Including that distilled for industrial alcohol.]

	Bushels.
Distillers .....	39,700,000
Brewers .....	68,400,000
Total .....	108,100,000

Negligible amounts of other grains (mostly oats and wheat) are also used.

The quantity of grain used by the distilleries in the manufacture of industrial alcohol is not exactly known, but in 1916 the total quantity of distilled spirits for denaturing, manufacturing, and scientific purposes was 87,000,000 gallons, and that the remainder presumably for human consumption as alcoholic beverages 162,000,000 gallons. In other words, about a third of the total was used industrially. As a much larger proportion of the alcohol from molasses is used industrially than is the case with that from grain, the fraction of the grain so used was probably less than one-third. In other words, the grain used for manufactured alcoholic beverages was more than two-thirds of the total of 39,700,000 bushels, and therefore more than 26,000,000 bushels.

*Total grain used in production of alcoholic beverages.*

For distilled liquors .....	26,000,000
For beer .....	68,400,000
Total .....	94,400,000

These 94,000,000 bushels, consisting mostly of (about) 55,000,000 bushels of barley, at 48 pounds per bushel, and (about) 35,000,000 bushels of corn, rice, and rye, at 56 pounds per bushel, make over 4,600,000,000 pounds of grain.

**HOW THIS WASTE COULD BE SAVED IN BREAD.**

This grain could be exported, or better, used to eke out our own bread supply by mixing with wheat flour and thus releasing the equivalent amount of wheat for export.

It is easy for any cook to mix corn with wheat flour up to 10 per cent. In the Mellon Institute, of Pittsburgh, where bread experiments are being made, mixtures have been successful up to 50 per cent and fairly successful even up to 66 per cent. Barley can be mixed with wheat flour up to 20 per cent by any cook and up to a higher percentage, given the requisite knowledge and skill. Mr. Hoover recently had in his rooms bread containing 20 per cent barley, which could not be detected by its appearance to the eye or by its taste from the original wheat bread. This will probably be a popular form of war bread.

**HOW MUCH BREAD COULD BE SAVED.**

A pound of grain makes about a pound of bread, for the 25 to 30 per cent of the grain removed by milling is almost exactly replaced in the bread by other ingredients—milk, water, salt, etc.

Thus alcoholic beverages divert from bread making the equivalent of 4,600,000,000 1-pound loaves of bread per annum, or about 12,500,000 1-pound loaves per day.

The cessation of the brewing and distilling of alcoholic beverages would thus enable us to export these 12,500,000 1-pound loaves of bread per day. Even if we make a much larger allowance for the industrial alcohol than we have, the figure will exceed 11,000,000 loaves.

**HOW FAR DO BREWERS' AND DISTILLERS' GRAINS HELP THE HUMAN FOOD SUPPLY?**

It is true that "brewers' grains" and "distillers' grains"—the waste from the production of alcoholic liquors—while they can not be used directly for human food, contain food value for cattle. When they are fed to cattle part of their food value can be recovered for human food in the form of meat or milk.

The brewers claim that 35 per cent of the original grain is left in the form of brewers' grains. An English statement by Lord Davenport gives the figure in England as 25 per cent. The discrepancy is explained by the fact that the brewers' "35 per cent" is by value and not by weight. In either case only a fraction of this is recoverable in milk and only a very small fraction in meat.

But measurement by weight is very crude. We should measure the results in food units. The food unit is the calorie, which is also a unit of heating power or energy-giving power.

As we have just seen, barley after brewing leaves behind about a third of its weight in dried brewers' grains. As a given weight of these grains possesses only three-fourths the food value of the same weight of barley, it follows that only about one-fourth—i. e., three-fourths of one-third—of the original value is left for cattle feed. A more exact calculation gives the result as 28 per cent.

Similarly, corn after distilling leaves behind somewhat less than a third of its weight in dried distillers' grains. As a given weight of these grains possesses nine-tenths the food value of the same weight of corn, it follows that three-tenths—i. e., nine-tenths of one-third—of the original food value is left for cattle feed. This also, when more exactly calculated, works out at 28 per cent.

When the brewers' and distillers' grains are turned into meat about nine-tenths of the food value is lost in the process. The one-tenth which is recovered is therefore one-tenth of 28 per cent of the original grain, or less than 3 per cent of the food value in the original barley and corn.

If the grains are used for milk production a much larger recovery is secured—about two-thirds of the value of the brewers' and distillers' grains, i. e., two-thirds of 28 per cent, or about 20 per cent of the original food value.

If we count the meat (or milk) thus recovered in terms of equivalent bread the saving from stopping the manufacture of alcoholic beverages would be 3 per cent, or 20 per cent less than 12,500,000 loaves—roughly twelve (or ten) million loaves—let us say 11,000,000 a day.

**"MILLER'S OFFAL."**

These recoveries, however, must in their turn be partly offset, for the manufacture of liquor takes away a feed that prevents the making of "miller's offal"—amounting usually to about 28 per cent by weight (about usually about 40 per cent) of the original grain—which would be created as a by-product if the grain were milled into flour.

These figures for miller's offal relate to wheat and may possibly be different for barley or corn. But the net result would be to raise slightly the net wastage figure (ten to twelve million loaves a day) above obtained.

We conclude that 11,000,000 loaves a day is a fair estimate of the bread supply we are now drinking up.

It should be observed that three-fourths of this food waste is from brewing. The common idea that the distillers are the more important food wasters is erroneous.

**ALCOHOLIC BEVERAGES NOT PROPERLY FOODS.**

No account is here taken of the food value in beer nor of the calories (of little or no use in the human organism) of the alcohol in beer and spirits. As these food and heat values can not be expended without at the same time poisoning the human system with alcohol, it is only technically correct to count even the food value of beer as a real part of the food of the Nation, and, according to the best physiological authorities, it is probably not even technically correct to count the heat value of alcohol as such.

**ARE 11,000,000 LOAVES A DAY WORTH COUNTING?**

Having secured the figure 11,000,000 loaves as a conservative estimate of the grain waste from alcoholic beverages, we next ask, How important to the Nation is this item?

The distillers and brewers in full-page advertisements have recently been trying to belittle such waste as a small percentage of the grain crop, although a few years ago they were magnifying their use of grain as an important part of the farmer's market. The grain crop is not the right basis of comparison, yet even in relation to the grain crop the waste is nearly 2 per cent. The grain crop includes feeds for horses, cattle, swine, poultry, etc., as well as exports. Prof. Sherman, in

Food Products, points out (p. 259) that about nine-tenths of the corn crop is consumed on the farm, and of the one-tenth which is sold not all is used for human food; also (p. 264) that only about one-twentieth of the oat crop is used by milling industries, including that used in breakfast cereals. Only about one-third of the rye crop is made into flour.

The distillers in 1916 consumed over 1 per cent of the total corn consumption by man and beast in the United States, 2 per cent of the total barley consumption, 8 per cent of the total rye consumption. The brewers used over 6 per cent of the total rice consumption, 25 per cent of the total barley consumption.

But it must be remembered that the feeds to cattle, swine, and poultry are recovered in human food only to a very slight extent, and horse feed is not so recovered at all. From the standpoint of our national food supply we ought to compare the 11,000,000 loaves wasted in alcoholic beverages with the total human food values involved. So measured, the waste of 11,000,000 loaves a day is very appreciable.

A pound loaf of bread contains about 1,250 calories, or about half of the average per capita food requirement; 11,000,000 loaves therefore contain calories equal to the total calories required by 5,500,000 people. Counting our population as 100,000,000, an amount equal, at least, to 5 1/2 per cent of our entire national human food consumption is wasted in alcoholic beverages.

In terms of total breadstuffs the percentage is still greater. The consumption of bread in the United States, including pastry, is estimated by experts at five-sixths of a loaf per capita.

This means that what we waste in beer and spirits is 13 per cent of the total breadstuffs we eat.

WHAT 11,000,000 LOAVES A DAY MEAN IN WAR.

When we turn to the real problem, the war problem, the problem of supplying our allies, the 11,000,000 loaves per day, which means 80,000,000 bushels of grain per year, wasted in the production of alcoholic beverages is nearly 25 per cent of the total food and feed stuffs exported by the United States in 1916, that total being 405,000,000 bushels, made up as follows:

Barley, bushels.....	22,485,920
Corn, bushels.....	53,543,227
Oats, bushels.....	101,411,239
Oatmeal, bushels (also large export of oat breakfast cereals).....	1,750,000
Rice, bushels.....	1,330,000
Rye, bushels.....	15,161,090
Rye flour (bushel rye to make).....	500,000
Wheat.....	154,049,686
Wheat flour (bushel wheat to make 4 1/2 bushels to barrel).....	54,705,500
Wheat, bushels (made into bread) (estimated from pounds of breadstuffs).....	210,000
Total.....	405,146,662

WOULD FEED THREE ARMIES.

Again, 11,000,000 loaves a day is enough to supply the bread needs of the English (3,000,000), French (5,300,000), and Italian (3,400,000) armies, counting the bread ration at a little less than 1 pound a day per soldier. It is much more than enough to supply the entire bread relief of Belgium.

This bread waste would more than supply a bread ration of 1-pound loaf a day to all the inhabitants of Scotland and Ireland.

It would nearly supply one-third of the bread ration of England and Wales.

It would more than supply a pound loaf to every one of the 39,600,000 inhabitants of France every four days.

It would furnish half a pound a day to the 1,250,000 dependent children in Belgium, and a pound loaf to every man of the 240,000 in the United States Army Regulars, the 400,000 National Guard, the 500,000 draft, the 5,300,000 in the French Army, and the 3,000,000 in the British Army, and then give a loaf to every one of the million families in New York City.

It is true that we could make these same savings out of our large grain crop in some other way. Instead of stopping or reducing beer and whisky making, we could reduce exports to our allies or reduce the production of milk or meat or reduce the number of horses.

But, seriously and solemnly, are these the places at which to economize rather than economizing on a use which is not only necessary but, as we all know, vastly injurious to the Nation?

DOES LIQUOR MAKING REDUCE THE PRICE OF MILK?

We may pause here to answer an ingenious objection. The liquor interests in a circular to Congress (signed by the "Farmers' Feed Co." New York) state that "to eliminate brewers' grains for milch-cattle food will unquestionably lessen milk production 20 per cent; will unquestionably increase the cost of production to such an extent that the purchase price of a quart of milk, now fixed at 11 cents per quart, will unquestionably force the price to 25 or 30 cents per quart in all great centers of population where a pure milk supply is most required."

These bogies need not frighten us, inasmuch as, in the first place, the Department of Agriculture has shown how to secure leguminous foods in substitution, and, in the second place, the brewers' grains could not possibly supply 20 per cent, or even one-third of that figure, of the grain food of milch cattle or even a far smaller percentage of their total food.

According to a table in the Agricultural Outlook, October 15, 1914, Farmers' Bulletin 629, about 9 per cent of the corn crop, 5 per cent of the oat crop, and 4 per cent of the barley crop are used for feeding milch cows. These percentages applied to the production of 1916 would indicate that from these three grains alone, without counting other cattle feeds, the milch cattle obtained 300,000,000 bushels of grain. The entire amount of brewers' grains in that year would, according to the brewers' own claims, not exceed 25,000,000 bushels, or 8 per cent of 300,000,000.

The price of milk may indeed rise from the general war conditions, but the withdrawal of brewers' grains will not be the cause.

One of the chief dairy companies in the United States, when asked this question by our committee replied:

"Probably the single factor of withdrawing brewers' grains from the market would not affect the price of milk or have any material influence on the price of other cattle feeds."

Prohibition would tend greatly to lower the cost of living, including the cost of milk, in many different ways, some direct and others, quite as important, indirect. Some of these will be shown in a later statement on national efficiency in relation to alcohol.

Incidentally, however, we may note that, as we all know, alcoholic beverages now waste both the money and the power to earn money of the poor. Dr. Haven Emerson, health commissioner of New York City, finds, in a recent investigation, that 5 per cent of the income of the poor in New York City is spent on alcoholic beverages. A much larger per cent of earning power is lost thereby. Consequently, out of the saving in both these respects which war-time prohibition would bring, there would be a large net gain for the babies' milk (about which the brewers and distillers are suddenly so solicitous) even if the price of milk should rise several fold.

The economy in buying brewers' and distillers' grains, as compared with other foods, some of which have a great food value per ton, has also been exaggerated.

The prices per ton on May 18, 1917, were as follows:

Spring bran.....	\$42.60
Brewers' grains.....	43.50
Malt sprouts.....	45.60
Choice yellow gluten.....	48.60
Winter wheat middlings.....	50.10
Oil meal.....	53.10
Distillers' dried grains.....	53.10
Corn and oats.....	61.75

The brewers' and distillers' grains are not regarded as the best cattle feed. They need to be supplemented by other foods, such as miller's grains, and are not used at all by many of the best dairies. This fact is vouched for by one of the best known of these dairies in a letter to this committee.

GRAIN NOT THE ONLY FOOD WASTED.

Besides the grain used in manufacturing alcoholic beverages there is an enormous quantity of molasses and considerable quantities of grape sugar or maltose as well as glucose or sirup so used.

Reduced to pounds the items for 1916 are as follows:

	Pounds.
Barley, 56,513,235 bushels, 48 pounds per bushel.....	2,712,635,280
Corn, 45,643,063 bushels, 56 pounds per bushel.....	2,556,011,528
Rye, 3,116,612 bushels, 56 pounds per bushel.....	174,530,272
Rice.....	141,249,292
Grape sugar or maltose.....	54,934,621
Molasses, 152,142,232 gallons, 11 pounds per gallon.....	1,673,564,552
Glucose or sirup, 2,742,894 gallons, 11 pounds per gallon.....	50,171,394
Total.....	7,343,096,939

These figures include some two-thirds of a billion pounds of grain used in the manufacture of industrial alcohol. The figures have been carefully compiled by Prof. T. M. Carver, of Harvard University, with others, and reviewed by Prof. Cannon, physiologist of the Harvard Medical School, and others.

It has been objected that a large amount of the molasses is not fit for human consumption. A large amount of it, however, is so used, namely, that from the cane-sugar refineries. This is being used in the present sugar shortage, particularly in England and France. That from the beet-sugar refineries is not good for human consumption, but it is good for stock feed and can also be used for the manufacture of industrial alcohol. In short, all of the seven and one-third billion pounds could be utilized otherwise than by manufacture into alcoholic beverages and almost all of it could be used for human food. Probably the total food value wasted, when the items other than grains are included, is a quarter larger than that of the 11,000,000 loaves.

FOOD WASTE IN THE LIGHT OF WORLD FAMINE.

This food waste would be considered important in ordinary times; but in time of war, when there is a great food shortage, the waste is much more serious. The extent of this shortage is not yet realized, although Mr. Hoover has published his findings. These findings are based on studies made by him and his staff in the various countries abroad in collaboration with the food ministers of the various countries. The requirements of bread grains for our allies were calculated by him as follows:

	†Bread grains (bushels).	Fodder grains (bushels).
United Kingdom.....	225,000,000	170,000,000
France.....	175,000,000	70,000,000
Italy.....	90,000,000	60,000,000
Belgium and Portugal.....	50,000,000	.....
European Neutrals.....	10,000,000	.....
Ex-European Neutrals.....	5,000,000	116,000,000
Total.....	555,000,000	416,000,000

This makes a total grain requirement of nearly a billion bushels, of which over half is for human consumption. Mr. Hoover thinks that, while it would be impossible for the United States to supply all of the requirements for grain food for humans and grain fodder for animals, the major part of the burden must fall on us.

Certainly all of the grain we now waste in drink will be needed, and more, for with 20,000,000 men withdrawn from production, with grain fields devastated in France, Belgium, Poland, and Serbia, with grain ships destroyed by submarines, and with short crops at home—the shortage in winter wheat having been estimated by our Department of Agriculture at 189,000,000 bushels—we need food economy as we have never needed it in this country since the Pilgrim Fathers suffered in those historic days, the survival of which led to the establishment of Thanksgiving Day.

The International Bureau of Agriculture at Rome has estimated the shortage of the crops of 1916, as compared with 1915, as follows (1916 shortage relatively to 1915):

	Per cent.
Wheat, 17 leading countries.....	25.3
Rye, 11 countries.....	6
Barley, 16 countries.....	8.6
Oats, 14 countries.....	13.6
Corn, 6 countries.....	14.6
Potatoes, 7 countries.....	13.6

The chief reason why we in America have not yet appreciated the shortage of our food supply is that so far we have eked it out by drawing on reserves. We have been slaughtering animals and reducing their number, and have drawn on foods in cold storage so greatly that the decreases in a year up to March 1 are as follows:

	Per cent.
Cheese (American, pounds)-----	29.3
Eggs (cases, 30 dozen)-----	86.3
Lard (pounds)-----	31.7
Lamb and mutton (pounds)-----	31.1
Frozen pork (pounds)-----	36.9

The foregoing table is one of many of great interest on this subject given by Profs. Seager and Chaddock, in Columbia War Papers, series 1, No. 6, division of intelligence and publicity, Columbia University, 1917.

As soon as the people of this country realize that world war is threatening world famine no patriotic citizen, whatever his views on other aspects of the alcohol problem, will hesitate to favor war-time prohibition.

Mr. McNARY. Mr. President, it is not my purpose to discuss the pending constitutional amendment. There has been so much said upon the subject that I do not feel I can add anything of value. I wish to say, however, that I am in favor of the amendment and expect to vote for it.

Oregon is one of the States recently to adopt prohibition. I think it will be refreshing and perhaps interesting to offer some evidence of the results of prohibition in that State.

In 1915 the State ingrafted an amendment upon the constitution known as the partial-prohibition amendment. In 1917 the State adopted what is known as a bone-dry amendment to the constitution. Consequently Oregon is one of the baby prohibition States. I think the structure of society is about the same the country over, and what necessarily has proven to be a wholesome principle of government for the people of Oregon will necessarily, as a social question, prove to be an excellent rule of conduct to be applied in the Eastern, Southern, Middle, or Western States.

This question might properly be discussed from the standpoint of its economic value or its social effect. It has an equal merit as a political question, as has been stated so splendidly by the Senator from California [Mr. JOHNSON]. It has been facetiously said of Oregon that it is one of the experimental States in the field of legislation. I accept that statement as an honor. We have introduced several forms of government and have not made a single failure. I am in accord with the Senator from the Pacific coast when he says that it is safe to leave any question with the people.

Within the human minds in our State and along the whole coast there has been clearness of thought and squareness of mind among the people upon all questions of government coming before them to settle, whether it involved a statutory or a constitutional problem. I have abiding faith in the people, and I believe the constitutional amendment should be submitted.

I wish to submit and read a telegram from the governor of our State, Mr. Withycombe, as to the effect of partial prohibition and the effect of bone-dry prohibition, which has obtained in that State since 1915:

SALEM, OREG., July 30, 1917.

Hon. CHARLES L. McNARY,  
United States Senate, Washington, D. C.:

General effects of prohibition decidedly good; crimes growing less; jails empty; workmen more prosperous; committed to penitentiary, 1914, 257; 1915, 261—

I might add that that was before Oregon adopted the prohibition amendment to the constitution—  
1916, 148

That was after prohibition had been tried three years, a reduction of 100 per cent.

Savings deposits 1915 thirty-seven and one-half millions, 1916 forty-five and one-quarter millions.

JAMES WITHYCOMBE.

I have a telegram from Mr. John F. Carroll, editor of the Telegram, one of our leading papers, which I will ask permission to have inserted in the RECORD.

The PRESIDING OFFICER. Without objection, leave will be granted. The Chair hears no objection.

The matter referred to is as follows:

PORTLAND, OREG., July 31, 1917.

Senator CHARLES L. McNARY,  
Senate Chamber, Washington, D. C.:

Prohibition has had a remarkable tendency to decrease crime and enhance the moral and economic situation in Oregon. This is strikingly illustrated by statistics for the year 1916, when partial prohibition became effective, allowing 2 quarts of whisky or two dozen quarts of malt or vinous liquors a person every 28 days, over 1915. Statistics for 1917, when bone-dry law went into operation, reveal still further increase in morality and economic and a corresponding decrease in crime over 1916. The adoption of prohibition has caused depression in only a few lines of business, and this depression is practically confined to Portland. Investigation by the Portland Chamber of Commerce of conditions throughout the State as a result of prohibition revealed hearty approval by bankers, merchants, shopkeepers, and fathers, with practically no loss of building occupancy in the

smaller towns. In these towns bankers and merchants say there is more money, and collection agencies have virtually been put out of business. In Portland, however, according to the chamber's investigation, the immediate results were not so beneficial, but business depression has been limited to hotels, taxicab companies, clubs, and kindred enterprises. Prohibition has seriously affected club life in Portland, members preferring resigning to making up the deficits that followed the closing of the buffets, but Portland has always enjoyed being called a home city and club life has never been a predominant feature of the city. On the other hand, according to the chamber of commerce, all large employers of labor are thoroughly in favor of prohibition, even those who before the election opposed its adoption. It produces efficiency, they assert, and tends to avert accidents, especially Monday mornings. The rent situation in Portland was seriously affected in certain down-town districts. This, however, has almost been remedied. Wholesalers and other merchants declare collections are better and larger quantities of groceries, clothing, shoes, and other necessities are being purchased than before prohibition was adopted. The chamber's investigation also revealed a huge decrease in diseases. Venereal diseases, according to the report of the chamber's committee, have disappeared to such an extent that most of the so-called "specialists" of the medical profession have left the State. Records in the office of the sheriff of Multnomah County show that there are now confined in the county jail one-half the number of prisoners incarcerated in 1916. These records also show there is now 1 arrest where there were 20 in the time when Oregon was wet. In 1915 there were 2,219 commitments to the Multnomah County jail; in 1916 there were 1,482; during the first six months of 1917 there were 914. The last number includes many slacker arrests, pending investigation of registration and other incidents in preparation for war. Police records for Portland show there were 91 arrests for nonsupport in 1915 and 31 in 1916. There were 344 insane commitments in 1915 and 256 in 1916. The police sent 406 vagrants to the county jail in 1915 and 32 in 1916. During the month of December, 1915, there were 215 prisoners in the county jail, and in December, 1916, only 62 prisoners were confined in the jail. Police records also show there were 18,243 arrests in 11 months of 1915, and for the corresponding period of 1916 there were 10,042 arrests. The police arrested 6,305 persons for intoxication in 11 months of 1915 and 1,820 persons for that offense during the corresponding period of 1916. In 1915 the Oregon State penitentiary had a population of 566, in 1916 there were 440 persons in the institution. Police records in Portland for the first six months of the current year show that there were approximately half as many arrests as were made for the corresponding period of 1915. Bank clearings for Portland in 1915 amounted to \$544,446,756 and in 1916 \$649,775,141. Deposits in 1915 amounted to \$72,577,031, in 1916 \$91,894,478. Savings deposits in banks of the State in 1915 amounted to \$21,352,228, and in 1916 \$25,445,242. Time deposits in the banks of Oregon for 1915 amounted to \$14,835,474, for 1916 \$17,932,235. The record for the post office of Portland in 1915 was \$1,216,571, for 1916, \$1,225,000.

JOHN F. CARROLL.

Mr. McNARY. I wish to read another telegram. It is from the president of the Anti-Saloon League:

PORTLAND, OREG., July 30.

Hon. CHARLES L. McNARY,  
United States Senate, Washington, D. C.:

Oregon public sentiment increasingly and overwhelmingly favorable to national prohibition. Have secured data from Mayor Albee—

The mayor of our largest city, Portland—

showing first year under prohibition reduced Portland's arrests of drunks and vags from 10,118 to 2,790. Bank deposits increased seven millions. One hundred and six less inmates at county poor farm. Strikes far more easily handled. Salvation Army captain estimates city morals improved 90 per cent.

B. LEE PAGET.

I desire permission also to have printed in the RECORD a telegram from Mr. Baker, president of the Oregon Anti-Saloon League, and also an editorial from the Portland Oregonian, one of the leading and most substantial papers in the West.

The PRESIDING OFFICER. Without objection, leave will be granted. The Chair hears no objection, and it will be so ordered.

The matter referred to is as follows:

PORTLAND, OREG., July 28, 1917.

Hon. CHARLES L. McNARY,  
United States Senator from Oregon,  
Senate Office Building, Washington, D. C.:

Economic conditions: Bank clearings 1915 (with saloons), fifty-four millions; 1916, prohibition, forty-nine millions. Bank deposits 1915, seventy-two millions; 1916, ninety-one millions. Savings deposits 1915, fourteen million; 1916, seventeen million. No decrease in population caused by prohibition; practically every business man says prohibition increased business 75 per cent. Old saloon locations snapped up by other business within 30 days. No vacancies now. All classes credit men report business better; collections better. After saloon driven out, hotels, big department stores said business better. Laundry business, milk business, jewelers, motion pictures and theaters, shoe stores, specialty stores, tailor and clothing stores, restaurants; all classes for prohibition. Employers report gain of 25 per cent efficiency of employees, especially logging camps and lumber mills.

Social conditions 1915: Nonsupport cases (Portland), 91; 1916, 31. Insane commitments 1915, 344; 1916, 256. Vagrants (county jail, Multnomah) 1915, 406; 1916, 32 prisoners. Multnomah jail, December, 1915, 215; December, 1916, 61. Arrests by Portland police 11 months 1915, 18,243; 11 months 1916, 10,042. Intoxication cases, 11 months 1915 (Portland), 6,305; 11 months 1916 (Portland), 1,820. Number commitments Oregon State Penitentiary 1915, 566; 1916, 440.

Public officials of Oregon say: Gov. Withycombe, proving phenomenal success from economic and moral standpoint. Albee, mayor, one of greatest forward steps ever taken by city. Alderman, superintendent of schools, school children better clothed, fed, shod; attendance improved materially. Walter Evans, district attorney, crime cut in two. Clark, chief of police, from police standpoint a good thing. Harburt, sheriff, moral effects wholly good. Steiner, superintendent State In-

sane Hospital, decreased number insane commitments, and is bound decrease prevalence of paresis. Langguth, municipal judge, good thing in every particular.

BAKER, *President Oregon Anti-Saloon League.*

[From Portland Oregonian of Dec. 31, 1916.]

DRY OREGON GROWS.

The recent investigation led into almost every avenue of trade, for the purpose of learning just how business had been affected.

With the exception of those lines dependent directly or partly on the saloon business for their business not a single merchant reported that prohibition had hurt him.

Contrary to expectations the laundry business has not suffered. Laundries did a heavy business in washing bartenders' jackets and aprons and supplying towels, but they have made that up by branching into the domestic trade, and a canvass of their books shows an increase of about 5 per cent.

All lines of legitimate merchandise have improved. This seems to be particularly true of jewelry stores. Men who formerly spent their money for drinks now are buying jewelry. One jeweler only a block from the water front opposed prohibition vigorously in 1914. Within a block of his store were seven saloons. When the State went dry he tried to sell out. He could not. An ironical turn of fate placed jewelry stores in two of the rooms vacated by saloons. Then he tried to close out. In the process he found his business growing. Now he is doing 20 per cent more business than a year ago.

Motion-picture theaters, vaudeville theaters, and all public amusement houses are doing more business than ever.

Shoe stores also report an improvement, particularly in the part of the west side east of Third Street. Shoe dealers agree that they are selling a greater proportion of children's shoes now than they did a year ago. The assertion that children are better shod is corroborated by the school authorities.

The big specialty stores and big department stores are unanimous in the assertion that prohibition has not hurt their business. All of them are doing more business now than a year ago.

A prominent merchant tailor who worked hard against prohibition two years ago now asserts that he would work just as hard the other way; that men are now buying better clothes and a greater percentage are paying cash for them.

Every credit man reports that collections are better under prohibition. This is particularly true of the smaller stores. The big wholesale houses report that their collections are better.

The passing of the saloon has left no abnormal number of vacant storerooms. In the main business district all but three of the rooms formerly occupied by saloons are now filled with legitimate lines of business. More than 75 per cent of the old saloon locations were snapped up by other business men within a month after the saloons went out of business.

Prohibition Portland has attracted more tourists than Portland with its saloons ever did in a normal year.

All the first-class hotels report better business this year than in any normal year before the saloons were wiped out. Naturally those hotels that made a heavy profit from their bars are suffering just that much less, but their other departments continue to make money. Some of them are absorbing the losses due to the elimination of the bar by the increased business in their rooms and restaurants. Hotel men say there is no reason why a hotel should depend on its saloon to carry along the rest of the house any more than a good department store allows its shoe business, for instance, to carry the losses of its dress-goods department.

Employers assert that those of its employees formerly inclined to drink have gained fully 25 per cent in efficiency. This is particularly true of logging-camp operators.

Mr. SHAFROTH. Mr. President, the temperance movement in the United States may be divided into three epochs. The movement was first started by the appeal to the individual. Temperance societies were formed. The people were asked to sign pledges to abstain from the use of intoxicating liquor, and a considerable advance was made thereby. However, we know that such promises are often broken under exposure to the allurements of the saloon, and many signers of the pledge fell victims to temptation. It is still true as it was in Shakespeare's time that "If to do were as easy as to know what were good to do, chapels had been churches and poor men's cottages princes' palaces."

Because of failure to produce the expected results the temperance people saw it was necessary to take a further step in the direction of obtaining abstinence.

STATE PROHIBITION.

The second movement was an appeal for restrictive legislation by the States, namely, high license; an appeal to cities to pass ordinances prohibiting the use of intoxicating liquors in wards and cities; and appeals for local-option laws in counties; and at last State-wide prohibition.

It is needless to say, Mr. President, that the use of intoxicating liquor has been demonstrated by the medical fraternity to be most deleterious to health. A little book came to me on yesterday entitled "Alcohol," by Eugene Lyman Fisk, in which I have found some very valuable information. I found that in England of the people who abstained from the use of intoxicating liquor 37 per cent less died than those of the ordinary risks in the life insurance companies of Great Britain. In other words, the man who abstained lived longer, he was a better risk. Speaking of the British Life Assurance Co., it is interesting to note this paragraph:

This institution was founded at a time when the total abstainer was looked upon as a "queer duck," probably mentally unbalanced and certainly physically weak. In fact, this particular company was founded by a man who had been asked to pay an extra premium because he insisted on being a total abstainer.

It is of interest to know that, while in the course of the company's whole experience the excess mortality among users was 37 per cent, the mortality among users between the ages of 35 and 40 was 83 per cent in excess, showing the influence of some extremely unfavorable factor at that critical period.

The American insurance statistics show practically the same facts.

Mr. President, a powerful reason why the States should have enacted legislation establishing prohibition is found in statistics which show that the paupers in prohibition States are only 46 to every 100,000 of population, that in the near prohibition States they are 54, that in the 13 partially licensed States they are 123, and in the 9 license States the ratio is 127 paupers to every 100,000 of population.

Statistics taken from the United States census reports show that in prohibition States only 118 are insane to every 100,000 of population; in near prohibition States the number is 150, in partially license States it is 242, and in license States it is 276 insane out of every 100,000 inhabitants.

The increase of the products of manufacture in States during the 10 years preceding 1909 has likewise shown the advantages of prohibition. In dry States the increase of products manufactured has been 116.3 per cent, in near prohibition States 85.6 per cent, in partially license States 82.2 per cent, and in license States 73.7 per cent.

The United States census reports also show that the number of crimes committed in prohibition States is far less than in the States where liquor is sold. It is the saloon that attracts the criminal, and it is the saloon that lures so many of the young men of our country to their destruction.

In Fisk on Alcohol, at page 183, I find the following:

At the meeting of the American Medical Association held on June 6, 1917, Dr. Charles H. Mayo, the noted surgeon, in his presidential address stated that the only legitimate use for alcohol was in the arts and sciences, and that its use in medicine had become greatly restricted because other less menacing drugs and remedial measures could be used instead.

The association then passed the following resolution:

Whereas we believe that the use of alcohol is detrimental to the human economy; and  
Whereas its use in therapeutics as a tonic or stimulant or for food has no scientific value: Therefore be it

Resolved, That the American Medical Association is opposed to the use of alcohol as a beverage.

The Pirogov Society, the leading medical association of Russia, on May 29, 1915, approved and published a document containing the following:

Scientific facts (drawn from physiology, pathology, and clinical experience) compel us to place alcohol and substances containing alcohol in the class of poisonous and injurious things. Alcohol is a typical narcotic poison, which taken in small doses from the beginning disturbs the highest functions of the brain cells and consequently causes a series of pleasant but illusory feelings of warmth, energy, bravery, etc.

The use of small doses of alcohol—always a narcotic poison—develops in some men whose constitutions are weak severer forms of alcoholism, that are obviously the cause of much personal and social unhappiness. It has been proved that a regular consumption of small doses increases morbidity, mortality, the number of accidents, mental sicknesses, suicides, crime of every type, a both qualitative and quantitative minus of capacity in both mental and physical work. The concept "moderation" can not be used for habitual use of alcoholic drinks since the customary use of a poison is nonmoderation and misuse.

These are some of the reasons why the States took hold of the question and passed high license and prohibition statutes for cities and towns and finally for the States themselves.

Yet, Mr. President, notwithstanding these laws, we have not been able to enforce absolute prohibition. And why? It is because surrounding the States that have established prohibition are States that declare it lawful to sell intoxicating liquors, and it is impossible to prevent the importation of liquor into prohibition States so situated. Consequently, notwithstanding prohibition has been extending until now it is the law in about 26 States, yet it is impossible to enforce absolute prohibition under that system.

From the Statistical Abstract for 1916 I take the following, showing the consumption in gallons per capita of intoxicating liquors:

	Distilled.	Wines.	Malt.	Total.
Average 1881 to 1900.....	1.34	0.48	11.38	13.20
1916.....	1.35	.46	17.59	19.40

Mr. President, what necessity, then, arises from that condition? The necessity of having a Nation-wide prohibition constitutional amendment. That is the necessity. That seems the only remedy to prevent the shipment of liquor from one State to another.

I heard the colloquy between the Senator from Missouri [Mr. REED] and the Senator from Kansas [Mr. THOMPSON] as to whether the prohibition law in Kansas had been a success.

One declared that it had been and the other insisted that it had not, but every contention of the Senator who declared the law a failure demonstrated the necessity for a national constitutional amendment. The very thing that prevented the State of Kansas from enforcing absolute prohibition was the fact that liquors from other States adjoining had been surreptitiously taken into that State.

NATIONAL PROHIBITION.

Mr. President, it does seem to me that when the temperance people have tried in two different ways to get absolute prohibition and have not been completely successful, the last resort and the third appeal should be made to the Nation. The Nation is deeply interested in this question. It has been said that the War College division of the United States Army made an estimate of the number of killed and wounded in the wars of all history from 500 years before Christ to the Russian-Japanese War of a few years ago, and it was found that in all those wars the total killed and wounded was 2,800,000 men, and of that number it was estimated that 700,000 were killed and 2,100,000 wounded.

Mr. President, it is also stated that Mr. Hobson in a lecture that the number of deaths from alcohol among the people of the white race in the world is 3,500,000 every year. If that is true you can readily see that war losses are but an inconsiderable fraction compared to the losses chargeable to the account of intoxicating liquors. It is said, therefore, that every year there die from the use of intoxicating liquors five times as many persons as the total of all the victims in the wars of the world for 2,300 years.

The National Government can more certainly enforce its liquor legislation. The Federal courts are feared, and hence laws will be observed. As a State can not under our dual form of government establish complete prohibition, any State is justified in urging a national constitutional amendment for prohibition for its own protection. Otherwise 36 States could not protect themselves against 12 Commonwealths. What a great interest, then, has the Nation to see that her citizens are preserved, ready to defend her in all times of stress and need.

The PRESIDENT pro tempore. The time of the Senator from Colorado has expired.

Mr. JONES of Washington. Mr. President, when the amendment of the Senator from Ohio [Mr. HARDING] was suggested to me I said I would not support it under any circumstances. I said I would not vote for any limitation upon the submission of the constitutional amendment. Furthermore, I expressed the opinion then that has been expressed here by the Senator from Idaho [Mr. BORAH] and by other Senators—that Congress has no power to put in a limitation of that kind.

But, Mr. President, after more consideration and reflection and ascertaining the situation in the Senate, I have changed my mind with reference to my vote upon the amendment. I have determined that I will vote for that amendment largely for the reason stated by the Senator from Kansas [Mr. CURTIS]. Everybody recognizes that it is very difficult to get a two-thirds vote in the Senate upon a proposition about which there is serious controversy. A very careful investigation has convinced some of us that a two-thirds vote is very uncertain unless this limitation is put on. Some Senators feel that without the limitation they can not vote for the resolution. They feel that with the limitation they can vote for it.

It seemed to me, as a friend of the resolution, that I could afford to vote for a provision that would very likely insure the submission of this amendment to the people of the country and give an opportunity for the adoption of that which so many of us are very earnestly in favor of.

I will say frankly that this phase of the matter also influenced me. If the amendment is submitted with this limitation, and it is not ratified in six years, there is nothing to prevent Congress from a resubmission. In my judgment it will be ratified in six years; but suppose it is not and lacks simply one or two States. If two-thirds of the States of the country have voted to ratify the amendment, there is no power on earth that can prevent Congress from resubmitting it immediately, and Congress will do it. The liquor interests—I do not refer to anybody in the Senate—but the liquor interests that would like to see a limitation of this kind would like to see the resolution defeated. They should recognize now, and this is not uttered as a threat, but it is simply based upon the sentiments and conditions throughout the country, that their business is doomed, and that if this limitation is put on and the amendment is not ratified in six years it will be resubmitted, if necessary, and the contest will go on until it is settled in the right sort of a way.

Now, looking at it in that way, I can not see anything that the friends of temperance will lose by the adoption of the resolution with the amendment of the Senator from Ohio upon it. I do

not think it ought to be put on. I think that this amendment ought to be treated just as every other constitutional amendment has been treated in the past. We never have submitted a constitutional amendment with a limitation of this kind before, but it simply illustrates what the temperance forces are up against in their contest with the liquor traffic. Whatever they get they must get by main strength, to use a common expression, by main strength and pure awkwardness. We have to take whatever we can get and then go forward for something else. It is just like the condition of the allies on the western battle fronts of Europe. They have to go forward inch and trench at a time. That seems to be the condition which confronts us on this proposition.

I recognize, as has been suggested by the Senator from Iowa, that it may give rise to litigation and matters of that kind, but that will not delay matters any more than we will be delayed if we fail to pass the resolution at this time. I am willing to take the resolution with this limitation upon it in order to have the amendment submitted and give the people of the country an opportunity to pass upon it, because I believe they will act favorably within the six years. If they do not act favorably within the six years there is nothing to prevent us from resubmitting it to the States at the end of six years, and we will resubmit it if necessary.

I am inclined to think also that if this limitation is put on the contention of Senators is correct, and it is the view that I really hold with reference to the matter, that if Congress has not the power to put that limitation on it will not affect the amendment; it is not any part of the amendment. The very language of the resolution determines and specifies what the amendment is, and that is the proposition which is submitted to the States. If the Supreme Court should hold that we went beyond our power in putting on this limitation—and I believe it would hold that it would not affect the amendment itself; I may be mistaken, but even if it should we have not lost anything, in my judgment.

So, Mr. President, for these reasons I am going to vote for the amendment of the Senator from Ohio.

Mr. VARDAMAN obtained the floor.

Mr. CUMMINS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Iowa?

Mr. VARDAMAN. With pleasure.

Mr. CUMMINS. Not to be taken out of the time of the Senator from Mississippi, I wish to make a suggestion, which I have a perfect right to make in my own time. I am very earnestly for the proposed amendment of the Constitution. I do not want to divide the friends of the resolution. I feel impelled to oppose the amendment proposed by the Senator from Ohio, but under the circumstances I withdraw the amendment which I offered to the amendment proposed by the Senator from Ohio.

Mr. VARDAMAN. Mr. President, for me to express my views upon this question would be but to repeat a thrice-told tale vexing the dull ears of a hot and weary Senate. My first political service was rendered in opposition to the open saloon. In those days in Mississippi to fight the liquor traffic was not a pleasant pastime. In some communities the men interested in the saloon business and their patrons regarded the temperance advocate as a usurper—one who was trying to take from them the blood-bought privileges of citizenship.

Notwithstanding that trying ordeal, I have advocated prohibition in the towns, cities, counties of my State, and finally the State and the Nation all these years even before I became a voter.

I have looked forward to this day with longing and with high hopes of what it may bring to the people of America. I wish that Congress had the power to enact a law this afternoon prohibiting the manufacture and sale of intoxicating liquors. I would have action immediately.

As has been so clearly and conclusively stated on the floor of the Senate this afternoon, the liquor traffic is probably the most insidious economic enemy to the human race and liquor itself the most destructive poison that ever polluted the blood of men or fired the heart to dastardly things.

I shall not vote for the amendment offered by the honorable Senator from Ohio [Mr. HARDING], because I believe the purpose of that amendment is not to promote the cause of prohibition or further the cause of temperance. Whatever may be the protestations, I can not believe that any Senator opposed to the resolution providing for nation-wide prohibition will be induced to vote for that resolution because of the adoption of the amendment offered by the Senator from Ohio. Senators opposed to the so-called Sheppard resolution will not support it if the Harding

amendment shall be adopted unless the so-called Harding amendment gives the whisky interests some decided advantage.

Now, regardless of the constitutional objection urged by the Senator from Idaho [Mr. BORAH], if this resolution shall be agreed to by the States, there is no doubt in my mind but that it will stand the test in the courts and prohibition will exist throughout the Republic. But if the six years shall elapse before the adoption by the States of this resolution, it is my judgment that it will require another six years before we can hope to carry the constitutional amendment through all the State legislatures. I think the adoption of the amendment offered by the Senator from Ohio will be surrendering a great deal to the advocates of the liquor cause. It means delay in the consummation of the great scheme for national prohibition for which we have worked and the good women have prayed for all these years.

I repeat, Mr. President, that I do not believe the joint resolution offered by the Senator from Texas will receive a single additional vote on its final passage because of the adoption of the amendment offered by the Senator from Ohio. I think the issue ought to be made squarely. I am opposed to muddying the waters or throwing dust in anybody's eyes. I think it will be eminently unfortunate for Congress to write something into the joint resolution not authorized by the Constitution, the effect of which will be to hinder, delay, and create doubt as to what the resolution really means and finally defeat its purposes. The cause of temperance is a holy cause. This campaign for prohibition is inspired by the loftiest motive and highest altruism, and I do not think the cause would be promoted by accepting this amendment or anything akin to it. I believe the righteousness of the cause for which we contend demands that our fight be made along straight lines. Let this joint resolution be passed unamended, so that the American people can know exactly what they get when it is passed.

Mr. STONE. Mr. President, may I interrupt the Senator from Mississippi?

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Missouri?

Mr. VARDAMAN. With pleasure.

Mr. STONE. The Senator says that he does not believe that a single vote would be added to the final vote for the joint resolution offered by the Senator from Texas by adding to it the amendment proposed by the Senator from Ohio. The Senator ought not to say that, I submit to him, when Senators on the floor and otherwise have given assurance that they would vote for the joint resolution if it were so amended.

Mr. VARDAMAN. Well, I will say to the Senator from Missouri that I have not heard a Senator make that statement. I heard the Senator from Washington [Mr. JONES] state a moment ago that he had been assured that Senators would so vote, but I can not understand why a Senator would vote for the joint resolution if he is opposed to prohibition. What advantage is to be gained by his side of the question by the adoption of the amendment offered by the Senator from Ohio, unless it is that it shall give the whisky interests some advantage in the ratification of the amendment by the States? If that be true, certainly no friend of prohibition should consent to the amendment. To do so would be an unfortunate surrender by the friends of prohibition to the advocates of the liquor traffic.

That is all I have to say, Mr. President. I am going to vote for the joint resolution providing for nation-wide prohibition, and, as I have so often said heretofore upon the floor of the Senate, I hope from the depths of my heart that the joint resolution may receive the constitutional two-thirds majority, and as a result America may become a Nation of sober and temperate people, holding the preservation of the body and the salvation of the soul of more value than sordid gold.

Mr. PHELAN. Mr. President, I ask leave at this time to submit an amendment, so that it may be considered as pending.

The PRESIDENT pro tempore. Without objection, the amendment will be received and considered as pending.

Mr. PHELAN. May I ask to have it read, Mr. President?

The PRESIDENT pro tempore. The Secretary will read the amendment, if there be no objection.

The Secretary read as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein): That the following two amendments to the Constitution be, and hereby are, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution:*

ARTICLE —

SECTION 1. The manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, and the exportation thereof from, the United States and all territories subject to the jurisdiction thereof for beverage purposes is hereby prohibited: *Provided* That this article shall be inoperative unless it shall have been

ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, on or before the 1st day of July, A. D. 1927.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

Mr. PHELAN. Mr. President, I do not think the Secretary read the alternative amendment which I submitted. I beg to call attention to the fact that I proposed two amendments. One is the Sheppard amendment with the addition of the time limitation, and the second amendment proposes to strike out the word "intoxicating" and to substitute the words "distilled spirituous," so that the people of the States will have the alternative of either abolishing the manufacture of whisky, wine, and beer, or of whisky only. I ask that my second amendment be read.

The PRESIDENT pro tempore. If there be no objection, the Secretary will read as requested.

The Secretary read as follows:

ARTICLE —

SECTION 1. The manufacture, sale, or transportation of distilled spirituous liquors within, the importation thereof into, or the exportation thereof from, the United States and all territories subject to the jurisdiction thereof for beverage purposes is hereby prohibited: *Provided*, That this article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, on or before the 1st day of July, A. D. 1927.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

Mr. SHEPPARD. Mr. President, I do not entertain the fears which have been expressed by the Senator from Idaho [Mr. BORAH], the Senator from Iowa [Mr. CUMMINS] or the Senator from Mississippi [Mr. VARDAMAN] and other distinguished Senators in this Chamber regarding the amendment proposed by the Senator from Ohio [Mr. HARDING]. No one appreciates the high capacity, the unquestioned integrity, or the devotion to prohibition of these Senators more than I. I am unable, however, to sympathize with the misgivings which they entertain. I do not believe that any limitation exists upon the power of Congress to submit a question to the States or as to the terms in which that question may be expressed. This amendment by its own terms provides that it shall be inoperative unless ratified by a three-fourths vote of the States within six years. Suppose that three-fourths of the States should not ratify the amendment by that time. There is nothing to prevent them from continuing to vote, but such a course would be so useless that it would not be pursued. Suppose three-fourths of the States should ultimately vote to adopt the amendment after six years had passed. They would have adopted an amendment that by its very terms had already become inoperative.

Besides, as the Senator from Washington [Mr. JONES] has said—and I desire to confirm everything he has said—if three-fourths of the States should not have voted at the end of six years, resubmission could be had immediately. In my judgment the cause of prohibition will have received such an impetus by the submission of this amendment that if not adopted within six years, adoption will be inevitable within only a year or two after resubmission. It is my belief that the amendment will be adopted by three-fourths of the States within six years.

Mr. STONE. Mr. President, before the Senator from Texas—

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Missouri?

Mr. STONE. I beg pardon. I thought the Senator was about to sit down, and I wanted to say a word or two.

Mr. SHEPPARD. I yield.

Mr. STONE. Mr. President, this one amendment has been pending before the Senate for three hours. There are other amendments of very great importance, and we have to begin voting at 4 o'clock. After that all debate will be at an end. In good faith, under the rule we have agreed to, I submit to the Senator from Texas and to the Senate that we ought to vote upon the pending amendment and give an opportunity to present other amendments and to say a few words about them.

Mr. SHEPPARD. Mr. President, I am in entire sympathy with what the Senator from Missouri says, and if I had not felt it incumbent upon me to say what I have said I should not have taken the floor.

I merely wish to say that every amendment in the Constitution to-day was adopted within six years after it had been presented for ratification, and that the majority of these amendments have been adopted within less than two years. If there is any trick in the presentation of this amendment, that trick will be turned against its proposers.

Let me say that on looking carefully into the situation I found that this amendment could be voted on and could in all



probability be passed if such an amendment as this could be added. I hope, therefore, that it will be agreed to.

Mr. GRONNA. Mr. President, I have not occupied a moment of the Senate's time on this question, and in view of what the Senator from Missouri [Mr. STONE] has just said, I shall not even take the 10 minutes which I am allowed under the unanimous-consent agreement. I would not, if I had the time, go into the merits of this question; it is not necessary for me to do that. I represent a State which has never had a licensed saloon since it became a State. We know the value of prohibition; we know what it has done for the people of that State morally and financially.

But, Mr. President, I rose merely to express my disapproval of the amendment proposed by the distinguished Senator from Ohio [Mr. HARDING]. To me, being a layman, it is really remarkable that there should be any disagreement among lawyers as to the constitutionality of the amendment offered by the Senator. To a layman it is perfectly plain that that amendment would not be a part of the Constitution unless adopted as a separate provision; it could not be. But if the proposed amendment is submitted to the people of this country illegally the courts will have to hold that Congress exceeded its authority and that it had been illegally submitted to the people.

I desire to say to those Senators who are anxious to have this amendment adopted, do not forget that you are allowing six years' time for this amendment to be either approved or rejected. I believe it would be better for the people of this country and for those who are in favor of national prohibition to have the amendment defeated to-day than to present a sham and a fraud to the American people. The very arguments used by distinguished Senators on the floor will be used by the liquor interests; the very statements which have been made by eminent Senators and constitutional lawyers will be the very weapons seized upon by the liquor interests of this country; and they will say, "It makes no difference to us whether you approve or reject the amendment, because it is clearly unconstitutional."

If this proposed constitutional amendment were defeated to-day, it could again be acted upon by Congress and submitted to the people in the way that all constitutional amendments have been submitted. When a moral and economic question like this is to be submitted to the American people, I ask why is it necessary to proceed in such an unusual way and place a limitation upon it? Such a thing has never been done in the history of this country. I would not object to a proposal general in character which would place a time limit upon the ratification of any proposed constitutional amendment presented to the American people; but, Mr. President, I do not believe it is fair to those who are honestly in favor of prohibition to hamstring this proposed amendment by placing a limitation upon it when Senators, who are eminent lawyers, have expressed the opinion that it is very likely to be held to be unconstitutional. It has been stated by the Senator from Idaho [Mr. BORAH], the Senator from Connecticut [Mr. BRANDEGEE], and by other Senators that, in their judgment, the adoption of the amendment of the Senator from Ohio would be likely to result in having the whole amendment declared unconstitutional. For that reason, Mr. President, I can not vote for the amendment submitted by the Senator from Ohio. I had hoped that I would be allowed to vote for a plain, simple amendment to the Constitution giving the people of this country the right to determine whether or not they desire constitutional prohibition.

Mr. LA FOLLETTE and Mr. STERLING addressed the Chair.

The PRESIDENT pro tempore. The Senator from Wisconsin.

Mr. LA FOLLETTE. Mr. President, I have never believed in the principle of prohibition and therefore have never supported it. I do not believe that it offers the best method of dealing with the problem involved.

No statute can vindicate itself. Except the citizenship of a county, a State, a community can in truth say, "This law is bone of our bone and flesh of our flesh"; it can not be a living, vital, enforceable statute.

The laws of our country rest not upon the bayonets of an army but upon the convictions of the people. All laws must be enforced locally. Wherever the matured, settled purpose of a majority of a community supports a law, that law will be enforced. Wherever a law is imposed upon one community against its will by those outside of that community, it is very certain to fail of enforcement to such an extent as to bring reproach upon all law and order within the community.

I think never in my political experience have I had the support of the prohibitionist, and it is very certain that I have uniformly had the opposition of the brewing interests of Wisconsin. So I can fairly say that my course upon legislation involving

prohibition has been one altogether uninfluenced by questions of political expediency.

But, sir, for 30 years I have been at all times devoted to the principles of democracy. I believe that the voters of the country should have a larger and ever a larger voice in their Government.

If it were within my power to do so, I should give to the citizenship of the country the power under the initiative and the referendum and the recall to—

First. Initiate legislation and the submission of constitutional amendments for a vote of the people whenever their legislative representatives neglect or refuse to respond to the public will in the enactment of any law or the submission of any constitutional amendment demanded by a majority of the voters concerned;

Second. To veto and annul any bad law enacted by their representatives; and

Third. To recall all representatives who dishonor their commission by betraying the public interest.

If the people of this country possessed the power which the referendum would invest them with, the draft law would be promptly referred to the voters of the country to determine whether it should remain the law or be repealed or annulled.

If the right to initiate legislation had been conferred upon the people of this country, they would not have been obliged to wait 40 years from the time when they began to demand of Congress the enactment of a law for postal savings banks, before Congress finally passed such a law, nor would the people have been denied by Congress the enactment of the parcels-post law for 25 years, nor compelled to wait 17 years for the passage of a pure-food law to prevent the sale of adulterated and poisonous foods and drugs.

If the people had been in possession of the power to initiate and submit a constitutional amendment for the voters of the country to pass upon through their legislatures or through conventions to be held as provided in the Constitution, then they would not have been obliged to wait for 80 years from the time they first petitioned Congress for an opportunity to so amend their Constitution as to enable them to elect United States Senators by direct vote.

Mr. President, if the people had been in possession of the power to initiate and submit constitutional amendments, they would not have been compelled to wait 14 years for Congress to give them the chance to so amend their Constitution so as to tax the incomes of the rich, which were in the main escaping taxation altogether. And, sir, the people would within the last three years have initiated the submission of an amendment so changing the Constitution that the Congress, excepting in case of actual invasion of our soil, could pass no declaration of war without a final vote of approval thereon by the people, who are compelled to fight the battles and foot the bills.

Without the right to initiate such a constitutional amendment, as the result of the experiences that have come upon us within the last six months, I venture the prediction that this body will be compelled to give the people a voice in declaring war.

Mr. President, while I believe that the people have in large measure lost control of their Government and while I believe the proof is overwhelming that Congress does not respond in the enactment of legislation to the will of the people, still, sir, I do not believe that government of the people, for the people, by the people has perished from the earth. If it had, there might be some occasion for jubilation behind some of the desks on this floor. I believe that I shall live to see real representative government, a government by and for the people, brought back to the people again. I have faith.

And, sir, I shall, so long as I remain in public life, do all within my power to make the will of the people the law of the land.

I should be untrue to my convictions in support of democracy, if I did not vote to give the people a right to pass upon the pending amendment to the Constitution.

The PRESIDENT pro tempore. The time of the Senator from Wisconsin has expired. The question is on the amendment of the Senator from Ohio. [Putting the question.]

Mr. CUMMINS. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MYERS (when his name was called). I have a pair with the junior Senator from Connecticut [Mr. MCLEAN], who is absent. I transfer that pair to the Senator from South Dakota [Mr. JOHNSON] and vote "yea."

Mr. SMITH of Michigan (when Mr. TOWNSEND's name was called). I desire the RECORD to show that my colleague [Mr. TOWNSEND] is detained from the Chamber on account of sick-

ness in his family. He is paired with the Senator from Arkansas [Mr. ROBINSON].

The roll call was concluded.

Mr. SUTHERLAND. I desire to announce the absence of the senior Senator from West Virginia [Mr. GOFF] on account of illness. I will let this announcement stand for the day.

Mr. ROBINSON (after having voted in the affirmative). I have been advised that the Senator from Michigan [Mr. TOWNSEND] would vote on the submission of this amendment as I myself intend to vote, and I therefore voted. I have in my hand a telegram to his colleague, which, with the consent of his colleague, I will ask to have inserted in the RECORD. I do not know how my pair would vote on the amendment of the Senator from Ohio, and I therefore withdraw my vote on that amendment.

The PRESIDENT pro tempore. The request of the Senator, without objection, will be granted and the telegram inserted in the RECORD.

The telegram is as follows:

JACKSON, MICH., July 30, 1917.  
HON. WILLIAM ALDEN SMITH,  
United States Senate, Washington, D. C.:

Regret that sickness in my family compels my remaining in Jackson. I believe that the States should settle the prohibition question through a constitutional amendment. If I were present, I should vote to submit amendment. Am paired with Senator ROBINSON.

CHAS. E. TOWNSEND.

Mr. MARTIN. I desire to state that the senior Senator from Maryland [Mr. SMITH] is detained from the Chamber by illness. He is paired with the senior Senator from Vermont [Mr. DILLINGHAM].

The result was announced—yeas 56, nays 23, as follows:

YEAS—56.

Ashurst	Harding	Martin	Simmons
Bankhead	Hitchcock	Myers	Smith, Ariz.
Beckham	Hollis	New	Smith, Ga.
Broussard	James	Newlands	Smith, S. C.
Calder	Johnson, Cal.	Overman	Stone
Chamberlain	Jones, N. Mex.	Owen	Swanson
Colt	Jones, Wash.	Penrose	Thompson
Curtis	Kendrick	Pheasant	Underwood
Fernald	King	Pittman	Wadsworth
Fletcher	Knox	Pomerene	Walsh
France	La Follette	Ransdell	Watson
Frelinghuysen	Lewis	Saulsbury	Weeks
Gerry	Lodge	Sheppard	Williams
Hale	McKellar	Shields	Wolcott

NAYS—23.

Borah	Kellogg	Page	Sterling
Brady	Kenny	Polindexter	Sutherland
Brandagee	Kirby	Shafroth	Trammell
Culberson	McNary	Sherman	Vardaman
Cummins	Nelson	Smith, Mich.	Warren
Gronna	Norris	Smoot	

NOT VOTING—17.

Dillingham	Hardwick	McLean	Tillman
Fall	Hughes	Reed	Townsend
Gallinger	Husting	Robinson	
Goff	Johnson, S. Dak.	Smith, Md.	
Gore	McCumber	Thomas	

So Mr. HARDING's amendment was agreed to.

Mr. STONE. Mr. President, I offer the amendment which I send to the desk. It is to be inserted as a separate section. I have not inserted the number of the section, leaving that to be arranged later.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to insert in the joint resolution a new section, to precede the last section of the joint resolution, as follows:

SEC. —. The Congress shall have power to enforce this article by appropriate legislation; but this article shall not be enforced until the Congress shall have made provision for the ascertainment and payment of damages to the property employed in the manufacture of said liquors resulting from the enforcement of this article.

Mr. STONE. Mr. President, on yesterday I discussed at some length this question of compensation. I regret that the attendance upon the Senate at that time was very much less than it is now.

Mr. President, the amendment I offer proposes that the Congress shall, by legislation—such legislation as the Congress at that time shall consider advisable—provide compensation for damages done—to what? Done to property used or employed in the manufacture of the liquors the manufacture of which would be prohibited by the pending amendment, and that is all there is to it.

I can not at this time, for lack of time, discuss the wisdom or the justice of this amendment. I did that yesterday to the best of my ability. It is a question the justice of which must appeal to the judgment of every Senator. The merits of the proposal rest on the eternal, fundamental principle of right that the Con-

gress—aye, even that the people of the United States themselves—can not take the private property of private citizens without just compensation. An act of that kind would be fundamentally wrong and violative of public morality.

That is all I have to add to what I said on yesterday.

Mr. CURTIS. Mr. President, I am opposed to the amendment offered by the Senator from Missouri [Mr. STONE]. I see no reason why it should be adopted. The people who are engaged in the brewery and distillery business are engaged in a business that has been declared by the Supreme Court of the United States to be of such a character that if the legislature of a State, and therefore if the Congress of the United States, should legislate them out of business, they have no right to claim pay for their breweries and for their distilleries.

I do not intend to take up the time of the Senate longer than to read a paragraph from a decision of the Supreme Court in the case of Mugler against Kansas, a case which went up on account of the laws enacted in the State of Kansas, where no pay was provided for the breweries and distilleries. It will be found in the One hundred and twenty-third United States Supreme Court Reports, and I will read from page 669:

It is true that when the defendants in these cases purchased or erected their breweries the laws of the State did not forbid the manufacture of intoxicating liquors. But the State did not thereby give any assurance or come under an obligation that its legislation upon that subject would remain unchanged. Indeed, as was said in Stone against Mississippi, above cited, the supervision of the public health and the public morals is a governmental power "continuing in its nature," and "to be dealt with as the special exigencies of the moment may require," and that "for this purpose the largest legislative discretion is allowed and the discretion can not be parted with any more than the power itself." So in Beer Co. against Massachusetts (97 U. S. 32): "If the public safety or the public morals require the discontinuance of any manufacture or traffic the hand of the legislature can not be stayed from providing for its discontinuance by any incidental inconvenience which individuals or corporations may suffer."

I should also like, as I shall not have time to read them, to have printed in the RECORD two paragraphs from the syllabus in this case.

The PRESIDENT pro tempore. Without objection, it will be so ordered.

The matter referred to is as follows:

Lawful State legislation in the exercise of the police powers of the State to prohibit the manufacture and sale within the State of spirituous, malt, vinous, fermented, or other intoxicating liquors to be used as a beverage may be enforced against persons who at the time happen to own property whose chief value consists in its fitness for such manufacturing purposes without compensating them for the diminution in its value resulting from such prohibitory enactments.

A prohibition upon the use of property for purposes that are declared by valid legislation to be injurious to the health, morals, or safety of the community is not an appropriation of property for the public benefit in the sense in which a taking of property by the exercise of the State's power of eminent domain is such a taking or appropriation.

Mr. CURTIS. And, Mr. President, at the request of the Senator from Washington [Mr. JONES], I ask that the letter I send to the desk be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it will be so ordered.

The letter is as follows:

THE ANTI-SALOON LEAGUE OF AMERICA,  
LEGAL DEPARTMENT,  
Washington, D. C., August 1, 1917.

Senator WESLEY JONES,  
United States Senate, Washington, D. C.

DEAR SENATOR JONES: There are many reasons why an amendment such as the one proposed by the Senators from Missouri should be defeated. Among them are the following:

First. The courts have repeatedly held that when a person engages in a traffic which is a menace to the morals and health of the people he has no right to complain when the people use their inherent right to destroy such a traffic.

The United States Supreme Court, in the case of Muggler v. Kansas (123 U. S. 625), in referring to this power of the State to prohibit the liquor traffic, said it "can not be burdened with the condition that the State must compensate such individual owners for the pecuniary losses they sustain by reason of their not being permitted by a noxious use of their property to inflict injury upon the community."

Second. If the liquor interests thought they had a good case under the Constitution to ask for compensation, they would go into the courts and establish their claim. If a legislative body should prohibit a traffic which has inherent rights to exist, the owners of that traffic would have no difficulty in establishing their claim and receive compensation.

The liquor traffic has been characterized by the Supreme Court of the United States as "A source of crime and misery to society" (137 U. S. 86). A source of crime and misery may be permitted by the people, but it has no inherent right to exist. When the people exercise their rights such a traffic can not justly complain. Liquor dealers took a gambler's chance when they entered the business, knowing that the temporary permit which was given them might be revoked by the people at any time, and any money investment in this traffic carried this risk.

Third. Twenty-six States have abolished the liquor traffic and provided no compensation for liquor dealers. A large part of the wet States have voted "dry" and liquor dealers have not been compensated for their loss. Why should the 85 per cent of the territory that is now dry be asked to help bear the burden of compensating the liquor traffic in the few remaining States that are wet? The effect of such an amendment would make it much more difficult to secure the ratification of the

amendment in these States. If a time limit should also be added it would preclude the possibility of ratification of the amendment in the form submitted.

Fourth. A provision for compensation, even if it were just and practicable, should not be written into the Constitution. There are so many details which would enter into a provision of this kind that it would be impossible to draft it in the form which would be appropriate for the organic law.

No State or nation has ever written into its constitution a provision that its legislative body could not prohibit the liquor traffic or any other evil without first paying the trafficker in evil a compensation before such provision would take effect.

We can not believe that the Members of the Senate will support an amendment of this kind, which has no precedent and which, in the judgment of the majority of the States, has no merit.

Yours, very cordially

W. B. WHEELER,  
Attorney and General Counsel.

Mr. SHAFROTH. Mr. President, the opinion which the Senator from Kansas has referred to is directly in point. I want to read a condensed syllabus of that opinion. It seems to me to state this matter very clearly and very conclusively. It is in the One hundred and twenty-third United States, at page 623. It says:

Lawful State legislation in the exercise of the police powers of the State to prohibit the manufacture and sale within the State of spirituous, malt, vinous, fermented, or other intoxicating liquors, to be used as a beverage, may be enforced against persons who at the time happen to own property whose chief value consists in its fitness for such manufacturing purposes without compensating them for the diminution in its value resulting from such prohibitory enactments.

It is based upon the general police power of the State to prohibit nuisances; and whenever a business is engaged in which, in the judgment of the State, is detrimental to the public health it has a right to prohibit it without any payment of compensation. In this instance there were three cases merged. An injunction was sought to restrain the enforcement of a statute giving the power to suppress the nuisance in the manufacture by a brewery of malt liquors.

The syllabus of the case further says:

A prohibition upon the use of property for purposes that are declared by valid legislation to be injurious to the health, morals, or safety of the community is not an appropriation of property for the public benefit in the sense in which a taking of property by the exercise of the State's power of eminent domain is such a taking or appropriation.

The destruction in the exercise of the police power of the State of property used in violation of law in maintaining a public nuisance is not a taking of property for public use, and does not deprive the owner of it without due process of law.

Everybody who engages in the liquor business knows full well when he enters it that the State or city has the power to impose such high license as will put him out of business and the power to prohibit the sale of liquor without any compensation to him. He therefore takes that into consideration when he establishes his business and relies upon large profits to enable him to take the risk.

It seems to me, Mr. President, that that decision is clearly against the position taken by the Senator from Missouri.

Mr. PHELAN. Mr. President, I submitted a moment ago an amendment to the amendment proposed by the Senator from Texas [Mr. SHEPPARD] whereby two constitutional amendments would be submitted to the people, one in the terms of the amendment proposed by the Senator from Texas, and the other in terms by which the people would have the alternative right, through their legislatures, of voting for the prohibition of distilled liquors only, so that vinous and malt liquors might still be manufactured and used.

We have heard much here about the duty of Congress to submit to the legislatures any or all constitutional amendments on the theory that the legislatures should make the decision. I am disposed to dissent from that view, because I can well understand that when the Constitution makers determined a method of amendment of the Constitution they certainly must have held that any measure which would receive the approval and concurrence of two-thirds of the Senate and two-thirds of the House was well on its way to passage; that the indorsement which it received from the fountain head of the Government at Washington might well be expected to carry it through the States, and then, if the States also concurred, doubtless it would be a wise enactment. But Senators are abrogating their privileges. They are surrendering their discretion and turning over the determination of important matters to the legislatures where special interests, actuated by good and bad motives, have, we are well aware as a matter of political experience, easy facilities for winning majorities.

Therefore I think the Senate ought to exercise its own judgment. My amendments, then, give the people in whose interest we are concerned, through their legislatures, the option of determining whether they wish to have a prohibition of vinous, malt, and spirituous liquors, or only of spirituous liquors.

I submit that the trend of all recent legislation in Washington, supported by the opinion of the President of the United States, leans to a consideration of the wisdom not of absolute prohibi-

tion but of prohibition only relating to distilled and spirituous liquors. That is recognized in the food bill. That is recognized by the Finance Committee in providing for the making of sweet wines, by reducing the rates upon the brandy used in fortification. There seems to be a general understanding that beers and light wines shall not be barred as a war measure, either for the preservation of the people against the abuse of alcohol or for the conservation of food.

That being the spirit of the times, why should not we submit to the legislatures of the States the alternative proposition? Why not give them the privilege, which they so dearly cherish, of deciding these things for themselves? Why pass up to them a hard and fast proposition that "You shall have the prohibition of all liquors, vinous, malt, and distilled, or you shall have a free charter to indulge in vinous, malt, and distilled liquors"—that there shall be no middle ground?

I was just approached by a Senator strongly in favor of prohibition who believes that distilled liquors—and distilled liquors only—are a distinct injury not only to the country in time of war but to the country in time of peace, and that their manufacture consumes valuable foodstuffs. He will favor, however, my amendment. We are in favor of putting a prohibition upon the manufacture of whisky; but the wine of the people, the beer of the people, which has done so much for the Latin countries, which has given perhaps much of the fortitude and valor not only to the French but to the Germans, showing that it can not undermine their ability as fighting men nor undermine their ability in the field of art and letters, in science, and invention, nor diminish, in the least degree their very great and considerable ability, should not be considered in the same category as distilled liquors.

I trust that the Senate will adopt my amendment, which has the support of many, for the reasons stated, and because we conserve the precious rights of the States by giving them the alternative proposition on which to vote.

Mr. WILLIAMS. Mr. President, I find—as far as I can see, at any rate—that the opposition to the Stone amendment is merely technical, based upon the idea that certain courts have decided that saloons are public nuisances. The States in which those courts acted did not decide that saloons were public nuisances. On the contrary, they had licensed the saloons. It can not be taken for granted that a State would license a public nuisance.

Mr. President, as well as I can size this up, it must come down to the real truth, the real question of honesty between man and man. No man and no number of men, if they were 99,000,000 out of a population of 100,000,000, have a right to take from any other one individual man a piece of property without paying due compensation for it. Men ought to be honest with one another and in their public legislation toward one another.

Everybody knows that as a matter of fact, if we pass this legislation, we are going to take away from a whole lot of people a lot of very valuable property rights. Whether you or I or somebody else agree that they ought ever to have been property rights is another proposition; but they have been property rights, they have been recognized as such, and you have no right—no moral right, no ethical right—to go up and place your hands upon that property and take it without compensation.

I heard an argument this morning from the Senator from Montana [Mr. MYERS] defending the very general proposition of taking slave property from the people of Kentucky and Maryland and Delaware, who had never even seceded, without paying for it. History condemns it, and history always will condemn it. Slave property might have been wrong in principle, but the Constitution had granted it, the laws had granted it; and except where a State had seceded and declared war against the United States Government, and therefore subjected itself to the rights of war rather than the rights of peace, you committed robbery and brigandage and stealing when you took their property without due compensation. It rests as a stain upon your escutcheon until yet.

So far as I am concerned, I never expect to be a candidate for office again, and I do not care what anybody thinks about what I am saying. I am trying to do what I think is right. I repeat, no number of men—I do not care how big the number is—have a right to take from me, as the only one individual in the United States, if I should be the only one, a property right without due compensation.

The Senator from Colorado [Mr. SHAFROTH] quotes some authority which justifies, or attempts to justify, this robbery upon the ground that the saloon is a public nuisance. It may have been, as a matter of fact, but it was not as a matter of law, because the law had granted the license.

I propose to vote for this constitutional amendment whether the Stone amendment to the amendment goes with it or not. I propose to vote for it for three reasons.

The first is that in doing so I shall represent the State of Mississippi, and I intend to represent her as long as I stand here as one of her Senators. She has uttered her voice in no uncertain tones. I am a State-rights Democrat, and I am going to stand by the State. My primary allegiance is due to the State, and not even to the Federal Government. That perhaps is uttering treason in this body, but at any rate that is the fact so far as I am concerned.

The next thing is that this amendment, if adopted, can do no harm, and it may do a great deal of good. Stamping the liquor traffic out of existence can do nobody any harm. It may lead now and then to the sudden death of a man who has been deprived of his liquor too quickly, but what does that amount to in comparison with the entire American people? It may do immense good.

The third proposition, Mr. President, is that whatever the good may cost, it is worth the money, and not only worth the money in the shape of stamping out the evil, but it is still better worth the money in the way of preserving and maintaining the honor of the United States. If you are going to stamp property out of existence, you ought to pay for it. You have no more right, as a legislator, to vote for a proposition that does that without indemnity than you have a right to take a dollar bill of mine, accidentally left upon this desk, and put it in your pocket.

The PRESIDENT pro tempore. The hour of 4 o'clock has arrived, when, under the unanimous-consent rule, voting must begin on the pending amendment and any amendments that may be offered to the joint resolution. The question before the Senate is the amendment offered by the Senator from Missouri [Mr. STONE].

Mr. SHERMAN. I offer the following amendment to the amendment offered by the Senator from Missouri.

The PRESIDENT pro tempore. The Secretary will report the proposed amendment to the amendment.

The SECRETARY. After the last word change the period to a comma and add the following words:

Under such rules of evidence as Congress may provide.

Mr. STONE. Mr. President, I have no right to debate and I do not mean to do it, but I do not think the amendment proposed by the Senator from Illinois would change the situation materially as a legislative proposition, and—

Mr. SMOOT. A parliamentary inquiry, Mr. President.

The PRESIDENT pro tempore. The Senator from Utah will state his parliamentary inquiry.

Mr. SMOOT. Under the unanimous-consent agreement no speeches can be made.

Mr. STONE. It was not a speech but a statement.

Mr. SMOOT. If we allow it to one we must allow it to another.

Mr. STONE. Mr. President, I am therefore willing to modify my amendment.

The PRESIDENT pro tempore. The Senator from Missouri accepts the proposed amendment to the amendment. The question is on the amendment as modified. [Putting the question.] The yeas seem to have it.

Mr. STONE. I ask for the yeas and nays.

Mr. HARDWICK. Let the Secretary read the amendment.

The PRESIDENT pro tempore. Is there a call for the yeas and nays?

Mr. STONE. I asked for the yeas and nays, but some Senator asked to have the amendment read.

The yeas and nays were ordered.

The PRESIDENT pro tempore. The Secretary will first read the amendment.

The SECRETARY. In lieu of section 3 as in the joint resolution insert:

SEC. 3. The Congress shall have power to enforce this article by appropriate legislation; but this article shall not be enforced until the Congress shall have made provision for the ascertainment and payment of damages to the property employed in the manufacture of said liquors resulting from the enforcement of this article, under such rules of evidence as Congress may provide.

Mr. BRANDEGEE. Mr. President, a parliamentary inquiry. The PRESIDENT pro tempore. The Senator from Connecticut will state it.

Mr. BRANDEGEE. Does the Senator intend to use the language "in lieu of section 3"? As the amendment is drawn it is in lieu of section 3, and there are but two sections in the joint resolution.

Mr. STONE. No; I presented it as a section to be inserted at the proper place.

Mr. BRANDEGEE. Then the language "in lieu of section 3" should be stricken out.

The PRESIDENT pro tempore. A second section has already been added. The yeas and nays are ordered, and the Secretary will call the roll on the amendment of the Senator from Missouri.

The Secretary proceeded to call the roll.

Mr. McCUMBER (when his name was called). I have a pair with the senior Senator from Colorado [Mr. THOMAS]. Not knowing what his vote on this amendment would be, I am compelled to withhold my vote.

Mr. MYERS (when his name was called). I transfer my pair with the Senator from Connecticut [Mr. McLEAN] to the Senator from South Dakota [Mr. JOHNSON] and vote "nay."

Mr. ROBINSON (when his name was called). On this vote I am paired with the Senator from Michigan [Mr. TOWNSEND]. I therefore withhold my vote.

Mr. SHAFROTH (when Mr. THOMAS's name was called). I wish to announce the unavoidable absence of my colleague [Mr. THOMAS] on account of illness.

The roll call was concluded.

Mr. MARTIN. I desire to state that the senior Senator from Maryland [Mr. SMITH] is detained from Chamber by illness. He is paired with the senior Senator from Vermont [Mr. DILLINGHAM].

Mr. CURTIS. I desire to announce the following pairs:

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH]; and

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN].

The result was announced—yeas 31, nays 50, as follows:

YEAS—31.

Brandegee	Hardwick	Penrose	Stone
Broussard	Hollis	Phelan	Underwood
Calder	James	Pittman	Wadsworth
France	Johnson, Cal.	Pomerene	Warren
Frelinghuysen	La Follette	Ransdell	Watson
Gerry	Lodge	Reed	Weeks
Gore	New	Saulsbury	Williams
Harding	Newlands	Sherman	

NAYS—50.

Ashurst	Hale	Martin	Smith, Mich.
Bankhead	Hitchcock	Myers	Smith, S. C.
Beckham	Jones, N. Mex.	Nelson	Smoot
Borah	Jones, Wash.	Norris	Sterling
Brady	Kellogg	Overman	Sutherland
Chamberlain	Kendrick	Owen	Swanson
Colt	Kenyon	Page	Thompson
Culberson	King	Polindexter	Trammell
Cummins	Kirby	Shafroth	Vardaman
Curtis	Knox	Sheppard	Walsh
Fernald	Lewis	Shields	Wolcott
Fletcher	McKellar	Simmons	
Gronna	McNary	Smith, Ga.	

NOT VOTING—15.

Dillingham	Hughes	McLean	Thomas
Fall	Husting	Robinson	Tillman
Gallinger	Johnson, S. Dak.	Smith, Ariz.	Townsend
Goff	McCumber	Smith, Md.	

So Mr. STONE's amendment was rejected.

The PRESIDENT pro tempore. The joint resolution is still as in Committee of the Whole and open to amendment.

Mr. PHELAN. My amendment is on the desk, Mr. President. The PRESIDENT pro tempore. It will have to be called up if the Senator desires a vote upon it.

Mr. PHELAN. I desire to call it up and ask that it be submitted to the Senate.

The PRESIDENT pro tempore. The Secretary will read the amendment submitted by the Senator from California [Mr. PHELAN].

The SECRETARY. It is proposed to insert as a substitute:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following two amendments to the Constitution be, and hereby are, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution.*

ARTICLE —.

SECTION 1. The manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, and the exportation thereof from, the United States and all Territories subject to the jurisdiction thereof for beverage purposes is hereby prohibited: *Provided*, That this article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, on or before the 1st day of July, A. D. 1923.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

ARTICLE —.

SECTION 1. The manufacture, sale, or transportation of distilled spirituous liquors within, the importation thereof into, or the exportation thereof from, the United States and all Territories subject to the jurisdiction thereof for beverage purposes is hereby prohibited: *Pro-*

vided. That this article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, on or before the 1st day of July, A. D. 1923.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

Mr. BORAH. Is an amendment in order to the substitute? The PRESIDENT pro tempore. The Chair would so rule.

Mr. BORAH. I move to strike out the date "1923" where it appears and insert "1927."

Mr. PHELAN. I have no objection to that modification.

Mr. BORAH. The mover of the proposed amendment accepts the amendment, and the question is on the proposal of the Senator from California as modified.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from California as modified. [Putting the question.] The noes seem to have it.

Mr. PHELAN. I ask for the yeas and nays.

The yeas and nays were not ordered.

The PRESIDENT pro tempore. The noes have it and the amendment is not agreed to.

Mr. NEWLANDS. I move that the joint resolution be amended by substituting the word "distilled" for the word "intoxicating" in line 10, page 1, so that the article will read as follows:

SECTION 1. The manufacture, sale, or transportation of distilled liquors within, the importation thereof into, or the exportation thereof from, the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Nevada.

Mr. NEWLANDS. I ask the Secretary to read the amendment.

The PRESIDENT pro tempore. The Secretary will read the amendment.

The SECRETARY. On page 1, line 10, strike out the word "intoxicating," before the word "liquors," and insert in lieu thereof the word "distilled," so that it will read "manufacture; sale, or transportation of distilled liquors."

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Nevada. [Putting the question.] The noes seem to have it.

Mr. NEWLANDS. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. McCUMBER (when his name was called). Again announcing my pair with the Senator from Colorado [Mr. THOMAS] I withhold my vote.

Mr. MYERS (when his name was called). I make the same announcement of the transfer of my pair as before and vote "nay."

Mr. ROBINSON (when his name was called). I again announce my pair with the Senator from Michigan [Mr. TOWNSEND]. Being unable to secure a transfer, I withhold my vote. If at liberty to vote, I would vote "nay."

Mr. MARTIN (when the name of Mr. SMITH of Maryland was called). I desire to state that the senior Senator from Maryland [Mr. SMITH] is detained from the Chamber by illness. He is paired with the senior Senator from Vermont [Mr. DILLINGHAM]. I ask that this statement may be considered as applying to all the votes that have been taken and to such votes as may be taken up to the time of adjournment to-day.

The roll call was concluded.

Mr. CURTIS. I desire to announce that the Senator from West Virginia [Mr. GOFF] is paired with the Senator from South Carolina [Mr. TILLMAN].

The result was announced—yeas, 22, nays 57—as follows:

## YEAS—22.

Brandegge	Gerry	Lewis	Reed
Broussard	Hardwick	Lodge	Wadsworth
Calder	Hitchcock	Newlands	Warren
Culberson	James	Phelan	Weeks
France	Johnson, Cal.	Pomerene	
Frelinghuysen	La Follette	Ransdell	

## NAYS—57.

Ashurst	Jones, N. Mex.	Overman	Smoot
Bankhead	Jones, Wash.	Owen	Sterling
Beckham	Kellogg	Page	Sutherland
Borah	Kendrick	Penrose	Swanson
Brady	Kenyon	Pittman	Thompson
Chamberlain	King	Polindexter	Trammell
Colt	Kirby	Saulsbury	Underwood
Cummins	Knox	Shafroth	Vardaman
Curtis	McKellar	Sheppard	Walsh
Fernald	McNary	Sherman	Watson
Fletcher	Martin	Shields	Williams
Gronna	Myers	Simmons	Wolcott
Hale	Nelson	Smith, Ga.	
Harding	New	Smith, Mich.	
Hollis	Norris	Smith, S. C.	

## NOT VOTING—17.

Dillingham	Hughes	Robinson	Tilman
Fall	Husting	Smith, Ariz.	Townsend
Gallinger	Johnson, S. Dak.	Smith, Md.	
Goff	McCumber	Stone	
Gore	McLean	Thomas	

So Mr. NEWLANDS's amendment was rejected.

The PRESIDENT pro tempore. The joint resolution is still before the Senate as in Committee of the Whole and open to amendment.

Mr. PHELAN. Mr. President, at the request of Senators who desire to have a record vote I now wish to reserve the right to have a vote on my amendment in the Senate.

Mr. BORAH. Mr. President, I desire to reserve a separate vote in the Senate upon what is known as the Harding amendment.

Mr. SHEPPARD. I ask to have the entire joint resolution read as amended.

The PRESIDENT pro tempore. At the request of the Senator from Texas the joint resolution will be now read as amended.

The Secretary read the joint resolution as amended as follows:

Joint resolution proposing an amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution:

## "ARTICLE —

"SECTION 1. The manufacture, sale, or transportation of intoxicating liquors within the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

"SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within six years from the date of the submission hereof to the States by the Congress.

"SEC. 3. The Congress shall have power to enforce this article by appropriate legislation."

Mr. BRANDEGEE and Mr. BORAH addressed the Chair.

The PRESIDENT pro tempore. The Senator from Connecticut.

Mr. BRANDEGEE. I will yield to the Senator from Idaho if he desires to ask a question.

Mr. BORAH. I desire to make a parliamentary inquiry. Do I understand that this joint resolution provides in one portion of it that the amendment shall be ratified according to the provisions of the Constitution and in another portion provides that it shall be ratified by a vote which shall be had within six years?

The PRESIDENT pro tempore. That seems to be the construction.

Mr. STONE. The amendment speaks for itself.

Mr. BRANDEGEE. Mr. President, I desire to call the attention of the Senator from Texas [Mr. SHEPPARD] to the language in line 6, of page 1, of the joint resolution providing that the amendment shall "become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution." I think it would be more accurate to say "by the legislatures of three-fourths of the States as provided by the Constitution."

Mr. REED. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the Senator from Missouri?

Mr. BRANDEGEE. I do.

Mr. REED. I am rising to a point of order, Mr. President. The PRESIDENT pro tempore. The Senator will state it.

Mr. REED. Clearly we can not debate this question now. We have padlocked our own tongues.

Mr. BRANDEGEE. I am suggesting an amendment. I did not intend to debate it.

The PRESIDENT pro tempore. The Chair so understood.

Mr. REED. I understood the Senator from Connecticut was addressing himself to the Senator from Texas.

Mr. BRANDEGEE. I did not think it was necessary to put my suggestion in the form of an amendment, but I desired to call the attention of the chairman of the committee to the matter.

Mr. SHEPPARD. I think the language used is sufficiently accurate.

Mr. BRANDEGEE. Very well.

The PRESIDENT pro tempore. The joint resolution is still before the Senate as in Committee of the Whole and open to amendment. If there be no further amendment, the joint resolution will be reported to the Senate as amended.

The joint resolution was reported to the Senate as amended. The PRESIDENT pro tempore. The question is on concurring in the amendments made as in Committee of the Whole, with the exception of the amendment which has been reserved.

Mr. BORAH. Mr. President, if I may do so under the rule, I desire to offer an amendment to the amendment of the Senator from Ohio [Mr. HARDING] to strike out "twenty-three" and to insert in lieu thereof the word "twenty-seven."

The PRESIDENT pro tempore. The Chair will state that the amendment of the Senator from Ohio as reported to the Senate does not contain the word referred to by the Senator from Idaho, the amendment having been amended as in Committee of the Whole. The Secretary will state the amendment as it now stands.

The Secretary read as follows:

SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within six years from the date of the submission hereof to the States by the Congress.

Mr. BORAH. I move to strike out the words "six years" in the amendment and to insert in lieu thereof the words "ten years."

The PRESIDENT pro tempore. The question is on the amendment.

Mr. BORAH. On that I ask for the yeas and nays.

Mr. HARDING. Mr. President, I raise the point of order that the amendment to which the amendment is offered was not reserved.

The PRESIDENT pro tempore. The Chair thinks the Senator from Idaho reserved the amendment.

Mr. WILLIAMS. Mr. President, I suppose that the amendment offered by the Senator from Idaho [Mr. BORAH] is subject to discussion, is it not?

The PRESIDENT pro tempore. Not under the unanimous-consent rule. The question is on the amendment proposed by the Senator from Idaho, on which he has asked for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. McCUMBER (when his name was called). Again announcing my pair, I withhold my vote.

Mr. MYERS (when his name was called). Announcing the transfer of my pair as heretofore, I vote "nay."

Mr. ROBINSON (when his name was called). Again announcing my pair, I withhold my vote.

The roll call was concluded.

Mr. MARTIN. I desire to state that the senior Senator from Maryland [Mr. SMITH] is detained from the Chamber by illness. He is paired with the senior Senator from Vermont [Mr. DILLINGHAM].

The result was announced—yeas 19, nays 61, as follows:

YEAS—19.

Borah	Kenyon	Page	Sutherland
Brady	Kirby	Poindexter	Trammell
Cummins	McNary	Shafroth	Vardaman
Gronna	Nelson	Sherman	Warren
Kellogg	Norris	Smoot	

NAYS—61.

Ashurst	Hale	Martin	Smith, Mich.
Bankhead	Harding	Myers	Smith, S. C.
Beckham	Hardwick	New	Sterling
Brandege	Hitchcock	Overman	Stone
Broussard	Hollis	Owen	Swanson
Calder	James	Penrose	Thompson
Chamberlain	Johnson, Cal.	Phelan	Underwood
Colt	Jones, N. Mex.	Pittman	Wadsworth
Culberson	Jones, Wash.	Pomerene	Walsh
Curtis	Kendrick	Ransdell	Watson
Fernald	King	Reed	Weeks
Fletcher	Knox	Saulsbury	Williams
France	La Follette	Sheppard	Wolcott
Frelinghuysen	Lewis	Shields	
Gerry	Lodge	Simmons	
Gore	McKellar	Smith, Ga.	

NOT VOTING—16.

Dillingham	Hughes	McLean	Smith, Md.
Fall	Husting	Newlands	Thomas
Gallinger	Johnson, S. Dak.	Robinson	Tillman
Goff	McCumber	Smith, Ariz.	Townsend

So Mr. BORAH's amendment was rejected. The PRESIDENT pro tempore. The question is on concurring in the amendment of the Senator from Ohio [Mr. HARDING] agreed to as in Committee of the Whole.

Mr. BORAH. Upon that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. STONE. What is the vote on?

The PRESIDENT pro tempore. The question is on concurring in the amendment offered by the Senator from Ohio and adopted as in Committee of the Whole.

Mr. LODGE. May I ask a question? Those in favor of the amendment of the Senator from Ohio, I understand, vote "yea"?

The PRESIDENT pro tempore. Those in favor of the amendment vote "yea" and those opposed "nay."

The Secretary proceeded to call the roll.

Mr. McCUMBER (when his name was called). Announcing my pair as heretofore, I withhold my vote.

Mr. MYERS (when his name was called). Announcing the same transfer of my pair as heretofore, I vote "yea."

Mr. ROBINSON (when his name was called). Again announcing my pair, I withhold my vote.

The roll call was concluded.

Mr. MARTIN. I desire to state that the senior Senator from Maryland [Mr. SMITH] is detained from the Chamber by illness. He is paired with the senior Senator from Vermont [Mr. DILLINGHAM].

Mr. CURTIS. I desire to announce the pair of the Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN].

The result was announced—yeas 55, nays 23, as follows:

YEAS—55.

Ashurst	Harding	Martin	Simmons
Bankhead	Hitchcock	Myers	Smith, Ga.
Beckham	Hollis	New	Smith, S. C.
Broussard	James	Newlands	Stone
Calder	Johnson, Cal.	Overman	Swanson
Chamberlain	Jones, N. Mex.	Owen	Thompson
Colt	Jones, Wash.	Penrose	Underwood
Curtis	Kendrick	Phelan	Wadsworth
Fernald	King	Pittman	Walsh
Fletcher	Knox	Pomerene	Watson
France	La Follette	Ransdell	Weeks
Frelinghuysen	Lewis	Saulsbury	Williams
Gerry	Lodge	Sheppard	Wolcott
Hale	McKellar	Shields	

NAYS—23.

Borah	Kellogg	Page	Sterling
Brady	Kenyon	Poindexter	Sutherland
Brandege	Kirby	Shafroth	Trammell
Culberson	McNary	Sherman	Vardaman
Cummins	Nelson	Smith, Mich.	Warren
Gronna	Norris	Smoot	

NOT VOTING—18.

Dillingham	Hardwick	McLean	Thomas
Fall	Hughes	Reed	Tillman
Gallinger	Husting	Robinson	Townsend
Goff	Johnson, S. Dak.	Smith, Ariz.	
Gore	McCumber	Smith, Md.	

So the amendment of Mr. HARDING was concurred in.

The PRESIDENT pro tempore. The bill is still in the Senate and open to amendment.

Mr. PHELAN. Mr. President, I call up the amendment submitted by me, providing for the submission of two amendments.

The PRESIDENT pro tempore. The Senator from California offers an amendment. Does the Senator desire it read?

Mr. PHELAN. I was informed by several Senators that they did not understand the proposition, and they requested a record vote. That is my interest in bringing it up at this time. I ask that the Secretary state it.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The Secretary read as follows:

Joint resolution proposing an amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following two amendments to the Constitution be, and hereby are, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States, as provided by the Constitution:

ARTICLE —.

SECTION 1. The manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, and the exportation thereof from, the United States and all territories subject to the jurisdiction thereof, for beverage purposes, is hereby prohibited: *Provided*, That this article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, on or before the 1st day of July, A. D. 1927.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

ARTICLE —.

SECTION 1. The manufacture, sale, or transportation of distilled spirituous liquors within, the importation thereof into, or the exportation thereof from, the United States and all territories subject to the jurisdiction thereof, for beverage purposes, is hereby prohibited: *Provided*, That this article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, on or before the 1st day of July, A. D. 1927.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from California.

Mr. WADSWORTH. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. McCUMBER (when his name was called). Again announcing my pair, I withhold my vote.

Mr. MYERS (when his name was called). Announcing the same transfer of my pair as before, I vote "nay."

Mr. ROBINSON (when his name was called). Again announcing my pair with the Senator from Michigan [Mr. TOWNSEND], I withhold my vote.

The roll call was concluded.

Mr. CURTIS (after having voted in the negative). I desire to inquire whether the junior Senator from Georgia [Mr. HARDWICK] has voted?

The PRESIDENT pro tempore. He has not.

Mr. CURTIS. I transfer my pair on this question with him to the senior Senator from New Hampshire [Mr. GALLINGER] and will let my vote stand.

Mr. MARTIN. I desire to state that the senior Senator from Maryland [Mr. SMITH] is detained from the Chamber by illness. He is paired with the senior Senator from Vermont [Mr. DILLINGHAM].

The result was announced—yeas 26, nays 55, as follows:

YEAS—26.

Brandegge	Gore	Lodge	Stone
Broussard	Harding	Newlands	Wadsworth
Calder	Hitchcock	Norris	Warren
Culberson	James	Phelan	Weeks
France	Johnson, Cal.	Pomerene	Williams
Frelinghuysen	La Follette	Ransdell	
Gerry	Lewis	Reed	

NAYS—55.

Ashurst	Jones, N. Mex.	Overman	Smith, Mich.
Bankhead	Jones, Wash.	Owen	Smith, S. C.
Beckham	Kellogg	Page	Smoot
Borah	Kendrick	Penrose	Sterling
Brady	Kenyon	Pittman	Sutherland
Chamberlain	King	Polindexter	Swanson
Colt	Kirby	Saulsbury	Thompson
Cummins	Knox	Shafroth	Trammell
Curtis	McKellar	Sheppard	Underwood
Fernald	McNary	Sherman	Vardaman
Fletcher	Martin	Shields	Walsh
Gronna	Myers	Simmons	Watson
Hale	Nelson	Smith, Ariz.	Wolcott
Hollis	New	Smith, Ga.	

NOT VOTING—15.

Dillingham	Hardwick	McCumber	Thomas
Fall	Hughes	McLean	Tillman
Gallinger	Husting	Robinson	Townsend
Goff	Johnson, S. Dak.	Smith, Md.	

So Mr. PHELAN's amendment was rejected.

The PRESIDENT pro tempore. The joint resolution is still in the Senate and open to amendment. If there be no further amendment to be proposed, the question is, Shall the joint resolution be engrossed and read a third time?

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

The joint resolution was read the third time.

The PRESIDENT pro tempore. The joint resolution having been read three times, the question is, Shall it pass?—which question must be taken by yeas and nays. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. PAGE (when Mr. DILLINGHAM's name was called). My colleague [Mr. DILLINGHAM] is necessarily absent from the Senate. He is paired with the senior Senator from Maryland [Mr. SMITH]. If present and at liberty to vote, my colleague would vote "yea."

Mr. CURTIS (when Mr. FALL's name was called). I have been requested to announce the absence of the senior Senator from New Mexico [Mr. FALL] on account of illness in his family. Were he present, he would vote "yea." Later on I will announce his pair.

Mr. CURTIS (when Mr. GALLINGER's name was called). I have been requested to announce that the senior Senator from New Hampshire [Mr. GALLINGER] is absent on account of illness. Were he present, he would vote "yea." Later on I will announce his pair.

Mr. CURTIS (when Mr. GOFF's name was called). I have been requested to announce the absence of the senior Senator from West Virginia [Mr. GOFF] on account of illness. Were he present he would vote "yea." I will announce his pair later.

Mr. KENDRICK (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. FALL]. In view of the announcement made by the Senator from Kansas [Mr. CURTIS] I feel at liberty to vote. I therefore vote "yea."

Mr. McCUMBER (when his name was called). I have a general pair with the senior Senator from Colorado [Mr. THOMAS], but I am informed that a transfer has been made, so that the senior Senator from Montana [Mr. MYERS] and the senior Sena-

tor from Colorado [Mr. THOMAS] may stand paired with the junior Senator from Connecticut [Mr. McLEAN]. That leaves me at liberty to vote on the final passage of the joint resolution. I vote "yea."

Mr. MYERS (when his name was called). I have a general pair with the junior Senator from Connecticut [Mr. McLEAN] who, if present, I understand would vote "nay." I transfer my pair to the senior Senator from New Mexico [Mr. FALL] and the senior Senator from Colorado [Mr. THOMAS], each of whom I understand if present would vote "yea," giving a pair of "yeas" to one "nay," which leaves me at liberty to vote. I therefore vote "yea."

Mr. ROBINSON (when his name was called). I have a pair with the Senator from Michigan [Mr. TOWNSEND]. Being advised that if he were present he would vote "yea," I feel at liberty to vote, and I do so. I vote "yea."

Mr. SHAFROTH (when Mr. THOMAS's name was called). I desire to announce the unavoidable absence of my colleague [Mr. THOMAS] on account of sickness and to say that he is paired with the junior Senator from Connecticut [Mr. McLEAN] on this question, and that if present my colleague would vote "yea."

Mr. SMITH of Michigan (when Mr. TOWNSEND's name was called). Making the same announcement as on the previous vote, I desire to say that if my colleague [Mr. TOWNSEND] were present he would vote "yea."

The roll-call was concluded.

Mr. CURTIS. I have been requested to announce that the Senator from West Virginia [Mr. GOFF] and the Senator from Michigan [Mr. TOWNSEND], who would vote "yea" if present, are paired with the Senator from South Carolina [Mr. TILLMAN]; and that the Senator from New Hampshire [Mr. GALLINGER] and the Senator from South Dakota [Mr. JOHNSON], who would vote "yea" if present, are paired with the Senator from New Jersey [Mr. HUGHES].

Mr. MARTIN. I desire to state that the senior Senator from Maryland [Mr. SMITH] is detained from the Chamber by illness. He is paired with the senior Senator from Vermont [Mr. DILLINGHAM].

The result was announced—yeas 65, nays 20, as follows:

YEAS—65.

Ashurst	Johnson, Cal.	Newlands	Smith, Mich.
Bankhead	Jones, N. Mex.	Norris	Smith, S. C.
Beckham	Jones, Wash.	Overman	Smoot
Borah	Kellogg	Owen	Sterling
Brady	Kendrick	Page	Stone
Chamberlain	Kenyon	Pittman	Sutherland
Colt	King	Polindexter	Swanson
Cummins	Kirby	Ransdell	Thompson
Curtis	Knox	Robinson	Trammell
Fernald	La Follette	Saulsbury	Vardaman
Fletcher	McCumber	Shafroth	Walsh
Frelinghuysen	McKellar	Sheppard	Watson
Gore	McNary	Sherman	Williams
Gronna	Martin	Shields	Wolcott
Hale	Myers	Simmons	
Harding	Nelson	Smith, Ariz.	
Hollis	New	Smith, Ga.	

NAYS—20.

Brandegge	Gerry	Lewis	Reed
Broussard	Hardwick	Lodge	Underwood
Calder	Hitchcock	Penrose	Wadsworth
Culberson	Husting	Phelan	Warren
France	James	Pomerene	Weeks

NOT VOTING—11.

Dillingham	Goff	McLean	Tillman,
Fall	Hughes	Smith, Md.	Townsend
Gallinger	Johnson, S. Dak.	Thomas	

So the joint resolution was passed, two-thirds of the Senators present voting therefor.

RIVER AND HARBOR APPROPRIATIONS—CONFERENCE REPORT.

Mr. FLETCHER. I present a conference report on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4285) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and I ask for its immediate consideration.

Mr. SMOOT. I ask the Senator from Florida if the report has been printed.

Mr. FLETCHER. It has not been printed.

Mr. SMOOT. Does not the Senator think it ought to go over and be printed and be taken up at the next meeting of the Senate? No one knows what is in it. I think that course is due to the Senate. The report is just submitted. No Senators, except the three conferees, know what changes have been made, and it is a bill of quite considerable importance. I do not know that there will be any objection to the report, but we at least ought to know what the changes are. I ask the Senator to let it go over and be printed.

Mr. FLETCHER. I will state that there were not a great many matters in conference, and it is not a very complicated report. I think it could be thoroughly understood from the reading of it. I do not know of any rule which requires a conference report to go over until the next day. If, however, Senators would prefer that course, I do not want to stand in the way of it. In that case I shall call it up the first thing to-morrow.

Mr. SMOOT. I ask the Senator to let it go over. I know that the Senator might immediately have a vote upon it in the Senate, but there is hardly ever a time when there is a request made that a conference report shall go over and be printed that it is refused. I will say to the Senator I do not think there is any disposition whatever to fight the report in any way, but at least we ought to know what it contains.

Mr. FLETCHER. Very well, then, Mr. President, I present it now and ask to have it printed, although I do not see any reason why we should not lay it aside temporarily. Would the Senator object to that?

Mr. SMOOT. I do not think the Senator will make any time by doing that. Perhaps there will not be a word said when the report is read, but I do believe that we ought to know what it contains. I ask the Senator to let it go over until to-morrow.

Mr. KENYON. Has it been printed in the Record?

Mr. FLETCHER. It has not. I am just presenting it now.

Mr. KENYON. I ask the Senator to let it go over until to-morrow and that it be printed in the Record.

Mr. FLETCHER. Very well.

The PRESIDENT pro tempore. Does the Senator from Florida withdraw the motion for the consideration of the conference report?

Mr. FLETCHER. I merely present the report now.

The PRESIDENT pro tempore. The report will be printed.

Mr. FLETCHER. I give notice that I shall ask for its consideration to-morrow.

#### WOMAN SUFFRAGE.

Mr. CUMMINS. Mr. President, I submit a motion that the Senate Committee on Woman Suffrage be discharged from the further consideration of S. J. Res. 2, proposing an amendment to the Constitution of the United States conferring upon women the right of suffrage, now before that committee, and that the same be placed on the calendar of the Senate. I ask that the motion may lie over under the rule, and I shall call it up to-morrow.

The PRESIDENT pro tempore. The motion will be received.

#### ENLISTMENT OF ALIEN RESIDENTS.

Mr. McCUMBER. I ask unanimous consent for the present consideration of Senate resolution 108. I understand from the Senator from Oregon [Mr. CHAMBERLAIN] that there will be no objection to it on his part, and I think it can be passed immediately.

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

There being no objection, the Senate resumed the consideration of Senate resolution 108, reported on the 30th of July by Mr. McCUMBER from the Committee on Foreign Relations, looking to the enlistment of certain alien residents in the Army of the United States.

Mr. McCUMBER. I ask unanimous consent to withdraw the preamble.

The PRESIDENT pro tempore. That may be done by the Senator having charge of the resolution, and it is so ordered.

Mr. McCUMBER. Now, in order to conform the resolution to the proper reading I move to amend, on page 2, line 3, by striking out the word "said" and inserting, after "central powers," the words "of Europe." The word "said" refers to the preamble, and it merely makes the sentence complete.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 2, line 3, strike out the word "said" before the word "central," and after the word "powers" insert the word "of Europe," so as to read "engaged in war against the central powers of Europe."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to. The question is on the adoption of the resolution as amended.

Mr. CHAMBERLAIN. The Senator from North Dakota correctly stated my attitude with reference to the matter. I do not see any conflict between this resolution and the joint resolution proposed by me. I shall later call up that joint resolution and ask for its consideration, but not this afternoon.

The PRESIDENT pro tempore. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to, as follows:

*Resolved*, That the President of the United States be, and he is hereby, requested to propose to all European nations engaged in war against the central powers of Europe and, if possible, secure from them an agreement authorizing and empowering the United States to apply the provisions of the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, to all such subjects and citizens domiciled in this country in the same manner and to the same effect as such provisions are applied to the citizens of the United States in selecting and raising an army or navy for service in the present war.

Mr. McCUMBER. I desire to have inserted in the Record what appears to be in the nature of a petition from the Bohemian National Alliance. I agree with everything in the petition with the exception of that portion of the petition which calls for the enlistment of alien enemies. In other respects I think it is very pertinent, and I ask that it be printed in the Record.

There being no objection, the matter was ordered to be printed in the Record, as follows:

BOHEMIAN (CZECH) NATIONAL ALLIANCE OF AMERICA,  
Chicago, Ill., July 27, 1917.

Senator PORTER J. McCUMBER,  
Washington, D. C.

SIR: As one of the members of the subcommittee of the Senate to determine the liability of aliens to military service, you may be interested in learning the attitude of people of Bohemian birth.

There can not be two opinions on the question of the duty of resident aliens to fight for the country in which they make their living. The alien enjoys all the rights of the citizen—the right of life, liberty, and the pursuit of happiness. He is protected by our laws; he is given opportunity not merely to make a better living than in his native land but to earn wealth he never dreamed of. The only right withheld from the alien resident is the right to vote, although even that is granted him in some States.

All the rules of square deal, all the obligations of gratitude, demand that when the country is in danger all residents, citizens and aliens alike, should offer their lives in its defense. We feel confident, sir, that the overwhelming majority of people of foreign birth residing in the United States will heartily approve as just any measure Congress may enact to make the obligations of citizens and resident aliens equal in the matter of military duty.

Speaking for our entire membership of 120,000; in fact, speaking for all residents of this country who are of Bohemian birth, whether naturalized or not, we urge you, sir, and all the Members of Congress so to amend our laws as to make all residents of the United States equally liable to service in the National Army.

We of Bohemia have a special interest in seeing a measure of this kind enacted promptly, for we are being discriminated against by the Department of War. After several thousand of our young men had been accepted for service in the Regular Army, a large proportion of whom took out their first papers solely so as to become eligible for enlistment, we were notified by The Adjutant General that Bohemian boys could serve only if fully naturalized, for "it is not the policy to permit the enlistment in the Army of any person who may be legitimately claimed as subject by an enemy country or by a country allied with an enemy country."

The motive of the War Department was very praiseworthy—not to accept the volunteer services of men who, if captured by the enemy, would probably be denied the rights of prisoners of war. Not that our men would let that consideration overbalance the privilege of fighting the Germans. The Czecho-Slovak brigade in Russia, composed of Bohemian (Czech) and Slovak prisoners of war, fought the more bravely and covered themselves with glory, since they well knew that they could expect no mercy in case of capture.

But the humanitarian objection of the War Department will be eliminated if Congress makes it the duty of all resident aliens, Czechs and others still claimed as subjects by Austria-Hungary, to fight in defense of the country wherein they made their homes.

We are, sir, most respectfully, yours, for the  
BOHEMIAN NATIONAL ALLIANCE OF AMERICA,  
L. J. FISHER, President.  
J. F. SMETANKA, Secretary.

#### TREASURY DEPARTMENT BUILDING.

Mr. SWANSON. I move that the Senate proceed to the consideration of the bill (S. 2477) to authorize the construction of a building for the use of the Treasury Department.

Mr. KING. I object to its consideration.

Mr. SWANSON. I made a motion.

The PRESIDENT pro tempore. The Senator from Virginia moves that the Senate proceed to the consideration of the bill.

Mr. KING. I thought he was asking unanimous consent.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Virginia.

On a division the motion was not agreed to.

#### MESSAGE FROM THE HOUSE.

A message from the House, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the enrolled bill (S. 2695) to authorize the construction, maintenance, and operation of a bridge across Little River, at or near the foot of the gar hole about one-half mile south of the Jonesboro, Lake City & Eastern Railway bridge across Little River, Ark., and it was thereupon signed by the President pro tempore.

#### PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore. The Chair lays before the Senate certain telegrams addressed to the Vice President of the United States, which will be noted in the Record.



Telegrams from the congregation of the First Baptist Church, of Plainwill, Mich., and from the Swedish Lodges, of Holyoke, Mass., praying for national prohibition.

Telegrams from the Wisconsin State Federation of Labor; from the National Bottle Manufacturers' Association and the Glass Bottle Blowers' Association in convention at Atlantic City, N. J.; from the Pennsylvania Grains and Feed Co., of Philadelphia, Pa.; and from Local No. 15 of the Glass Bottle Blowers' Association, of Milwaukee, Wis., remonstrating against national prohibition.

The PRESIDENT pro tempore. The telegrams will lie on the table.

Mr. PHELAN presented a petition of sundry citizens of California, praying for the establishment of a moral zone around the concentration camps of the Army, which was ordered to lie on the table.

#### BILLS AND JOINT RESOLUTION INTRODUCED.

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

By Mr. OWEN:

A bill (S. 2709) to amend section 11 of the act approved December 23, 1913, known as the Federal reserve act, as amended by the act of September 7, 1916; to the Committee on Banking and Currency.

A bill (S. 2710) granting the consent of Congress to Webbers Falls Railroad Co., a corporation, its successors and assigns, to construct a bridge across the Arkansas River between the towns of Webbers Falls and Gore, in the State of Oklahoma; to the Committee on Commerce.

By Mr. CALDER:

A bill (S. 2711) granting a pension to Adeline Fitch Austen; and

A bill (S. 2712) granting a pension to Cornelia A. Green; to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 2713) reappointing Edgar C. Campbell as pay clerk in Quartermaster Corps, United States Army, with rank of second lieutenant; to the Committee on Military Affairs.

By Mr. McNARY:

A bill (S. 2714) authorizing the removal of stumps from cut-over Oregon and California lands; to the Committee on Public Lands.

By Mr. SMITH of Michigan (for Mr. TOWNSEND):

A joint resolution (S. J. Res. 87) to grant citizenship to Dr. William A. Evans (with accompanying papers); to the Committee on Immigration.

#### PERSONAL EXPLANATION.

Mr. THOMPSON. Mr. President, I rise to a question of personal privilege.

The PRESIDENT pro tempore. The Senator from Kansas will state it.

Mr. THOMPSON. Yesterday at the close of my address on the prohibition amendment I asked permission of the Senate to insert a number of letters in the Record as a part of my remarks, with the understanding that the letters should not contain anything that reflected against any Senator or Member of the House. It is my earnest desire and intention to adhere strictly to that requirement, and it was my wish to personally read all the letters before they went to the printer. I did so as far as I was physically able to do it, and instructed my clerks to read the balance, and to eliminate everything that was objectionable, but in the rush of things, which all Senators will understand, a number of the letters slipped in which contain some reference to and reflection upon the junior Senator from Missouri [Mr. REED].

These letters were written, Mr. President, at a time when we had a little controversy when this matter was up a few months ago, and reference to that incident was made in some of the letters. Some of the statements in the letters were unjust and unwarranted, and statements that I did not approve, and do not now approve of, and I believe they were made under an entire misunderstanding of the facts.

I have known the Senator from Missouri favorably and well for a quarter of a century. I have never had any trouble with him in the world, and I surely have no desire nor intention to do him any wrong or injury among the people of my State or elsewhere.

I regret that the mistake occurred, and I was surprised this morning to see any letters containing any objectionable matter, which I had supposed was all eliminated. To show my good faith I went immediately to the clerk, Mr. Moxley, who has charge of such matters, and arranged for the elimination of those statements in the letters, and I also expressed my regret that the

mistake occurred to the junior Senator from Missouri, as I do now to the Senate. I ask unanimous consent that all objectionable statements having reference to the junior Senator from Missouri be expunged from the Record.

The PRESIDENT pro tempore. Without objection the matter referred to will be expunged from the permanent Record.

#### EXECUTIVE SESSION.

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

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session, the doors were reopened, and (at 5 o'clock and 22 minutes p. m.) the Senate adjourned until to-morrow, Thursday, August 2, 1917, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate August 1 (legislative day of July 31), 1917.*

#### UNITED STATES CONSULS.

##### CLASS 7.

Walter H. Sholes, of Oklahoma, who prior to July 20, 1917, was known as Walter H. Schulz, to be a consul of class 7 of the United States of America, to which class he was appointed September 15, 1913.

##### CLASS 8.

Gaston Smith, of Louisiana, who, prior to July 20, 1917, was known as Gaston Schmutz, to be a consul of class 8 of the United States of America, to which class he was appointed March 2, 1915.

#### EXAMINER IN CHIEF.

Richard E. Marine, of Indiana, to be an examiner in chief in the Patent Office, vice Thomas G. Steward, resigned.

#### RECEIVER OF PUBLIC MONEYS.

Kirk E. Baxter, of South Dakota, to be receiver of public moneys at Bellefourche, S. Dak., his present term expiring September 10, 1917. (Reappointment.)

#### REGISTER OF LAND OFFICE.

Edwin M. Starcher, of South Dakota, to be register of the land office at Gregory, S. Dak., his present term expiring September 10, 1917. (Reappointment.)

#### PROMOTIONS IN THE ARMY.

##### ORDNANCE DEPARTMENT.

Lieut. Col. Jay E. Hoffer, Ordnance Department, to be colonel from July 26, 1917, vice Col. Orin B. Mitcham, retired from active service July 25, 1917.

##### CAVALRY ARM.

Lieut. Col. Francis C. Marshall, Cavalry, to be colonel from July 25, 1917, vice Col. Elwood W. Evans, Cavalry, who died July 24, 1917.

Lieut. Col. Francis C. Marshall, Cavalry, to be colonel from June 22, 1917, vice Col. Henry T. Allen, appointed brigadier general.

Maj. Cornelius C. Smith, Cavalry, to be lieutenant colonel from June 23, 1917, vice Lieut. Col. Charles Young, retired from active service June 22, 1917.

NOTE.—Lieut. Col. Marshall was nominated to the Senate for promotion July 27, 1917. Maj. Smith was nominated to the Senate for promotion July 18, 1917. This is submitted for the purpose of correcting the dates of rank of the nominees.

*To be first lieutenants with rank from May 15, 1917, to fill original vacancies.*

Second Lieut. Ray Harrison, Cavalry.  
 Second Lieut. William F. Daugherty, Cavalry.  
 Second Lieut. John T. Cole, Cavalry.  
 Second Lieut. Stephen H. Sherrill, Cavalry.  
 Second Lieut. Charles H. Gerhardt, Cavalry.  
 Second Lieut. Walter H. Schulze, Cavalry.  
 Second Lieut. Herbert C. Holdridge, Cavalry.  
 Second Lieut. Albert C. Smith, Cavalry.  
 Second Lieut. Nicholas W. Lisle, Cavalry.  
 Second Lieut. Percy G. Black, Cavalry.  
 Second Lieut. Albert C. Stanford, Cavalry.  
 Second Lieut. Laurence B. Meacham, Cavalry.  
 Second Lieut. Louis Le R. Martin, Cavalry.  
 Second Lieut. William K. Harrison, jr., Cavalry.  
 Second Lieut. Josiah F. Morford, Cavalry.  
 Second Lieut. Ernest N. Harmon, Cavalry.  
 Second Lieut. Joseph S. Tate, Cavalry.  
 Second Lieut. Arthur M. Harper, Cavalry.

Second Lieut. John W. Confer, jr., Cavalry.  
 Second Lieut. Herbert N. Schwarzkopf, Cavalry.  
 Second Lieut. Robert N. Kunz, Cavalry.  
 Second Lieut. Charles S. Kilburn, Cavalry.  
 Second Lieut. Charles R. Johnson, jr., Cavalry.  
 Second Lieut. Bertrand Morrow, Cavalry.  
 Second Lieut. Coalter B. Compton, Cavalry.

## FIELD ARTILLERY.

To be first lieutenants, with rank from May 15, 1917, to fill original vacancies.

Second Lieut. Robert M. Bathurst, Field Artillery.  
 Second Lieut. William H. Saunders, Field Artillery.  
 Second Lieut. Charles E. Hurdis, Field Artillery.  
 Second Lieut. Henry J. Schroeder, Field Artillery.  
 Second Lieut. James K. Tully, Field Artillery.  
 Second Lieut. John M. Devine, Field Artillery.  
 Second Lieut. Harold A. Nisley, Field Artillery.  
 Second Lieut. Fenton H. McGlachlin, Field Artillery.  
 Second Lieut. James L. Guion, Field Artillery.  
 Second Lieut. George D. Wahl, Field Artillery.  
 Second Lieut. Basil H. Perry, Field Artillery.  
 Second Lieut. Ray H. Lewis, Field Artillery.  
 Second Lieut. Solomon F. Clark, Field Artillery.  
 Second Lieut. Augustus M. Gurney, Field Artillery.  
 Second Lieut. Oliver B. Cardwell, Field Artillery.  
 Second Lieut. William O. Butler, Field Artillery.  
 Second Lieut. Rex W. Beasley, Field Artillery.

## COAST ARTILLERY CORPS.

To be first lieutenants, with rank from May 15, 1917, to fill original vacancies.

Second Lieut. Harold R. Jackson, Coast Artillery Corps.  
 Second Lieut. Morris K. Barroll, jr., Coast Artillery Corps.  
 Second Lieut. Walter W. Warner, Coast Artillery Corps.  
 Second Lieut. Walter F. Vander Hyden, Coast Artillery Corps.  
 Second Lieut. Ira A. Crump, Coast Artillery Corps.  
 Second Lieut. Elbert L. Ford, jr., Coast Artillery Corps.  
 Second Lieut. Samuel H. Bradbury, jr., Coast Artillery Corps.  
 Second Lieut. James L. Hayden, Coast Artillery Corps.  
 Second Lieut. Scott B. Ritchie, Coast Artillery Corps.  
 Second Lieut. George S. Beurket, Coast Artillery Corps.  
 Second Lieut. Burnett R. Olmsted, Coast Artillery Corps.  
 Second Lieut. Joel G. Holmes, Coast Artillery Corps.  
 Second Lieut. James A. Code, jr., Coast Artillery Corps.  
 Second Lieut. William Sackville, Coast Artillery Corps.  
 Second Lieut. Leroy H. Lohmann, Coast Artillery Corps.  
 Second Lieut. Christian G. Foltz, Coast Artillery Corps.  
 Second Lieut. Aaron Bradshaw, jr., Coast Artillery Corps.  
 Second Lieut. William W. Cowgill, Coast Artillery Corps.  
 Second Lieut. Harry R. Pierce, Coast Artillery Corps.  
 Second Lieut. Lawrence C. Mitchell, Coast Artillery Corps.  
 Second Lieut. Alexander H. Campbell, Coast Artillery Corps.  
 Second Lieut. Marvil G. Armstrong, Coast Artillery Corps.  
 Second Lieut. John R. Nygaard, Coast Artillery Corps.

## PROVISIONAL APPOINTMENT BY PROMOTION IN THE ARMY.

## CAVALRY ARM.

Second Lieut. Ion C. Holm, Cavalry, to be first lieutenant from November 30, 1916, vice First Lieut. Byron Q. Jones, detailed in the Signal Corps.

Second Lieut. Carl C. Krueger, Cavalry, to be first lieutenant from November 30, 1916, vice First Lieut. Bruce L. Burch, Cavalry, promoted.

Second Lieut. George M. Herringshaw, Cavalry, to be first lieutenant from November 30, 1916, vice First Lieut. Eugene A. Lohman, Cavalry, detailed in the Signal Corps.

Second Lieut. Thomas F. Limbocker, Cavalry, to be first lieutenant from November 30, 1916, vice First Lieut. Alexander H. Jones, Cavalry, promoted.

Second Lieut. Cornelius M. Daly, Cavalry, to be first lieutenant from November 30, 1916, vice First Lieut. Charles L. Stevenson, Cavalry, promoted.

Second Lieut. Richard B. Trimble, Cavalry, to be first lieutenant from December 1, 1916, vice First Lieut. Charles B. Hazeltine, Cavalry, detailed in the Signal Corps.

Second Lieut. Arthur S. Harrington, Cavalry, to be first lieutenant from December 3, 1916, vice First Lieut. Frank K. Chapin, Cavalry, promoted.

Second Lieut. Frank L. Whittaker, Cavalry, to be first lieutenant from December 25, 1916, vice First Lieut. Henry L. Watson, Cavalry, promoted.

Second Lieut. Philip H. Sherwood, Cavalry, to be first lieutenant from January 16, 1917, vice First Lieut. Murray B. Rush, Cavalry, promoted.

Second Lieut. Robert S. La Motte, Cavalry, to be first lieutenant from January 23, 1917, vice First Lieut. Augustine W. Robins, Cavalry, promoted.

Second Lieut. George M. Gillet, jr., Cavalry, to be first lieutenant from January 23, 1917, vice First Lieut. William D. Geary, Cavalry, promoted.

Second Lieut. Arthur E. Pickard, Cavalry, to be first lieutenant from January 25, 1917, vice First Lieut. Philip Coldwell, Cavalry, transferred to the Infantry Arm.

Second Lieut. James F. Dewhurst, Cavalry, to be first lieutenant from January 25, 1917, vice First Lieut. Stephen M. Walmsley, Cavalry, detailed in the Signal Corps.

Second Lieut. Donald S. Perry, Cavalry, to be first lieutenant from January 26, 1917, vice First Lieut. Clyde J. McCoukey, Cavalry, transferred to Field Artillery.

Second Lieut. Thomas S. Poole, Cavalry, to be first lieutenant from January 29, 1917, vice First Lieut. Eugene T. Spencer, Cavalry, transferred to Field Artillery.

Second Lieut. Frederick G. Rosenberg, Cavalry, to be first lieutenant from January 30, 1917, vice First Lieut. Emil P. Pierson, Cavalry, promoted.

Second Lieut. Frederick R. Lafferty, Cavalry, to be first lieutenant from January 30, 1917, vice First Lieut. Edward A. Millar, jr., Cavalry, transferred to Field Artillery.

Second Lieut. Carl H. Strong, Cavalry, to be first lieutenant from January 30, 1917, vice First Lieut. Clyde V. Simpson, Cavalry, detailed in the Signal Corps.

Second Lieut. Robert L. Beall, Cavalry, to be first lieutenant from January 31, 1917, vice First Lieut. John T. Kennedy, Cavalry, transferred to Field Artillery.

Second Lieut. Meade Frierson, jr., Cavalry, to be first lieutenant from January 31, 1917, vice First Lieut. Falkner Heard, Cavalry, transferred to Field Artillery.

Second Lieut. Arthur T. Lacey, Cavalry, to be first lieutenant from February 1, 1917, vice First Lieut. Clark P. Chandler, promoted.

Second Lieut. David W. Craig, Cavalry, to be first lieutenant from February 2, 1917, vice First Lieut. Isaac Spaulding, Cavalry, transferred to Field Artillery.

Second Lieut. Edmund M. Barnum, Cavalry, to be first lieutenant from February 3, 1917, vice First Lieut. Thurman H. Bane, Cavalry, transferred to Field Artillery.

Second Lieut. Thomas A. Dobyns, jr., Cavalry, to be first lieutenant from February 3, 1917, vice First Lieut. Clarence D. Lang, Cavalry, transferred to Field Artillery.

Second Lieut. John T. Minton, Cavalry, to be first lieutenant from February 6, 1917, vice First Lieut. Richard H. Kimball, Cavalry, promoted.

Second Lieut. William T. Haldeman, Cavalry, to be first lieutenant from February 10, 1917, vice First Lieut. Abbott Boone, Cavalry, promoted.

Second Lieut. Edward S. Bassett, Cavalry, to be first lieutenant from February 10, 1917, vice First Lieut. William L. Moose, jr., Cavalry, promoted.

Second Lieut. Edward F. Shaifer, Cavalry, to be first lieutenant from February 14, 1917, vice First Lieut. Frederick S. Snyder, Cavalry, promoted.

Second Lieut. George M. Peabody, jr., Cavalry, to be first lieutenant from March 3, 1917, vice First Lieut. William C. Christy, Cavalry, promoted.

Second Lieut. Athael B. Ellis, Cavalry, to be first lieutenant from March 24, 1917, vice First Lieut. Leland Wadsworth, jr., Cavalry, promoted.

Second Lieut. Harrie K. Dalbey, Cavalry, to be first lieutenant from March 31, 1917, vice First Lieut. Robert McG. Littlejohn, Cavalry, placed on the detached officers' list.

Second Lieut. John W. McDonald, Cavalry, to be first lieutenant from March 31, 1917, vice First Lieut. Seth W. Scofield, Cavalry, promoted.

Second Lieut. Victor Kerney, Cavalry, to be first lieutenant from March 31, 1917, vice First Lieut. James L. Collins, Cavalry, promoted.

Second Lieut. David H. Blakelock, Cavalry, to be first lieutenant from March 31, 1917, vice First Lieut. William C. McChord, Cavalry, promoted.

Second Lieut. Rinaldo L. Coe, Cavalry, to be first lieutenant from March 31, 1917, vice First Lieut. William R. Henry, Cavalry, promoted.

Second Lieut. Harold J. Duffey, Cavalry, to be first lieutenant from March 31, 1917, vice First Lieut. George F. Patten, Cavalry, promoted.

Second Lieut. Jay K. Colwell, Cavalry, to be first lieutenant from March 31, 1917, vice First Lieut. William A. Robertson, Cavalry, detailed in the Signal Corps.

Second Lieut. Amory C. Cotcheff, Cavalry, to be first lieutenant from April 8, 1917, vice First Lieut. Earl L. Naiden, Cavalry, detailed in the Signal Corps.

Second Lieut. Otis Porter, Cavalry, to be first lieutenant from April 9, 1917, vice First Lieut. Robert M. Cheney, Cavalry, promoted.

Second Lieut. Arthur C. D. Anderson, Cavalry, to be first lieutenant from April 12, 1917, vice First Lieut. Harry B. Anderson, Cavalry, detailed in the Signal Corps.

Second Lieut. Alan B. Edson, Cavalry, to be first lieutenant from April 13, 1917, vice First Lieut. Walter W. Wynne, Cavalry, detailed in the Signal Corps.

Second Lieut. Emory M. Mace, Cavalry, to be first lieutenant from April 20, 1917, vice First Lieut. Lawrence W. McIntosh, Cavalry, promoted.

Second Lieut. Harry H. Dunn, Cavalry, to be first lieutenant from May 3, 1917, vice First Lieut. William O. Ryan, Cavalry, detailed in the Signal Corps.

#### COAST ARTILLERY CORPS.

Second Lieut. Otis A. Wallace, Coast Artillery Corps, to be first lieutenant from November 30, 1916, vice First Lieut. Philip S. Gage, Coast Artillery Corps, promoted.

Second Lieut. James M. Evans, Coast Artillery Corps, to be first lieutenant from March 22, 1917, vice First Lieut. Herbert H. Acheson, Coast Artillery Corps, promoted.

Second Lieut. Cedric F. Maguire, Coast Artillery Corps, to be first lieutenant from March 22, 1917, vice First Lieut. Leigh F. J. Zerbee, Coast Artillery Corps, detailed in the Signal Corps.

Second Lieut. Edward E. Murphy, Coast Artillery Corps, to be first lieutenant from March 22, 1917, vice First Lieut. Harold G. Douglas, Coast Artillery Corps, deceased.

Second Lieut. Marshall M. Williams, jr., Coast Artillery Corps, to be first lieutenant from March 22, 1917, vice First Lieut. Arthur W. Ford, Coast Artillery Corps, placed on the detached officers' list.

Second Lieut. Henry R. Behrens, Coast Artillery Corps, to be first lieutenant from March 22, 1917, vice First Lieut. Leland H. Stanford, Coast Artillery Corps, detailed in the Signal Corps.

Second Lieut. Edward C. Seeds, Coast Artillery Corps, to be first lieutenant from March 22, 1917, vice First Lieut. Joe Eikel, Coast Artillery Corps, resigned.

Second Lieut. Edison A. Lynn, Coast Artillery Corps, to be first lieutenant from March 22, 1917, vice First Lieut. Leon R. Cole, Coast Artillery Corps, transferred to Field Artillery.

Second Lieut. Milton P. Morrill, Coast Artillery Corps, to be first lieutenant from March 22, 1917, vice First Lieut. Lewis H. Brereton, Coast Artillery Corps, transferred to Field Artillery.

Second Lieut. Guy H. Drewry, Coast Artillery Corps, to be first lieutenant from March 22, 1917, vice First Lieut. Theodore R. Murphy, Coast Artillery Corps, transferred to the Infantry arm.

Second Lieut. Raphael S. Chavin, Coast Artillery Corps, to be first lieutenant from March 22, 1917, vice First Lieut. Frank A. Buell, Coast Artillery Corps, promoted.

Second Lieut. John L. Scott, Coast Artillery Corps, to be first lieutenant from March 22, 1917, vice First Lieut. Jason McV. Austin, Coast Artillery Corps, transferred to Field Artillery.

Second Lieut. Alva F. Englehart, Coast Artillery Corps, to be first lieutenant from March 22, 1917, vice First Lieut. Francis T. Armstrong, Coast Artillery Corps, transferred to Field Artillery.

#### FIELD ARTILLERY ARM.

Second Lieut. Oliver L. Haines, Field Artillery, to be first lieutenant from November 30, 1916, vice First Lieut. Oliver A. Dickinson, Field Artillery, promoted.

Second Lieut. Oscar I. Gates, Field Artillery, to be first lieutenant from January 19, 1917, vice First Lieut. Albert M. Jones, declined.

Second Lieut. Gerald E. Brower, Field Artillery, to be first lieutenant from January 26, 1917, vice First Lieut. Frederick W. Stewart, Field Artillery, promoted.

Second Lieut. William J. Jones, Field Artillery, to be first lieutenant from February 3, 1917, vice First Lieut. John P. Lucas, Field Artillery, resigned.

Second Lieut. Yarrow D. Vesely, Field Artillery, to be first lieutenant from February 3, 1917, vice First Lieut. Herbert B. Hayden, Field Artillery, promoted.

Second Lieut. William B. Dunwoody, Field Artillery, to be first lieutenant from February 20, 1917, vice First Lieut. Herbert S. Clarkson, Field Artillery, placed on the detached officers' list.

Second Lieut. Charles B. Thomas, Field Artillery, to be first lieutenant from February 20, 1917, vice First Lieut. Charles G. Helmick, Field Artillery, placed on the detached officers' list.

Second Lieut. Oliver J. Bond, jr., Field Artillery, to be first lieutenant from February 20, 1917, vice First Lieut. Lloyd E. Jones, Field Artillery, placed on the detached officers' list.

Second Lieut. Robert H. Ennis, Field Artillery, to be first lieutenant from February 21, 1917, vice First Lieut. Norman P. Morrow, Field Artillery, placed on the detached officers' list.

Second Lieut. Benjamin E. Carter, Field Artillery, to be first lieutenant from February 25, 1917, vice First Lieut. Richard C. Scott, Field Artillery, placed on the detached officers' list.

Second Lieut. Henry B. Parker, Field Artillery, to be first lieutenant from February 25, 1917, vice First Lieut. John N. Hauser, Field Artillery, placed on the detached officers' list.

Second Lieut. Francis Fielding-Reid, Field Artillery, to be first lieutenant from February 25, 1917, vice First Lieut. John G. Burr, Field Artillery, placed on the detached officers' list.

Second Lieut. Harold H. Ristine, Field Artillery, to be first lieutenant from February 25, 1917, vice First Lieut. John B. Anderson, Field Artillery, placed on the detached officers' list.

Second Lieut. Edmund B. Edwards, Field Artillery, to be first lieutenant from February 25, 1917, vice First Lieut. Newton N. Polk, Field Artillery, placed on the detached officers' list.

Second Lieut. Oscar L. Grünh, Field Artillery, to be first lieutenant from February 25, 1917, vice First Lieut. William C. Houghton, Field Artillery, placed on the detached officers' list.

Second Lieut. Theodore W. Wrean, Field Artillery, to be first lieutenant from February 25, 1917, vice First Lieut. Curtis H. Nance, Field Artillery, placed on the detached officers' list.

Second Lieut. Harold W. Rehm, Field Artillery, to be first lieutenant from February 26, 1917, vice First Lieut. John T. Kennedy, Field Artillery, promoted.

Second Lieut. John B. Pitney, Field Artillery, to be first lieutenant from February 27, 1917, vice First Lieut. Thomas J. Johnson, Field Artillery, promoted.

Second Lieut. Clifford H. Tate, Field Artillery, to be first lieutenant from March 21, 1917, vice First Lieut. Leo J. Ahern, Field Artillery, promoted.

Second Lieut. Ottomar O'Donnell, Field Artillery, to be first lieutenant from April 6, 1917, vice First Lieut. Clinton W. Harold, Field Artillery, detailed in the Signal Corps.

#### INFANTRY ARM.

*To be first lieutenant with rank from May 28, 1917, to fill an original vacancy.*

Second Lieut. Madison Pearson, Fifty-eighth Infantry.

*To be first lieutenants with rank from June 3, 1917, to fill original vacancies.*

Second Lieut. John M. Boon, Eighth Infantry.

Second Lieut. Roger Hilsman, Fifty-seventh Infantry.

Second Lieut. Holmes E. Dager, Fifty-first Infantry.

Second Lieut. James E. Allison, Fortieth Infantry.

Second Lieut. Harry E. Fischer, Forty-fifth Infantry.

Second Lieut. Thomas L. Alexander, Fifty-fourth Infantry.

Second Lieut. Charles E. Ravens, Forty-eighth Infantry.

Second Lieut. Charles H. Jones, Forty-third Infantry.

Second Lieut. Roger Williams, jr., Sixty-first Infantry.

Second Lieut. Harry D. Hildebrand, Sixty-fourth Infantry.

Second Lieut. William Hones, jr., Twenty-third Infantry.

Second Lieut. John J. Bethurum, Sixth Infantry.

Second Lieut. John L. Cootey, Thirty-sixth Infantry.

Second Lieut. Albert C. Anderson, Sixty-second Infantry.

Second Lieut. William H. Joiner, Thirty-first Infantry.

Second Lieut. Hugh P. Schiveley, Twelfth Infantry.

Second Lieut. John D. Joanidy, Sixty-second Infantry.

Second Lieut. Gilmer M. Bell, Nineteenth Infantry.

Second Lieut. Manley Lawton, Sixteenth Infantry.

Second Lieut. Roy Sloan, Twelfth Infantry.

Second Lieut. Bryce F. Martin, Thirty-second Infantry.

Second Lieut. Harold C. Hoopes, Forty-seventh Infantry.

Second Lieut. Henley Schuck, Sixtieth Infantry.

Second Lieut. Glenn D. Hufford, Second Infantry.

Second Lieut. Paul R. Hudson, Twenty-eighth Infantry.

Second Lieut. William R. Dwyer, Fifty-ninth Infantry.

Second Lieut. Hanon F. Combs, Thirty-eighth Infantry.

Second Lieut. William E. Pentress, Thirteenth Infantry.

Second Lieut. Ralph Hall, Seventeenth Infantry.

Second Lieut. Mahlon G. Frost, Fifty-second Infantry.

Second Lieut. Benjamin H. Hensley, Thirty-fourth Infantry.

Second Lieut. Hawthorne C. Gray, Thirty-second Infantry.

Second Lieut. Donald J. Neumiller, Eleventh Infantry.

Second Lieut. Orland S. O'Neal, First Infantry.

Second Lieut. Otto Kramer, Forty-second Infantry.

Second Lieut. George D. Ramsey, Twenty-seventh Infantry.

Second Lieut. Jerome Pickett, Twenty-fifth Infantry.

Second Lieut. Lebbeus M. Cornish, Tenth Infantry.  
 Second Lieut. Leon P. Stevens, Fifty-sixth Infantry.  
 Second Lieut. William S. Rumbough, Forty-ninth Infantry.  
 Second Lieut. George A. Murray, Ninth Infantry.  
 Second Lieut. Joseph E. Young, Twentieth Infantry.  
 Second Lieut. Henry T. J. Weishaar, Twenty-second Infantry.  
 Second Lieut. Charles S. Lawrence, Fourth Infantry.  
 Second Lieut. Cyrus A. Hay, Forty-fifth Infantry.  
 Second Lieut. Benjamin J. Holt, jr., Fifty-eighth Infantry.  
 Second Lieut. Newton D. Hathaway, Thirty-ninth Infantry.  
 Second Lieut. Byron W. Fuller, Thirty-seventh Infantry.  
 Second Lieut. John E. Stullken, Sixty-fourth Infantry.  
 Second Lieut. Herman H. Meyer, Fourteenth Infantry.  
 Second Lieut. Carleton More, Forty-fourth Infantry.  
 Second Lieut. Edward P. Sheppard, Seventh Infantry.  
 Second Lieut. Henry J. Matchett, Forty-first Infantry.  
 Second Lieut. John H. Strickland, Twenty-sixth Infantry.  
 Second Lieut. Vincent S. Burton, Fifteenth Infantry.  
 Second Lieut. Griffith Wight, Third Infantry.  
 Second Lieut. Curtis P. Miller, Fifty-fifth Infantry.  
 Second Lieut. William Ernst, Eighteenth Infantry.  
 Second Lieut. John W. Bulger, Twenty-fourth Infantry.  
 Second Lieut. Roy W. Voege, Thirtieth Infantry.  
 Second Lieut. Taylor M. Uhler, Thirty-fifth Infantry.  
 Second Lieut. Roy G. Gordon, Fiftieth Infantry.  
 Second Lieut. Vernon L. Burge, Fifty-third Infantry.  
 Second Lieut. Simon Fostiak, Fortieth Infantry.  
 Second Lieut. Edwin L. Dittmar, Forty-fourth Infantry.  
 Second Lieut. Crosby N. Elliott, Fifty-second Infantry.  
 Second Lieut. Ernest R. Marvel, Sixty-second Infantry.  
 Second Lieut. Frank M. Child, Thirty-fourth Infantry.  
 Second Lieut. Raymond L. Price, Forty-sixth Infantry.  
 Second Lieut. Frederic M. Lee, Tenth Infantry.  
 Second Lieut. Hurley E. Fuller, Fifty-seventh Infantry.  
 Second Lieut. Larry McHale, Twenty-fourth Infantry.  
 Second Lieut. Arthur M. O'Connor, Thirtieth Infantry.  
 Second Lieut. John P. Horan, Nineteenth Infantry.  
 Second Lieut. James H. S. Wells, Fifty-third Infantry.

*To be first lieutenants with rank from June 4, 1917, to fill original vacancies.*

Second Lieut. Augustus B. O'Connell, Fourteenth Infantry.  
 Second Lieut. Charles C. Fitzhugh, Twenty-eighth Infantry.  
 Second Lieut. Thomas L. McMurray, Sixty-third Infantry.  
 Second Lieut. Hiram G. Fry, Eighth Infantry.  
 Second Lieut. Paul E. Jackson, Twentieth Infantry.

*To be first lieutenants with rank from June 5, 1917, to fill original vacancies.*

Second Lieut. Richard W. Cooksey, Thirteenth Infantry.  
 Second Lieut. Homer S. Youngs, Sixteenth Infantry.  
 Second Lieut. Edwin W. Grimmer, Thirty-fifth Infantry.  
 Second Lieut. William H. Clark, Fifty-fourth Infantry.  
 Second Lieut. Frank E. Haskell, Third Infantry.  
 Second Lieut. Lloyd D. Brown, Twenty-sixth Infantry.  
 Second Lieut. Roy C. Hilton, Sixty-first Infantry.  
 Second Lieut. Raymond E. O'Neill, Fifty-sixth Infantry.  
 Second Lieut. Justin S. Hemenway, Thirty-seventh Infantry.  
 Second Lieut. William A. Shely, Twenty-first Infantry.  
 Second Lieut. Corwin C. Smith, Eighteenth Infantry.  
 Second Lieut. John E. McKenney, Sixtieth Infantry.  
 Second Lieut. John U. Ayotte, Thirty-sixth Infantry.  
 Second Lieut. Charles H. Barnwell, jr., Twenty-third Infantry.  
 Second Lieut. Henry A. Schwarz, Fourth Infantry.  
 Second Lieut. Edward G. Herlihy, Thirty-eighth Infantry.  
 Second Lieut. Arnold J. Funk, Seventeenth Infantry.  
 Second Lieut. George M. Ferris, Sixth Infantry.  
 Second Lieut. Edwin L. MacLean, Thirty-ninth Infantry.  
 Second Lieut. Norman Minus, Forty-third Infantry.  
 Second Lieut. Ernest N. Stanton, Fifty-ninth Infantry.  
 Second Lieut. Thomas G. O'Malley, Fiftieth Infantry.  
 Second Lieut. Newell R. Piske, Seventh Infantry.  
 Second Lieut. Phillip B. Harrigan, Twenty-second Infantry.  
 Second Lieut. John D. Hill, Forty-third Infantry.  
 Second Lieut. Frank W. Gano, Fifty-eighth Infantry.  
 Second Lieut. John L. Pierce, Forty-ninth Infantry.  
 Second Lieut. Donald K. Mason, Forty-seventh Infantry.  
 Second Lieut. Lowell W. Rooks, Fifty-first Infantry.  
 Second Lieut. Claude J. Hayden, Eleventh Infantry.  
 Second Lieut. Samuel D. Bedinger, Forty-eighth Infantry.  
 Second Lieut. Alpheus E. W. Harrison, Ninth Infantry.  
 Second Lieut. Malcolm V. Fortier, Forty-second Infantry.  
 Second Lieut. Outram W. Sherman, Fifty-fifth Infantry.  
 Second Lieut. Ivan N. Waldron, Nineteenth Infantry.  
 Second Lieut. John J. Atkinson, Thirty-seventh Infantry.  
 Second Lieut. Edward C. Allworth, Sixtieth Infantry.

Second Lieut. Roland W. Wittman, Forty-first Infantry.  
 Second Lieut. Julian R. Orton, Twenty-second Infantry.  
 Second Lieut. Reginald N. Hamilton, Thirty-fifth Infantry.  
 Second Lieut. John W. Nicholson, Twenty-sixth Infantry.  
 Second Lieut. Thomas A. Young, Eighteenth Infantry.  
 Second Lieut. Charles H. Lee, Forty-seventh Infantry.  
 Second Lieut. Ray B. Conner, Thirty-sixth Infantry.  
 Second Lieut. James S. Moore, jr., Sixty-fourth Infantry.  
 Second Lieut. Franklin H. Woody, Fifty-ninth Infantry.  
 Second Lieut. Herbert L. Landolt, Forty-first Infantry.  
 Second Lieut. Samuel W. Sowerbutts, Sixth Infantry.  
 Second Lieut. Will Van S. Parks, Twenty-eighth Infantry.  
 Second Lieut. Charles B. Kelly, Fifty-sixth Infantry.  
 Second Lieut. Malcolm M. Maner, Twenty-first Infantry.  
 Second Lieut. John L. McKee, Seventh Infantry.  
 Second Lieut. Glenn L. Allen, Thirty-fourth Infantry.  
 Second Lieut. Charles R. Jones, Twentieth Infantry.  
 Second Lieut. Willard S. Paul, Sixty-third Infantry.  
 Second Lieut. Moritz A. R. Loth, Forty-ninth Infantry.  
 Second Lieut. Robert H. Chance, Twenty-fourth Infantry.  
 Second Lieut. Claude W. Shelton, Thirty-eighth Infantry.  
 Second Lieut. Harry G. Hodgkins, jr., Fifty-fifth Infantry.  
 Second Lieut. Samuel R. Ward, Eleventh Infantry.  
 Second Lieut. Vincent P. Rousseau, Thirty-ninth Infantry.  
 Second Lieut. March H. Houser, Fifty-seventh Infantry.  
 Second Lieut. Lamont Davis, Twenty-third Infantry.  
 Second Lieut. James B. Golden, Fourth Infantry.  
 Second Lieut. Edwin B. Banister, Thirtieth Infantry.  
 Second Lieut. Wilfrid R. Higgins, Forty-fourth Infantry.  
 Second Lieut. Eldon P. King, Sixty-second Infantry.  
 Second Lieut. Frederick S. Matthews, Fortieth Infantry.  
 Second Lieut. Arthur P. Sibold, Fifty-second Infantry.  
 Second Lieut. Francis M. Lasseigne, Ninth Infantry.  
 Second Lieut. Walter Hellmers, Twelfth Infantry.  
 Second Lieut. Jesse P. Green, Third Infantry.  
 Second Lieut. Howard W. Turner, Forty-fifth Infantry.  
 Second Lieut. William A. Taber, Sixty-first Infantry.  
 Second Lieut. P. Barbour Peyton, jr., Fiftieth Infantry.  
 Second Lieut. Henry G. Sebastian, Tenth Infantry.  
 Second Lieut. Wesley C. Brigham, Forty-second Infantry.  
 Second Lieut. William M. Goldston, Fifty-eighth Infantry.  
 Second Lieut. Cyrus H. Searcy, Fourteenth Infantry.  
 Second Lieut. Theodore Kelly, Twenty-first Infantry.  
 Second Lieut. Leon E. Norris, Forty-sixth Infantry.  
 Second Lieut. David M. Hunter, Fifty-fifth Infantry.  
 Second Lieut. J. Harold Fleischhauer, Seventeenth Infantry.  
 Second Lieut. Tasso W. Swartz, Fifty-third Infantry.  
 Second Lieut. Edward W. McCaskey, jr., Forty-sixth Infantry.

*To be first lieutenants with rank from June 14, 1917, to fill original vacancies.*

Second Lieut. Ward C. Goessling, Forty-third Infantry.  
 Second Lieut. Curley P. Duson, Thirtieth Infantry.  
 Second Lieut. Joseph J. Johnston, Sixtieth Infantry.  
 Second Lieut. Richard D. Daugherty, Twenty-third Infantry.  
 Second Lieut. Walter R. Graham, Fifty-ninth Infantry.  
 Second Lieut. Albert H. Peyton, Fifty-first Infantry.  
 Second Lieut. Patrick Houstoun, Thirty-fourth Infantry.  
 Second Lieut. Miron J. Rockwell, Twenty-second Infantry.  
 Second Lieut. Peter Wirtz, Tenth Infantry.  
 Second Lieut. Allen W. Stradling, Third Infantry.  
 Second Lieut. Robert V. Tackabury, Forty-sixth Infantry.  
 Second Lieut. James P. Murphy, Thirty-sixth Infantry.  
 Second Lieut. Gustav A. M. Anderson, Fourteenth Infantry.  
 Second Lieut. William C. Peters, Thirty-fifth Infantry.  
 Second Lieut. Francis L. Hill, Sixty-third Infantry.  
 Second Lieut. Charles M. Parkin, Fifty-fifth Infantry.  
 Second Lieut. Jacob E. Bechtold, Thirty-eighth Infantry.  
 Second Lieut. Harry Adamson, Eleventh Infantry.  
 Second Lieut. Neal C. Johnson, Ninth Infantry.  
 Second Lieut. John E. McCarthy, Sixty-second Infantry.  
 Second Lieut. Steele Wotkyns, Fifty-seventh Infantry.  
 Second Lieut. John C. Lane, Forty-ninth Infantry.  
 Second Lieut. Norman P. Groff, Thirty-seventh Infantry.  
 Second Lieut. Glenn A. Ross, Forty-second Infantry.  
 Second Lieut. Donald J. Myers, Nineteenth Infantry.  
 Second Lieut. Vic K. Burriss, Sixth Infantry.  
 Second Lieut. Francis A. Woolfey, Fifty-sixth Infantry.  
 Second Lieut. Carl B. Schmidt, Fortieth Infantry.  
 Second Lieut. Leslie L. Connert, Twenty-fourth Infantry.  
 Second Lieut. Owen R. Rhoads, Twenty-fifth Infantry.  
 Second Lieut. Joe L. Ostrander, Thirty-eighth Infantry.  
 Second Lieut. Elmer F. Wallender, Fifteenth Infantry.  
 Second Lieut. Carl E. Driggers, Twenty-first Infantry.  
 Second Lieut. Allan F. House, Sixteenth Infantry.

- Second Lieut. Carl G. Lewis, Fifty-eighth Infantry.  
 Second Lieut. John D. Burris, Fifteenth Infantry.  
 Second Lieut. Harry V. Hand, Fifty-third Infantry.  
 Second Lieut. Frederick V. Edgerton, Fifteenth Infantry.  
 Second Lieut. Anthony O. Adams, Forty-first Infantry.  
 Second Lieut. George A. Stockton, Twentieth Infantry.  
 Second Lieut. Charles W. Neues, Thirty-sixth Infantry.  
 Second Lieut. George R. Brown, jr., Fiftieth Infantry.  
 Second Lieut. Oscar A. Burton, Twenty-seventh Infantry.  
 Second Lieut. Harold W. Kelly, Forty-fourth Infantry.  
 Second Lieut. William H. Valentine, Second Infantry.  
 Second Lieut. George N. Munro, Forty-seventh Infantry.  
 Second Lieut. Herbert Boyer, Twenty-eighth Infantry.  
 Second Lieut. Myron W. Sherman, Twelfth Infantry.  
 Second Lieut. Woodworth B. Allen, Seventh Infantry.  
 Second Lieut. Robert Ferris, Fifty-fourth Infantry.  
 Second Lieut. Charles E. DeLew, Thirty-ninth Infantry.  
 Second Lieut. William E. Shaw, Eleventh Infantry.  
 Second Lieut. Lee B. Woolford, Fifty-fifth Infantry.  
 Second Lieut. Ned Blair, Twenty-fourth Infantry.  
 Second Lieut. Ernest A. Kindervater, Thirty-eighth Infantry.  
 Second Lieut. Oscar M. McDole, Thirty-second Infantry.  
 Second Lieut. Jared I. Wood, Forty-seventh Infantry.  
 Second Lieut. Henry H. Ranson, Twenty-second Infantry.  
 Second Lieut. Gordon C. Irwin, Fifth Infantry.  
 Second Lieut. Elbridge G. Chapman, jr., Forty-eighth Infantry.  
 Second Lieut. Jacob H. Lawrence, Third Infantry.  
 Second Lieut. Everett M. Yon, Forty-eighth Infantry.  
 Second Lieut. Grady H. Pendergast, Sixty-third Infantry.  
 Second Lieut. Robert E. Frye, Seventeenth Infantry.  
 Second Lieut. Cornelius F. Dineen, Thirty-eighth Infantry.  
 Second Lieut. John C. Haynes, Thirty-first Infantry.  
 Second Lieut. George L. Hopkins, Fourth Infantry.  
 Second Lieut. George M. MacMullin, Sixty-fourth Infantry.  
 Second Lieut. Harold K. Coulter, Fifty-eighth Infantry.  
 Second Lieut. Hugh C. H. Jones, Twelfth Infantry.  
 Second Lieut. Otto E. Pentz, Twenty-fifth Infantry.  
 Second Lieut. Williston L. Warren, First Infantry.  
 Second Lieut. Frederick W. Hyde, Sixtieth Infantry.  
 Second Lieut. Gilbert Good, Fifty-fourth Infantry.  
 Second Lieut. Theodore Rayburn, Forty-sixth Infantry.  
 Second Lieut. Leland S. Hatfield, Thirtieth Infantry.  
 Second Lieut. Rosser L. Hunter, Twenty-third Infantry.  
 Second Lieut. John S. Hopper, Twenty-fifth Infantry.  
 Second Lieut. John P. Utinski, Twenty-seventh Infantry.  
 Second Lieut. James L. Allbright, Ninth Infantry.  
 Second Lieut. Feodor O. Schmidt, Thirty-fourth Infantry.  
 Second Lieut. John G. Goodlett, Forty-third Infantry.  
 Second Lieut. George S. McCullough, Sixty-second Infantry.  
 Second Lieut. Roderick A. Stamey, Fifty-first Infantry.  
 Second Lieut. Leo W. Glaze, Thirty-fifth Infantry.  
 Second Lieut. Walter E. Duvendeck, Fortieth Infantry.  
 Second Lieut. Abraham Cohen, Second Infantry.  
 Second Lieut. William F. Gent, Forty-fifth Infantry.  
 Second Lieut. Clarence H. Maranville, Nineteenth Infantry.  
 Second Lieut. Roy Sparks, Twenty-ninth Infantry.  
 Second Lieut. William B. Smith, Thirty-third Infantry.  
 Second Lieut. Carl F. Cooper, Fifth Infantry.  
 Second Lieut. John F. Gleaves, Fourteenth Infantry.  
 Second Lieut. Sterling C. Robertson, Twentieth Infantry.  
 Second Lieut. Allen F. Kirk, Eighteenth Infantry.  
 Second Lieut. Thomas G. Jenkins, Thirty-third Infantry.  
 Second Lieut. Francis S. B. Cauthorn, Forty-first Infantry.  
 Second Lieut. Lowery L. Coker, Fifty-sixth Infantry.  
 Second Lieut. Madison E. Walker, Twenty-ninth Infantry.  
 Second Lieut. Richard S. Duncan, Forty-ninth Infantry.  
 Second Lieut. Alexander P. Knapp, jr., Fifty-sixth Infantry.  
 Second Lieut. Winthrop A. Hollyer, Sixty-first Infantry.  
 Second Lieut. Leslie C. Wheat, Twenty-first Infantry.  
 Second Lieut. Lawrence H. Bixby, Seventh Infantry.  
 Second Lieut. Frank D. Grantham, Forty-first Infantry.  
 Second Lieut. Robert W. Norton, Thirty-third Infantry.  
 Second Lieut. Frederick G. Dorwart, Fifty-ninth Infantry.  
 Second Lieut. William D. Kerns, Fifty-second Infantry.  
 Second Lieut. Oliver L. Garrett, Thirty-third Infantry.  
 Second Lieut. Thomas E. Bourke, Sixth Infantry.  
 Second Lieut. Hastings C. Scholl, Fifty-seventh Infantry.  
 Second Lieut. Claire A. Whitesell, Fifth Infantry.  
 Second Lieut. Reinhold A. F. Endling, Tenth Infantry.  
 Second Lieut. William V. McCreight, Fifty-third Infantry.  
 Second Lieut. John H. Ringe, Forty-fourth Infantry.  
 Second Lieut. Virgil Bell, Third Infantry.  
 Second Lieut. William G. Purdy, Forty-second Infantry.  
 Second Lieut. Chesley R. Miller, Fiftieth Infantry.  
 Second Lieut. Charles E. Robinson, Twenty-third Infantry.  
 Second Lieut. William C. Robinson, Sixty-second Infantry.  
 Second Lieut. Walter L. Mitchell, Thirty-fourth Infantry.  
 Second Lieut. Robert F. Dark, Eleventh Infantry.  
 Second Lieut. Mimucan D. Cannon, Twenty-fourth Infantry.  
 Second Lieut. Samuel Marshall, Fourth Infantry.  
 Second Lieut. Ralph Slate, Thirty-ninth Infantry.  
 Second Lieut. Lee S. Eads, Sixtieth Infantry.  
 Second Lieut. Ernest John, Fifty-eighth Infantry.  
 Second Lieut. Floyd H. Banta, Twenty-ninth Infantry.  
 Second Lieut. Ralph M. Caulkins, Seventeenth Infantry.  
 Second Lieut. Charles L. Moon, Forty-fifth Infantry.  
 Second Lieut. Claudius L. Lloyd, Sixty-fourth Infantry.  
 Second Lieut. Francis G. Bishop, Thirty-first Infantry.  
 Second Lieut. Henry D. Patterson, Fifty-fourth Infantry.  
 Second Lieut. Bartlett M. Egeland, Thirty-seventh Infantry.  
 Second Lieut. Stuart B. Taylor, Forty-sixth Infantry.  
 Second Lieut. Joseph P. Kiley, Twenty-ninth Infantry.  
 Second Lieut. Joseph L. Brooks, Sixty-first Infantry.  
 Second Lieut. Madefrey A. Odhner, Sixty-third Infantry.  
 Second Lieut. Jacob M. Pearce, jr., Sixth Infantry.  
 Second Lieut. Ora C. Coffey, unassigned.  
 Second Lieut. George D. Lehmann, Thirty-third Infantry.  
 Second Lieut. Jesse J. Hudson, unassigned.  
 Second Lieut. Robert Hill, Twenty-seventh Infantry.  
 Second Lieut. Robert C. Gregory, Thirtieth Infantry.  
 Second Lieut. Laird A. Richards, Thirty-fifth Infantry.  
 Second Lieut. John J. Finnessy, Fifty-ninth Infantry.  
 Second Lieut. Carl C. Helm, Seventh Infantry.  
 Second Lieut. Wayne Horton, Forty-eighth Infantry.  
 Second Lieut. Leo E. Bennett, jr., Forty-third Infantry.  
 Second Lieut. Ross Snyder, Forty-seventh Infantry.  
 Second Lieut. Arthur C. Boren, First Infantry.  
 Second Lieut. Frederick W. Schonhard, Twenty-second Infantry.  
 Second Lieut. Arthur R. Jernberg, Fifty-seventh Infantry.  
 To be first lieutenants with rank from June 15, 1917, to fill original vacancies.  
 Second Lieut. Edward S. Pegram, jr., Twentieth Infantry.  
 Second Lieut. Roger Sturgis, Forty-second Infantry.  
 Second Lieut. Stanley G. Saulnier, Forty-ninth Infantry.  
 Second Lieut. Mark R. M. Gwilliam, Twenty-first Infantry.  
 Second Lieut. Will H. Gordon, Ninth Infantry.  
 Second Lieut. Walter Tracey, Twelfth Infantry.  
 To be first lieutenants with rank from June 16, 1917, to fill original vacancies.  
 Second Lieut. William F. Stromeyer, Sixty-third Infantry.  
 Second Lieut. Dudley B. Howard, Twenty-fourth Infantry.  
 Second Lieut. Henry W. Farnam, jr., Tenth Infantry.  
 Second Lieut. Arthur C. Kinsley, Fourteenth Infantry.  
 Second Lieut. Henry E. Kyburg, Sixteenth Infantry.  
 Second Lieut. William B. Tuttle, Twenty-third Infantry.  
 INFANTRY ARM.  
 To be first lieutenants with rank from June 16, 1917, to fill casual vacancies.  
 Second Lieut. Charles H. Parker, jr., Forty-first Infantry, vice O'Brien, Fifth Infantry, promoted.  
 Second Lieut. Ashley S. Le Gette, Fifty-fifth Infantry, vice Hayes, Fifteenth Infantry, promoted.  
 Second Lieut. John L. Riddell, Forty-fourth Infantry, vice Buckner, Twenty-seventh Infantry, promoted.  
 Second Lieut. Joseph B. Wiener, Fifty-second Infantry, vice Barker, Second Infantry, promoted.  
 Second Lieut. Wallace H. Gillett, Fortieth Infantry, vice Bailey, Twenty-sixth Infantry, promoted.  
 Second Lieut. Benjamin W. Wood, Fifty-third Infantry, vice Whitley, Ninth Infantry.  
 Second Lieut. Courtney P. Young, Eleventh Infantry, vice Hobley, Second Infantry, promoted.  
 Second Lieut. Allyn F. Stetson, Thirty-fourth Infantry, vice Hanlon, Thirty-fourth Infantry, promoted.  
 Second Lieut. Chester V. Newton, Twenty-second Infantry, vice Desobry, Twenty-seventh Infantry, promoted.  
 Second Lieut. Frank L. Philbrook, Sixty-second Infantry, vice Cutrer, Eighth Infantry, promoted.  
 Second Lieut. John A. Whitson, Nineteenth Infantry, vice Crea, Fifteenth Infantry, promoted.  
 Second Lieut. George R. Owens, Fifty-first Infantry, vice Glover, Thirty-second Infantry, promoted.  
 Second Lieut. Andrew D. Bruce, Forty-ninth Infantry, vice Bouton, Ninth Infantry, promoted.  
 Second Lieut. Richard M. Winfield, Sixty-third Infantry, vice Muncester, Fourth Infantry.

Second Lieut. Charles E. Hathaway, Jr., Forty-fifth Infantry, vice Spencer, Seventh Infantry, promoted.

Second Lieut. Dallas L. Knoll, Thirty-sixth Infantry, vice Hartman, Third Infantry, promoted.

Second Lieut. Kenneth S. Olivier, Tenth Infantry, vice Miller, Twenty-ninth Infantry, promoted.

Second Lieut. Philip A. Helmbold, Fifty-third Infantry, vice Longeran, Thirteenth Infantry, promoted.

Second Lieut. Frederick C. Wheeler, Thirty-eighth Infantry, vice Sneed, Seventh Infantry, promoted.

Second Lieut. Floyd E. Galloway, Thirty-first Infantry, vice Matile, Twenty-sixth Infantry.

Second Lieut. William O. Trumbower, Ninth Infantry, vice Winton, Fourteenth Infantry, promoted.

Second Lieut. Gerald A. Shannon, Sixtieth Infantry, vice Phelps, Twelfth Infantry, promoted.

Second Lieut. Henry Y. Lyon, Twenty-fourth Infantry, vice Wainer, Twenty-eighth Infantry, promoted.

Second Lieut. Joseph A. Cistero, Thirty-seventh Infantry, vice Kennedy, Tenth Infantry, promoted.

Second Lieut. Thomas W. Freeman, Fifty-second Infantry, vice Harris, Thirty-seventh Infantry, promoted.

Second Lieut. Lawrence F. Braine, jr., Sixth Infantry, vice Tinker, Thirty-seventh Infantry.

Second Lieut. Paxton S. Campbell, Sixty-fourth Infantry, vice French, Third Infantry.

Second Lieut. Maxwell Miller, Thirty-ninth Infantry, vice Koehler, Fourteenth Infantry.

Second Lieut. Roy L. Schuyler, Twentieth Infantry, vice Wood, Thirty-fourth Infantry.

Second Lieut. Louis DeL. Hutson, Thirty-fifth Infantry, vice Burdett, Twenty-seventh Infantry, promoted.

Second Lieut. Gustav L. Karow, Twelfth Infantry, vice Fooks, Sixteenth Infantry, promoted.

Second Lieut. Harold D. Sites, Thirtieth Infantry, vice Rudolph, Twenty-ninth Infantry, promoted.

Second Lieut. Loren P. Stewart, Seventeenth Infantry, vice Lathrop, Thirty-fifth Infantry.

Second Lieut. Nathaniel L. Simmonds, Forty-sixth Infantry, vice Partridge, Thirteenth Infantry.

Second Lieut. John C. Colwell, jr., Fifty-eighth Infantry, vice Catron, Twenty-third Infantry, promoted.

Second Lieut. Harlan D. Kimball, Fiftieth Infantry, vice Emmons, Thirty-seventh Infantry, promoted.

Second Lieut. John W. B. Thompson, Forty-seventh Infantry, vice Krogstad, Twenty-second Infantry, promoted.

Second Lieut. William F. O'Donoghue, Sixty-first Infantry, vice Denson, Twenty-fifth Infantry, promoted.

Second Lieut. Thomas J. Moroney, Nineteenth Infantry, vice Underwood, Thirty-fourth Infantry, promoted.

Second Lieut. William Luth, Seventh Infantry, vice Pullman, Twelfth Infantry, promoted.

Second Lieut. William C. Williams, Fifty-ninth Infantry, vice Mitchell, Twenty-fourth Infantry, promoted.

Second Lieut. Alan W. Jones, Forty-third Infantry, vice Hobson, Ninth Infantry, promoted.

Second Lieut. Francis L. Johnson, Twenty-first Infantry, vice McGrath, Thirty-fifth Infantry, promoted.

Second Lieut. William W. Sanders, Third Infantry, vice Ditto, Twentieth Infantry, promoted.

Second Lieut. Charles S. Brodbent, jr., Fifty-fourth Infantry, vice Rowe, Twenty-first Infantry, promoted.

Second Lieut. Arthur R. Rockwood, Fortieth Infantry, vice Jones, Thirteenth Infantry, promoted.

Second Lieut. Wynn B. Cave, Forty-second Infantry, vice Parker, Twenty-first Infantry, promoted.

Second Lieut. Stanley A. Thomson, Fifty-fifth Infantry, vice Wilson, Thirteenth Infantry, promoted.

Second Lieut. Emery Williamson, Fifty-sixth Infantry, vice Scowden, Thirty-fifth Infantry, promoted.

Second Lieut. Charles R. Russell, Fourteenth Infantry, vice Smith, Eighteenth Infantry, promoted.

Second Lieut. Ira N. Downer, Sixty-second Infantry, vice Davies, Seventeenth Infantry, promoted.

Second Lieut. William B. Wilson, Forty-fourth Infantry, vice Leonard, Fifteenth Infantry, promoted.

Second Lieut. Lloyd W. Mason, Fifty-fifth Infantry, vice Dunlop, Fifteenth Infantry, promoted.

Second Lieut. Carroll L. Ellis, Fourth Infantry, vice Reinhardt, Eighth Infantry, promoted.

Second Lieut. Stanley Y. Kennedy, Fifty-first Infantry, vice Browne, Sixteenth Infantry, promoted.

Second Lieut. David P. McCalib, Twenty-third Infantry, vice Hardin, Twentieth Infantry, promoted.

Second Lieut. Henry A. Montgomery, Thirty-fourth Infantry, vice Byars, Thirty-fourth Infantry, promoted.

Second Lieut. Thomas H. Shea, jr., Forty-eighth Infantry, vice Sloan, Second Infantry, promoted.

Second Lieut. Franklyn T. Lord, Forty-first Infantry, vice Hartle, Twentieth Infantry, promoted.

Second Lieut. William W. Dean, Fiftieth Infantry, vice Vestal, Twelfth Infantry, promoted.

Second Lieut. John W. Stewart, Thirty-sixth Infantry, vice Palmer, Twentieth Infantry, promoted.

Second Lieut. Augustus G. Schroeder, Forty-ninth Infantry, vice Lackland, Thirty-first Infantry, promoted.

Second Lieut. Royden K. Fisher, Nineteenth Infantry, vice Gray, Ninth Infantry, promoted.

Second Lieut. Marlin C. Martin, Thirty-seventh Infantry, vice Peake, Sixth Infantry, promoted.

Second Lieut. David L. Hooper, Seventeenth Infantry, vice Carlock, Seventh Infantry, promoted.

Second Lieut. William L. Morrison, Thirty-eighth Infantry, vice McCormick, Eighteenth Infantry, promoted.

Second Lieut. Oliver E. G. Trechter, Fifty-second Infantry, vice Hicks, Sixteenth Infantry, promoted.

Second Lieut. Elmer F. Farnham, Sixtieth Infantry, vice Shekerjian, Twenty-fourth Infantry, promoted.

Second Lieut. Charles S. Reily, Thirty-ninth Infantry, vice Drolling, Sixteenth Infantry, promoted.

Second Lieut. David W. Barton, Twenty-fourth Infantry, vice Clay, Seventeenth Infantry, promoted.

Second Lieut. James T. Brazelton, Forty-second Infantry, vice Evans, Eighth Infantry, promoted.

Second Lieut. John L. Autrey, Fifty-eighth Infantry, vice Patch, Twenty-sixth Infantry, promoted.

Second Lieut. Edwin H. Haskins, Thirty-second Infantry, vice Hoffman, Twenty-fourth Infantry, promoted.

*To be first lieutenants with rank from May 15, 1917, to fill original vacancies.*

Second Lieut. Renn Lawrence, Cavalry.

Second Lieut. Fred H. Clark, Cavalry.

Second Lieut. Joseph A. Covington, Cavalry.

Second Lieut. John L. Rice, Cavalry.

Second Lieut. Nelson M. Imboden, Cavalry.

Second Lieut. Randolph Dickins, Cavalry.

Second Lieut. John N. Steele, Cavalry.

Second Lieut. Eugene M. Dwyer, Cavalry.

Second Lieut. Wharton G. Ingram, Cavalry.

Second Lieut. Edward S. Moale, Cavalry.

Second Lieut. Adrian St. John, Cavalry.

Second Lieut. Frederick J. Holzbaur, Cavalry.

Second Lieut. George H. Carruth, Cavalry.

Second Lieut. Robert M. Carswell, Cavalry.

Second Lieut. Walter C. Merkel, Cavalry.

Second Lieut. Joseph M. Hurt, jr., Cavalry.

Second Lieut. George L. Speer, Cavalry.

Second Lieut. Charles B. Duncan, Cavalry.

Second Lieut. Ferris M. Angevine, Cavalry.

Second Lieut. Julian W. Cunningham, Cavalry.

Second Lieut. Sam G. Fuller, Cavalry.

Second Lieut. Clinton A. Pierce, Cavalry.

Second Lieut. Thomas M. Cockerill, Cavalry.

Second Lieut. Delmore S. Wood, Cavalry.

Second Lieut. Arthur Vollmer, Cavalry.

Second Lieut. Otto B. Trigg, Cavalry.

Second Lieut. George W. L. Prettyman, Cavalry.

Second Lieut. Thomas M. Turner, Cavalry.

Second Lieut. Horace L. Hudson, Cavalry.

Second Lieut. Lawrence C. Frizzell, Cavalry.

Second Lieut. Jean F. Sabin, Cavalry.

Second Lieut. Robert F. White, Cavalry.

Second Lieut. Henry D. Jay, Cavalry.

Second Lieut. Ray L. Burnell, Cavalry.

Second Lieut. Arthur W. Hartman, Cavalry.

Second Lieut. John W. Berry, Cavalry.

Second Lieut. Joseph N. Marx, Cavalry.

Second Lieut. George Sawtelle, Cavalry.

Second Lieut. Folsome R. Parker, Cavalry.

*To be first lieutenants with rank from June 3, 1917, to fill original vacancies.*

Second Lieut. Guy H. Doshier, Cavalry.

Second Lieut. Cecil R. Neal, Cavalry.

Second Lieut. Myer S. Silven, Cavalry.

Second Lieut. William H. Symington, Cavalry.

Second Lieut. Phillip B. Fryer, Cavalry.

Second Lieut. Donald C. Hawley, Cavalry.

Second Lieut. Vernon L. Padgett, Cavalry.

Second Lieut. Jay W. MacKelvie, Cavalry.  
 Second Lieut. Francis T. Bonsteel, Cavalry.  
 Second Lieut. William E. Barott, Cavalry.  
 Second Lieut. Wallace F. Hamilton, Cavalry.  
 Second Lieut. Frank Nelson, Cavalry.  
 Second Lieut. William E. McMinn, Cavalry.  
 Second Lieut. Edmund M. Crump, Cavalry.  
 Second Lieut. Herman F. Rathjen, Cavalry.  
 Second Lieut. Daniel J. Keane, Cavalry.  
 Second Lieut. Milo J. Warner, Cavalry.  
 Second Lieut. LeRoy Davis, Cavalry.  
 Second Lieut. Anthony J. Tittinger, Cavalry.  
 Second Lieut. Max D. Holmes, Cavalry.  
 Second Lieut. Charles A. Ellis, Cavalry.  
 Second Lieut. Demas L. Sears, Cavalry.  
 Second Lieut. Bankston E. Mattox, jr., Cavalry.  
 Second Lieut. Frank H. Barnhart, Cavalry.  
 Second Lieut. John A. Moschner, Cavalry.  
 Second Lieut. George E. Harrison, Cavalry.  
 Second Lieut. Wesley J. White, Cavalry.  
 Second Lieut. Alton W. Howard, Cavalry.  
 Second Lieut. Nolan Ferguson, Cavalry.

*To be first lieutenants with rank from June 4, 1917, to fill original vacancies.*

Second Lieut. Richard W. Carter, Cavalry.  
 Second Lieut. Kenneth Rowntree, Cavalry.  
 Second Lieut. George A. King, Cavalry.

*To be first lieutenants with rank from June 5, 1917, to fill original vacancies.*

Second Lieut. James B. Lockwood, Cavalry.  
 Second Lieut. Lionel L. Meyer, Cavalry.  
 Second Lieut. Frederick H. L. Ryder, Cavalry.  
 Second Lieut. Wallace W. Crawford, Cavalry.  
 Second Lieut. Theodore B. Appgar, Cavalry.  
 Second Lieut. Jefferson B. Osborn, Cavalry.  
 Second Lieut. Mortimer H. Christian, Cavalry.  
 Second Lieut. Marcus R. Monsarratt, Cavalry.  
 Second Lieut. Fabius B. Shipp, Cavalry.  
 Second Lieut. James J. Cecil, Cavalry.  
 Second Lieut. James M. Shelton, Cavalry.  
 Second Lieut. Albert R. Kuschke, Cavalry.  
 Second Lieut. George A. Moore, Cavalry.  
 Second Lieut. George W. Gay, Cavalry.  
 Second Lieut. Forsyth Bacon, Cavalry.  
 Second Lieut. Ralph L. Joyner, Cavalry.  
 Second Lieut. Roscoe S. Parker, Cavalry.  
 Second Lieut. Heywood S. Dodd, Cavalry.  
 Second Lieut. Kent C. Lambert, Cavalry.  
 Second Lieut. George E. Huthsteiner, Cavalry.  
 Second Lieut. Richard B. Lloyd, Cavalry.  
 Second Lieut. Maurice Morgan, Cavalry.  
 Second Lieut. Gilbert E. Bixby, Cavalry.  
 Second Lieut. Eugene Burnet, Cavalry.  
 Second Lieut. Charles F. Houghton, Cavalry.

*To be first lieutenants with rank from June 14, 1917, to fill original vacancies.*

Second Lieut. James E. Slack, Cavalry.  
 Second Lieut. Culver S. Mitcham, Cavalry.  
 Second Lieut. William O. Johnson, Cavalry.  
 Second Lieut. Harold B. Gibson, Cavalry.  
 Second Lieut. John D. Hood, Cavalry.  
 Second Lieut. William E. Kepner, Cavalry.  
 Second Lieut. Melvin S. Williamson, Cavalry.  
 Second Lieut. Everts W. Opie, Cavalry.  
 Second Lieut. Frank P. Stretton, Cavalry.  
 Second Lieut. Paul Hurlburt, Cavalry.  
 Second Lieut. Aaron Y. Hardy, Cavalry.  
 Second Lieut. Earl B. Wilson, Cavalry.  
 Second Lieut. Edmund J. Engel, Cavalry.  
 Second Lieut. John E. Grant, Cavalry.  
 Second Lieut. Jack M. Reardon, Cavalry.  
 Second Lieut. George D. Coleman, Cavalry.  
 Second Lieut. Lewis Mesherry, Cavalry.

*To be first lieutenants with rank from June 14, 1917, to fill casual vacancies.*

Second Lieut. Lewis A. Weiss, Cavalry, vice First Lieut. Richard E. Cummins, promoted.  
 Second Lieut. Francis E. Cheney, Cavalry, vice First Lieut. Alexander L. James, jr., promoted.  
 Second Lieut. Robert P. Mortimer, Cavalry, vice First Lieut. Robert C. Rogers, promoted.  
 Second Lieut. Lee T. Victor, Cavalry, vice First Lieut. Homer M. Groninger, promoted.

Second Lieut. Henry C. Caron, Cavalry, vice First Lieut. Richard B. Newman, promoted.

Second Lieut. William W. Powell, Cavalry, vice First Lieut. Sumner M. Williams, promoted.

Second Lieut. Thomas P. Cheatham, Cavalry, vice First Lieut. Ernest G. Cullum, promoted.

Second Lieut. Robert F. Merkel, Cavalry, vice First Lieut. William W. Erwin, promoted.

Second Lieut. George F. Bloomquist, Cavalry, vice First Lieut. Chauncey St. C. McNeill, promoted.

Second Lieut. Carroll A. Powell, Cavalry, vice First Lieut. Herman Kobbé, promoted.

Second Lieut. Frank C. DeLangton, Cavalry, vice First Lieut. Harold L. Gardiner, promoted.

Second Lieut. Oscar B. Abbott, Cavalry, vice First Lieut. Claude DeB. Hunt, promoted.

Second Lieut. Carter R. McLennan, Cavalry, vice First Lieut. George S. Patton, jr., promoted.

Second Lieut. Frederick Gearing, Cavalry, vice First Lieut. Cuthbert P. Stearns, promoted.

Second Lieut. Geoffrey Galwey, Cavalry, vice First Lieut. James R. Hill, promoted.

Second Lieut. Louis G. Gibney, Cavalry, vice First Lieut. Henry D. F. Munnikhuisen, promoted.

Second Lieut. William D. Adkins, Cavalry, vice First Lieut. Hugh H. McGee, promoted.

Second Lieut. John B. Hartman, Cavalry, vice First Lieut. Joseph Plassmeyer, promoted.

Second Lieut. Harry C. Jones, Cavalry, vice First Lieut. Edgar W. Taulbee, promoted.

Second Lieut. James E. Simpson, Cavalry, vice First Lieut. John J. Waterman, promoted.

Second Lieut. Aaron T. Bates, jr., Cavalry, vice First Lieut. Charles M. Haverkamp, promoted.

Second Lieut. Charles J. Booth, Cavalry, vice First Lieut. Joseph P. Aleshire, promoted.

Second Lieut. William T. Hamilton, Cavalry, vice First Lieut. Leon M. Logan, promoted.

Second Lieut. Richard C. Boyan, Cavalry, vice First Lieut. Horace T. Aplington, promoted.

Second Lieut. Edward K. Jones, Cavalry, vice First Lieut. Alexander D. Surlis, promoted.

Second Lieut. Harry P. Shaw, Cavalry, vice First Lieut. Philip J. Kieffer, promoted.

Second Lieut. Frederick F. Duggan, Cavalry, vice First Lieut. Wilfrid M. Blunt, promoted.

Second Lieut. Merl J. Flatt, Cavalry, vice First Lieut. John F. Wall, promoted.

Second Lieut. Harry H. Baird, Cavalry, vice First Lieut. Robert C. Brady, promoted.

Second Lieut. Francis H. Waters, Cavalry, vice First Lieut. William M. Grimes, promoted.

Second Lieut. William T. Bauskett, jr., Cavalry, vice First Lieut. Henry J. M. Smith, promoted.

Second Lieut. Carlisle B. Cox, Cavalry, vice First Lieut. Malcolm Wheeler-Nicholson, promoted.

Second Lieut. Walter L. Bishop, Cavalry, vice First Lieut. Alexander L. P. Johnson, promoted.

Second Lieut. Donald R. McComas, Cavalry, vice First Lieut. Henry L. C. Jones, promoted.

Second Lieut. Lilburn B. Chambers, Cavalry, vice First Lieut. Edwin O'Connor, promoted.

Second Lieut. John W. Burke, Cavalry, vice First Lieut. Harold C. Lutz, promoted.

Second Lieut. Charles W. Jacobson, Cavalry, vice First Lieut. Daniel E. Murphy, promoted.

Second Lieut. Edgar R. Garlick, Cavalry, vice First Lieut. Kenna G. Eastham, promoted.

Second Lieut. Henry P. Ames, Cavalry, vice First Lieut. James P. Yancey, promoted.

Second Lieut. Richard F. Leahy, Cavalry, vice First Lieut. Leopold J. H. Herwig, promoted.

Second Lieut. Howard C. Okie, Cavalry, vice First Lieut. Raymond E. McQuillin, promoted.

Second Lieut. William L. Gibson, Cavalry, vice First Lieut. DeForest W. Morton, promoted.

Second Lieut. James L. Franciscus, Cavalry, vice First Lieut. Harry A. Flint, promoted.

Second Lieut. Eddie J. Lee, Cavalry, vice First Lieut. Elbert L. Grisell, retired.

*To be first lieutenants with rank from June 16, 1917, to fill casual vacancies.*

Second Lieut. Elmer P. Gosnell, Cavalry, vice First Lieut. William P. J. O'Neill, retired.

Second Lieut. Raymond D. Adolph, Cavalry, vice First Lieut. Harrison C. Richards, detailed in Signal Corps.  
 Second Lieut. Donald A. Stroh, Cavalry, vice First Lieut. Jack W. Heard, detailed in Signal Corps.

## FIELD ARTILLERY.

*To be first lieutenants with rank from May 15, 1917, to fill original vacancies.*

Second Lieut. Oliver P. Echols, Field Artillery.  
 Second Lieut. Clement Ripley, Field Artillery.  
 Second Lieut. Edward M. Smith, Field Artillery.  
 Second Lieut. John O. Hoskins, Field Artillery.  
 Second Lieut. William Clarke, Field Artillery.  
 Second Lieut. Albert R. Ives, Field Artillery.  
 Second Lieut. Arthur Brigham, jr., Field Artillery.  
 Second Lieut. William M. Jackson, Field Artillery.  
 Second Lieut. Joseph A. Sheridan, Field Artillery.  
 Second Lieut. Hugh C. Minton, Field Artillery.  
 Second Lieut. Charles W. Gallaher, Field Artillery.  
 Second Lieut. Laurence V. Houston, Field Artillery.  
 Second Lieut. Stacy Knopf, Field Artillery.  
 Second Lieut. James M. Garrett, Field Artillery.  
 Second Lieut. David M. Pope, Field Artillery.  
 Second Lieut. Harry B. Weston, Field Artillery.  
 Second Lieut. Eugene H. Willenbacher, Field Artillery.  
 Second Lieut. Louis C. Arthur, jr., Field Artillery.  
 Second Lieut. John F. Hubbard, Field Artillery.  
 Second Lieut. Franklin M. Davison, Field Artillery.  
 Second Lieut. William E. Shepherd, jr., Field Artillery.

*To be first lieutenant with rank from June 2, 1917, to fill an original vacancy.*

Second Lieut. Frank Langham, Field Artillery.

*To be first lieutenants with rank from June 3, 1917, to fill original vacancies.*

Second Lieut. William F. Maher, Field Artillery.  
 Second Lieut. Walter F. Wright, Field Artillery.  
 Second Lieut. Sidney F. Dunn, Field Artillery.  
 Second Lieut. Louis W. Hasslock, Field Artillery.  
 Second Lieut. Breckinridge A. Day, Field Artillery.  
 Second Lieut. Paul C. Harper, Field Artillery.  
 Second Lieut. Joseph Kennedy, Field Artillery.  
 Second Lieut. George D. Shea, Field Artillery.  
 Second Lieut. John V. D. Hume, Field Artillery.  
 Second Lieut. Woodrow W. Woodbridge, Field Artillery.  
 Second Lieut. Gervas S. Taylor, Field Artillery.  
 Second Lieut. John G. Pennypacker, Field Artillery.  
 Second Lieut. Richard H. Schubert, Field Artillery.  
 Second Lieut. Edward J. F. Marx, Field Artillery.  
 Second Lieut. John W. Weeks, Field Artillery.  
 Second Lieut. Wilbur C. Carlan, Field Artillery.  
 Second Lieut. George R. Rede, Field Artillery.  
 Second Lieut. Gilbert P. Kearns, Field Artillery.  
 Second Lieut. Van Rensselaer Vestal, Field Artillery.  
 Second Lieut. John H. Carriker, Field Artillery.  
 Second Lieut. Peter P. Michalek, Field Artillery.  
 Second Lieut. William G. Gough, Field Artillery.  
 Second Lieut. Joseph A. Mulherrin, Field Artillery.  
 Second Lieut. Azel W. McNeal, Field Artillery.

*To be first lieutenants with rank from June 4, 1917, to fill original vacancies.*

Second Lieut. William B. Wright, jr., Field Artillery.  
 Second Lieut. Victor H. Bridgman, jr., Field Artillery.  
 Second Lieut. Wendell L. Bevan, Field Artillery.

*To be first lieutenants with rank from June 5, 1917, to fill original vacancies.*

Second Lieut. Henry J. Macpeake, Field Artillery.  
 Second Lieut. Frank W. Lykes, Field Artillery.  
 Second Lieut. Richard T. Guthrie, Field Artillery.  
 Second Lieut. Ittai A. Luke, Field Artillery.  
 Second Lieut. Roger Griswold, Field Artillery.  
 Second Lieut. Henry Lockwood, jr., Field Artillery.  
 Second Lieut. Alan L. Campbell, Field Artillery.  
 Second Lieut. Oscar B. Ralls, jr., Field Artillery.  
 Second Lieut. John H. Larkin, Field Artillery.  
 Second Lieut. Douglas R. Coleman, Field Artillery.  
 Second Lieut. George P. Winton, Field Artillery.  
 Second Lieut. Robert N. Getty, jr., Field Artillery.  
 Second Lieut. George J. Downing, Field Artillery.  
 Second Lieut. Christiancy Pickett, Field Artillery.  
 Second Lieut. Rush H. Rogers, Field Artillery.  
 Second Lieut. John C. Adams, Field Artillery.  
 Second Lieut. Arthur C. Waters, Field Artillery.  
 Second Lieut. Ernest T. Barco, Field Artillery.

Second Lieut. Lester A. Daugherty, Field Artillery.  
 Second Lieut. Walter G. Witt, Field Artillery.  
 Second Lieut. Joseph E. Takken, Field Artillery.  
 Second Lieut. Raymond J. Watrous, Field Artillery.  
 Second Lieut. Jerome J. Waters, jr., Field Artillery.  
 Second Lieut. Thomas G. Hanson, jr., Field Artillery.  
 Second Lieut. Bertram N. Rock, Field Artillery.  
 Second Lieut. Alexander S. Quintard, Field Artillery.

*To be first lieutenants with rank from June 14, 1917, to fill original vacancies.*

Second Lieut. Marcus A. S. Ming, Field Artillery.  
 Second Lieut. Lewis E. Goodrich, Field Artillery.  
 Second Lieut. Victor R. Woodruff, Field Artillery.  
 Second Lieut. Robert W. Yates, Field Artillery.  
 Second Lieut. Dana C. Schmah, Field Artillery.  
 Second Lieut. Wilbur G. Dockum, Field Artillery.  
 Second Lieut. Clinton M. Lucas, Field Artillery.  
 Second Lieut. Harry B. Berry, Field Artillery.  
 Second Lieut. Samuel G. Fairchild, Field Artillery.  
 Second Lieut. Ray S. Perrin, Field Artillery.  
 Second Lieut. Ben M. Sawbridge, Field Artillery.  
 Second Lieut. Warren D. Davis, Field Artillery.  
 Second Lieut. Dominic J. Sabini, Field Artillery.  
 Second Lieut. Herman Feldman, Field Artillery.  
 Second Lieut. Charles M. Stephens, Field Artillery.  
 Second Lieut. Oscar T. Yates, Field Artillery.  
 Second Lieut. Aubrey C. Stanhope, Field Artillery.  
 Second Lieut. John H. Fye, Field Artillery.  
 Second Lieut. Julius T. A. Doolittle, Field Artillery.  
 Second Lieut. Charles R. Lehner, Field Artillery.  
 Second Lieut. James V. Palmer, Field Artillery.  
 Second Lieut. James F. Brittingham, Field Artillery.  
 Second Lieut. Gordon Grant, Field Artillery.  
 Second Lieut. Ernest A. McGovern, Field Artillery.  
 Second Lieut. David S. Doggett, Field Artillery.  
 Second Lieut. Arthur D. Ruppel, Field Artillery.  
 Second Lieut. Ralph M. Balliette, Field Artillery.  
 Second Lieut. David H. Trevor, Field Artillery.  
 Second Lieut. William E. Pfeiffer, Field Artillery.  
 Second Lieut. Walter C. Lattimore, Field Artillery.  
 Second Lieut. Albert A. Fleming, Field Artillery.  
 Second Lieut. Russell H. Dixon, Field Artillery.  
 Second Lieut. Everett M. Graves, Field Artillery.  
 Second Lieut. William W. Thomas, Field Artillery.  
 Second Lieut. Leo M. Daly, Field Artillery.  
 Second Lieut. Francis R. Mann, Field Artillery.

*To be first lieutenants with rank from June 14, 1917, to fill casual vacancies.*

Second Lieut. Stephen H. Cordill, Field Artillery, vice First Lieut. Donald M. Beere, promoted.  
 Second Lieut. Nathan E. McCluer, Field Artillery, vice First Lieut. Herman Erlenkotter, promoted.  
 Second Lieut. Tom W. Stewart, Field Artillery, vice First Lieut. Edwin M. Watson, promoted.  
 Second Lieut. Fred E. Sternberger, Field Artillery, vice First Lieut. Harold E. Minear, promoted.  
 Second Lieut. Harry E. Webber, Field Artillery, vice First Lieut. Joseph A. Rogers, promoted.  
 Second Lieut. Moe Neufeld, Field Artillery, vice First Lieut. Charles T. Griffith, promoted.  
 Second Lieut. Carlos W. Bonham, Field Artillery, vice First Lieut. Jacob L. Devers, promoted.  
 Second Lieut. Sidney J. Cutler, Field Artillery, vice First Lieut. Frank A. Turner, promoted.  
 Second Lieut. William R. Holcomb, Field Artillery, vice First Lieut. George G. Seaman, promoted.  
 Second Lieut. Harry Hollander, Field Artillery, vice First Lieut. George S. Gay, promoted.

*To be first lieutenant, with rank from June 15, 1917, to fill a casual vacancy.*

Second Lieut. Arthur O. Walsh, Field Artillery, vice First Lieut. Philip Hayes, promoted.

*To be first lieutenants, with rank from June 16, 1917, to fill casual vacancies.*

Second Lieut. Edmond C. Fleming, Field Artillery, vice First Lieut. John N. McDowell, promoted.  
 Second Lieut. Virgil L. Minear, Field Artillery, vice First Lieut. Raymond E. Lee, promoted.  
 Second Lieut. Charles E. Boyle, Field Artillery, vice First Lieut. Jason McV. Austin, promoted.  
 Second Lieut. Karl J. Howe, Field Artillery, vice First Lieut. Herbert R. Odell, promoted.



Second Lieut. Edwin A. Henn, Field Artillery, vice First Lieut. Ernest J. Dawley, promoted.

Second Lieut. Homer H. Dodd, Field Artillery, vice First Lieut. Bernard R. Peyton, promoted.

Second Lieut. Lawrence H. Wadsworth, Field Artillery, vice First Lieut. John Magruder, promoted.

Second Lieut. John W. L. Sutherland, Field Artillery, vice First Lieut. Whitman R. Conolly, promoted.

Second Lieut. Alfred M. Goldman, Field Artillery, vice First Lieut. Gustav H. Franke, promoted.

Second Lieut. Arthur A. Dearing, Field Artillery, vice First Lieut. William E. Larned, promoted.

Second Lieut. James W. Stewart, Field Artillery, vice First Lieut. Charles L. Byrne, promoted.

Second Lieut. Francis C. Le Gette, Field Artillery, vice First Lieut. Roscoe C. Batson, promoted.

Second Lieut. Benjamin S. Dowd, Field Artillery, vice First Lieut. Alvan C. Sandeford, promoted.

Second Lieut. John M. Peirce, Field Artillery, vice First Lieut. Ira T. Wyche, promoted.

Second Lieut. Miles M. Elder, Field Artillery, vice First Lieut. Harvey M. Hobbs, promoted.

Second Lieut. Frederick C. Austin, Field Artillery, vice First Lieut. Thomas G. M. Oliphant, promoted.

Second Lieut. George F. Kite, Field Artillery, vice First Lieut. Edward A. Millar, jr., promoted.

Second Lieut. Herbert S. Herbine, Field Artillery, vice First Lieut. Clyde J. McConkey, promoted.

Second Lieut. Charles T. McAleer, Field Artillery, vice First Lieut. Jonathan W. Anderson, promoted.

Second Lieut. Walter A. Noyes, Field Artillery, vice First Lieut. Leon R. Cole, promoted.

Second Lieut. Paul R. Wing, Field Artillery, vice First Lieut. Harold C. Vanderveer, promoted.

Second Lieut. Edward J. Roe, Field Artillery, vice First Lieut. George E. Arnemann, promoted.

Second Lieut. Myron W. Tupper, Field Artillery, vice First Lieut. Clarence D. Lang, promoted.

Second Lieut. Harry L. Calvin, Field Artillery, vice First Lieut. Isaac Spalding, promoted.

Second Lieut. Charles R. Doran, Field Artillery, vice First Lieut. Harry J. Maloney, promoted.

Second Lieut. William W. Belcher, Field Artillery, vice First Lieut. Robert F. Hyatt, promoted.

Second Lieut. John R. Williams, Field Artillery, vice First Lieut. Archibald V. Arnold, promoted.

Second Lieut. George R. Middleton, Field Artillery, vice First Lieut. Earl B. Hochwalt, promoted.

Second Lieut. Wilbur H. Hayes, Field Artillery, vice First Lieut. Francis T. Armstrong, promoted.

Second Lieut. Robert F. Blodgett, Field Artillery, vice First Lieut. Hamilton Templeton, promoted.

Second Lieut. John F. Lynch, Field Artillery, vice First Lieut. Bertram Frankenberger, promoted.

Second Lieut. Carl C. Carney, Field Artillery, vice First Lieut. Edwin P. Parker, jr., promoted.

Second Lieut. Richard A. Gordon, Field Artillery, vice First Lieut. William R. Gruber, promoted.

*To be first lieutenant with rank from July 9, 1917, to fill a casual vacancy.*

Second Lieut. William B. B. Wilson, Field Artillery, vice First Lieut. Eugene T. Spencer, promoted.

#### COAST ARTILLERY CORPS.

*To be first lieutenants with rank from June 3, 1917, to fill original vacancies.*

Second Lieut. James L. Keane, Coast Artillery Corps.

Second Lieut. John A. Messerschmidt, Coast Artillery Corps.

*To be first lieutenant with rank from June 4, 1917, to fill an original vacancy.*

Second Lieut. Benjamin Bowering, Coast Artillery Corps.

*To be first lieutenants with rank from June 5, 1917, to fill original vacancies.*

Second Lieut. Henry F. Grimm, jr., Coast Artillery Corps.

Second Lieut. Henry Linsert, Coast Artillery Corps.

Second Lieut. Donald L. Dutton, Coast Artillery Corps.

Second Lieut. Leland A. Miller, Coast Artillery Corps.

Second Lieut. Arthur N. Harrigan, Coast Artillery Corps.

Second Lieut. Percy C. Hamilton, Coast Artillery Corps.

Second Lieut. Robert A. Laird, Coast Artillery Corps.

Second Lieut. Porter P. Lowry, Coast Artillery Corps.

Second Lieut. Stuart W. Griffin, Coast Artillery Corps.

Second Lieut. Joseph W. Hazell, Coast Artillery Corps.

Second Lieut. John B. Day, Coast Artillery Corps.

*To be first lieutenants with rank from June 14, 1917, to fill original vacancies.*

Second Lieut. Nelson Dingley, 3d, Coast Artillery Corps.

Second Lieut. Carl R. Adams, Coast Artillery Corps.

Second Lieut. Edward C. Lohr, Coast Artillery Corps.

Second Lieut. Byron T. Ipoek, Coast Artillery Corps.

Second Lieut. George W. Hovey, Coast Artillery Corps.

Second Lieut. Ernest L. Bigham, Coast Artillery Corps.

Second Lieut. Raymond H. Schutte, Coast Artillery Corps.

Second Lieut. Carl R. Crosby, Coast Artillery Corps.

Second Lieut. Charles T. Halbert, Coast Artillery Corps.

Second Lieut. Claude G. Benham, Coast Artillery Corps.

Second Lieut. Henry B. Frost, Coast Artillery Corps.

Second Lieut. Roy D. Burdick, Coast Artillery Corps.

Second Lieut. Franklin A. Green, Coast Artillery Corps.

Second Lieut. Harrie J. Rechtsteiner, Coast Artillery Corps.

*To be first lieutenants with rank from June 16, 1917, to fill original vacancies.*

Second Lieut. Willard W. Irvine, Coast Artillery Corps.

Second Lieut. William D. Evans, Coast Artillery Corps.

Second Lieut. William C. Byrd, Coast Artillery Corps.

Second Lieut. Clarence N. Winston, Coast Artillery Corps.

Second Lieut. Albert M. Jackson, Coast Artillery Corps.

Second Lieut. Lyle B. Chapman, Coast Artillery Corps.

Second Lieut. Joseph P. Kohn, Coast Artillery Corps.

Second Lieut. Robert J. Van Buskirk, Coast Artillery Corps.

Second Lieut. Frederick L. Topping, Coast Artillery Corps.

Second Lieut. Thomas R. Phillips, Coast Artillery Corps.

Second Lieut. Charles S. Erswell, jr., Coast Artillery Corps.

Second Lieut. Lewis Merriam, jr., Coast Artillery Corps.

PROVISIONAL APPOINTMENT AS SECOND LIEUTENANTS IN THE ARMY.

#### CAVALRY.

Second Lieut. Philip Coleman Clayton, First Infantry, South Carolina National Guard.

First Sergt. Hans E. Kloefer, Troop G, Twenty-fourth Cavalry.

Pvt. Edward Allen Everitt, jr., Troop A, First Squadron, Cavalry, New Jersey National Guard.

Sergt. Herbert Allyn Myers, Troop C, Sixth Cavalry.

First Sergt. Norman Norton Rogers, Troop H, Nineteenth Cavalry.

Pvt. Temple Elliott Ridgely, Troop D, First Cavalry, Illinois National Guard.

First Sergt. Harry William Maas, Troop D, Twenty-first Cavalry.

Pvt. Peter Townsend Cox, Company K, Seventh Infantry, New York National Guard.

First Sergt. Francis Henry Bouche, First Separate Troop, Cavalry, Missouri National Guard.

Pvt. First Class William Henry Sweet, Quartermaster Corps.

Sergt. Louis Cansler, Company D, Second Telegraph Battalion, Signal Corps.

Pvt. William Van Dyke Ochs, Troop B, Cavalry, Tennessee National Guard.

Pvt. Horace Waldo Forster, Company A, First Cavalry, Massachusetts National Guard.

Sergt. Richard Nevins Mather, Company M, Second Infantry, Texas National Guard.

Corp. Lee Louis Elzas, Troop B, First Cavalry, Texas National Guard.

Pvt. Owen George Fowler, Company D, Third Engineers.

Supply Sergt. Harry Foster, Troop H, Second Cavalry.

Musician Third Class Alexander Carl Strecker, Twenty-fourth Recruit Company, General Service Infantry (Band).

First Class Pvt. Stanley Ayrault Ward, Battery A, Field Artillery, Rhode Island National Guard.

Pvt. Dwight Hughes, jr., Troop A, Cavalry, South Carolina National Guard.

Pvt. William Robert Stickman, Quartermaster Corps.

Pvt. First Class Lloyd W. Biggs, Machine Gun Troop, Sixteenth Cavalry.

Pvt. First Class Wilkie Collins Burt, Troop B, Fifth Cavalry.

Pvt. Harry Louis Sommerhauser, Troop I, Thirteenth Cavalry.

Corp. Harold Edward Dickinson, Troop H, Seventeenth Cavalry.

Pvt. Adrian Beaumont Charles Smith, Company E, First Cavalry, New York National Guard.

Sergt. Rufus Stanley Ramey, Company F, Fourth Infantry, Missouri National Guard.

Color Sergt. Carl Thompson Colt, Company G, Fourth Infantry, Ohio National Guard.

Garibaldi Laguardia, of New York.

Thomas Mitchell Hagar, of Missouri.  
 Will Shafroth, of Colorado.  
 William Draper Savage, of Minnesota.  
 Richard Ridgely Lytle, jr., of New York.  
 Harry Chapman Gilbert, of the District of Columbia.  
 Henry Elkins Atwood, of Minnesota.  
 John Christopher Tallafiero, jr., of Virginia.  
 Max Winfield Tucker, of Massachusetts.  
 Vernon McTyeire Shell, of South Carolina.  
 Emmons L. Abeles, of Minnesota.  
 James Charles Longino, of Georgia.  
 Woodbury Freeman Pride, of Maine.  
 Eugene Peter Henry Gempel, of Kansas.  
 Charles Baxter Sweatt, of Minnesota.  
 John Melville Sanderson, of the District of Columbia.  
 Charles William Walton, of Wisconsin.  
 James Vincent McConville, of Pennsylvania.  
 Marion Cox, of Maryland.  
 Hugh John FitzGerald, of Virginia.  
 Lyle Calhoun De Veaux, of Pennsylvania.  
 David Proud Minard, of Massachusetts.  
 Paul Joseph Matte, of Massachusetts.  
 Hugo Paul Wise, of Ohio.  
 Norman Ray Hamilton, of Massachusetts.  
 Robert Rush Hawes, jr., of Tennessee.  
 Joseph Shelburn Robinson, of Pennsylvania.  
 Murray Henry Ellis, of Pennsylvania.  
 Wolcott Paige Hayes, of the District of Columbia.  
 Joseph Idus Lambert, of Texas.  
 Ralph W. Rogers, of Minnesota.  
 William Paul Medlar, of Kansas.  
 Lawrence Augustus Shafer, of Minnesota.  
 Thurlby Morgan Rundel, of Michigan.  
 Charles Bernard Beeler Bubb, of Kansas.  
 Paul Elmer McDermott, of Washington.  
 Gustav Bismark Guenther, of Wisconsin.  
 William Howser Skinner, of Maryland.  
 Leslie Frederick Lawrence, of Connecticut.  
 Franklin Courtney Ketter, of Pennsylvania.  
 Charles Pope II, of Illinois.  
 Waldemar Adolph Falck, of California.  
 Carl John Rohsenberger, of Indiana.  
 Crawford McMann Kellogg, of Arizona.  
 Russell McKee Herrington, of the District of Columbia.  
 James Veto McDowell, of Texas.  
 Harry Lee Hart, of New York.  
 James Henry Beals Bogman, of Georgia.  
 Robert Harold Gallier, of Maine.  
 Percy Stuart Hayden, of Virginia.  
 David Jamison Chaille, of Louisiana.  
 Albert Edward McIntosh, of Rhode Island.  
 Jefferson Kinney, jr., of Virginia.  
 Halbert Hale Neilson, of Mississippi.  
 Leland Charles McAuley, of California.  
 Carl Rudy Johnston, of California.  
 Dean Reade DeMerritt, of New Hampshire.  
 Vance Whiting Batchelor, of Massachusetts.  
 Truman Everett Boudinot, of California.  
 James Rushmore Wood, of New York.  
 William James Gallagher, of New York.  
 Charles Rudd, of South Dakota.  
 James Gordon Strobbridge, of Massachusetts.  
 Stephen Boon, jr., of Kansas.  
 Harold Glaucus Holt, of Washington.  
 Walter Gunther, of New Jersey.  
 Roy Vernon Morledge, of Pennsylvania.  
 John Wesley Noble, of Maryland.  
 Herman Revere Crile, of New Mexico.  
 Joseph Edmund Torrence, of Kentucky.  
 Charles Gordon Hutchinson, of Maryland.  
 Chester Paul Dorland, of California.  
 Ernest Davis McQueen, of Texas.  
 Archie E. Groff, of Missouri.  
 George Davis Wiltshire, of Virginia.  
 Alfonso Fredertek Zerbee, of Ohio.  
 Jackson Broadus Wood, of Texas.  
 Arthur John Wehr, of Arizona.  
 Robert C. Scott, of Texas.  
 Arnold W. Shutter, of Minnesota.  
 Gerald Fitz-Herbert Delamer, of California.  
 Leland Whitney Crafts, of New Hampshire.  
 A. Franklin Kibler, at large.  
 Leonce Joseph Blanchard, of Louisiana.  
 John Donald Robb, of Minnesota.

Winfield Mills Putnam, of Massachusetts.  
 James Caruthers Lysle, of Kansas.  
 Francis Sylvester Conaty, of Massachusetts.  
 William Edward Beitz, of New York.  
 William Caldwell Duncel, of Missouri.  
 William Hugh Burns, of Connecticut.  
 Bernard Reilly Kennedy, of Connecticut.  
 Rex Byerly Shaw, of Texas.  
 John Waller Faulconer, jr., of Virginia.  
 Richard Erastus Taylor, of New York.  
 Charles Deere Wiman, of Illinois.  
 Herbert Llewellyn Montgomery, of Minnesota.  
 Gennard Alban Greaves, of Virginia.  
 Willis Alexander Garvey, of Kansas.  
 Edwin Howard Blanchard, of Maine.  
 Francis Murry Crist, of Maryland.  
 Haines Beede Quimby, of Massachusetts.  
 Robert Carlyle Gillies, of New Jersey.  
 Oliver Grant Brush, of Texas.  
 Gordon Hunt Michler, of Connecticut.  
 Robert Graff Merrick, of Maryland.  
 Louis J. Fortier, of Louisiana.  
 William Mitchell Wiener, of West Virginia.  
 William Jay Schieffelin, jr., of New York.  
 William Fergus Kernan, of Massachusetts.  
 George Lamb Buist Rivers, of South Carolina.  
 Dell Hamilton McCoy, of South Dakota.  
 Wallace Gordon Drummond, of Washington.  
 Morrill Ross, of Maine.  
 Roland Legard Davis, of Virginia.  
 John Averill Steere, of Massachusetts.  
 Leslie Edwards Babcock, of Connecticut.  
 Joseph Cumming Elliff, of Missouri.  
 William Torrey Barker, of Massachusetts.  
 Erik Achorn, of Massachusetts.  
 Dorsey Richardson, of Maryland.  
 Byron Henry Mehl, of Kansas.  
 Leon Adolph Des Pland, jr., of Florida.  
 Charles Warner McCleary, of Iowa.  
 John Lindley Gammell, of Rhode Island.  
 James Wade Emison, jr., of Indiana.  
 Ward Hale Maris, of Missouri.  
 Roderick Stanley Patch, of California.  
 Second Lieut. Robert Edmund Tappan, Infantry Section,  
 Officers' Reserve Corps.  
 First Lieut. Charles Booth Malone, jr., Ordnance Section, Offi-  
 cers' Reserve Corps.  
 James Bentley Taylor, of Missouri.  
 Rollin Asher Burditt, of Vermont.  
 Richard Henry Ballard, of Massachusetts.  
 Joseph Dent Hungerford, of Maryland.  
 James Clay Short, of Texas.  
 Arthur Day Edmunds, of New Hampshire.  
 Francis Johnstone Simons, of South Carolina.  
 Lawrence Byron Wyant, of Ohio.  
 Theodore Ludwig Sogard, of Minnesota.  
 John Cary Howard, of California.  
 Carlyle Judson Hancock, of Massachusetts.  
 James C. Miller, of Maryland.  
 Abraham Wright Williams, of Maryland.  
 James Thomas Duke, of Maryland.  
 Hiram F. Plummer, of Virginia.  
 Thomas Watkins Ligon, of Maryland.  
 Edward Hale Brooks, of New Jersey.  
 Wayland Bixby Augur, of California.  
 William Brooke Bradford, of New York.

## FIELD ARTILLERY.

Second Lieut. Edward W. Austin, Philippine Scouts.  
 Second Lieut. Clyde Charles Alexander, First Battalion, Field  
 Artillery, California National Guard.  
 Sergt. Erwin Adolph Manthey, Company K, Third Infantry,  
 Illinois National Guard.  
 Corpl. Henry Barton Dawson, Battery E, Fourth Field Ar-  
 tillery.  
 Corpl. John William Kelley, Battery E, Third Field Artillery.  
 Sergt. Harvey Rexford Hitchcock, jr., Battery B, Field Ar-  
 tillery, Ohio National Guard.  
 Sergt. Thomas Hart Davis, Second Recruit Company, General  
 Service Infantry.  
 Corpl. John P. Ratajczak, First Company, Coast Artillery  
 Corps.  
 Pvt. Claude Tillinghast Porter, Battery D, First Field Ar-  
 tillery, Illinois National Guard.

Sergt. Thomas Hooper Eckfeldt, jr., Battery A, First Field Artillery, Massachusetts National Guard.

Pvt. (First Class) Sumter Davis Marks, jr., Battery C, First Separate Battalion, First Field Artillery, Louisiana National Guard.

Pvt. Gordon Hunt Dickson, Company L, Second Infantry, Washington National Guard.

Pvt. (First Class) Reed Emil Beck, Troop E, Fourteenth Cavalry.

Pvt. Waldo Emerson Ard, Fourth Company, Coast Artillery Corps.

Corpl. Clarence E. Cartwright, Battery D, Fourth Field Artillery.

Pvt. Raymond Joseph Walsh, Battery A, Rhode Island National Guard.

Pvt. Harold Kernan, Battery C, First Field Artillery, Louisiana National Guard.

Sergt. Innes Harwood Bodley, Field Artillery, unassigned.  
Second Lieut. James Holcombe Genung, jr., Engineer Section, Officers' Reserve Corps.

Warner Merritt Pomerene, of Ohio.

Ross Seguine Mason, of Colorado.

Edwin Shelby, jr., of Louisiana.

Robert Benjamin Hood, of Kansas.

Victor A. Dash, jr., of Minnesota.

Charles William Chalker, of Tennessee.

John Lawrence Hamilton, jr., of Ohio.

Roy Crawford Moore, of South Carolina.

Theodore Edward Thomas Haley, of California.

John Franklin Hepner, of Virginia.

#### COAST ARTILLERY CORPS.

Corpl. Fenton Gay Epling, Coast Artillery Corps.

Pvt. Ross Gordon Hoyt, Coast Artillery Corps.

Pvt. (First Class) William Mayer, Coast Artillery Corps.

Mess Sergt. Hubert A. McMorrow, Coast Artillery Corps.

First Sergt. Douglas Graeme Clark, Company G, First Infantry, Vermont National Guard.

Corpl. Vernon Garnett Cox, Company F, Fourth Infantry, Missouri National Guard.

Sergt. Ralph Garver Lockett, Battery C, First Field Artillery, Ohio National Guard.

Thurwood Van Ornum, of Missouri.

Cecil Ray Moore, of Virginia.

Anthony Lisenard Bleecker, of New York.

Edward Allen Williford, of New York.

James Erastus Wallis, jr., of Massachusetts.

Granville Byam Smith, of Massachusetts.

Grafton Sherwood Kennedy, of Ohio.

Chester King Allen, of Massachusetts.

Harold Clarkson Mabbott, of Massachusetts.

James Arthur Blair, of Massachusetts.

Harold Arthur Maxfield, of Massachusetts.

James Patrick Ferrall, jr., of New York.

Robert Elliott Lamb, of Massachusetts.

Winthrop Chester Swain, of Massachusetts.

George Augustus Nelson, jr., of New York.

Edward Yates Keesler, of North Carolina.

Roland Hubert Dufault, of Massachusetts.

Gardner Endicott Johnson, of Massachusetts.

Frank Charles Howard, of Massachusetts.

Paul Harrington Duff, of Massachusetts.

Lucas Elmendorf Schopmaker, of New Jersey.

Gordon Marshall Wells, of California.

Robert Ellsworth Johnston, of Pennsylvania.

Hermon French Safford, of Massachusetts.

Clifford Dean Hindle, of Rhode Island.

John Raymond Ramsbottom, of Massachusetts.

Merton Luther Haselton, of New Hampshire.

John Randolph Wheeler, of Connecticut.

Raymond James Farrell, of Massachusetts.

John Russell Haviland, of New Jersey.

Erving Goodwin Betts, of Massachusetts.

Arthur F. Benson, of New Jersey.

Joseph Frederick Williamson, of California.

Richard Whiting Logan, of Massachusetts.

Thomas Ewing Hannah, of Massachusetts.

Frank Stanley Krug, jr., of Ohio.

Henry Millet Blank, of New Jersey.

William Henry Egle Holmes, of Indiana.

Arthur Donohue Dickson, of Massachusetts.

Roswell Frederick Curtis, of Massachusetts.

Douglas Meriwether Griggs, of Virginia.

Horace Frederick Banan, of Massachusetts.

Harry Walter Capper, of Virginia.

Douglas Fuller Miner, of Massachusetts.

Edward Francis Weiskopf, of New York.

Sidney Smith Small, of Colorado.

James Paul Jacobs, of Maryland.

Cornelius Henry Menger, of Connecticut.

William Henry Seymour, of Massachusetts.

Sherwood Holmes Taber, of Massachusetts.

Walton Barr Killough, of New Jersey.

Ernest Cleveland Bomar, of South Carolina.

Jarvis Carter Marble, of Michigan.

James William Anderson, of Massachusetts.

Alfred Hall Crossman, of Massachusetts.

John Raymond Markham, of Massachusetts.

Charles Edward Atkinson, of Massachusetts.

George Davis Kittredge, of New York.

Thomas Freeman Tisinger, of Georgia.

Coburn Lee Berry, of Maine.

John Hancock Babbitt, of Massachusetts.

Carroll Cushing Taylor, of New Jersey.

Joseph Paul Gardner, of Massachusetts.

Edward Benedict McCarthy, of Massachusetts.

Herbert Arthur Dyer, of New York.

Edward Hayward Raymond, of Massachusetts.

Eugene Burton Butler, of California.

Simpson Ridley Stribling, of Texas.

Neal Everett Tourtellotte, of Idaho.

Hubert Eugene Wellcome, of Massachusetts.

Lyle D. Wise, at large.

Edwin Mortimer Woodward, of Illinois.

John Wesley Orcutt, of Massachusetts.

James Anthony Taylor, of California.

James Greenwood McDougall, of New Hampshire.

Richard Derby, of California.

Frederic Roland Cox, of Massachusetts.

James Thomas Campbell, of Oklahoma.

Howard Spencer MacKirdy, of Connecticut.

Robert Hawley Wells, of California.

Kenyon Roper, of Ohio.

Thomas William Hansberry, of Massachusetts.

Albert Jerome Hahn, of Alabama.

Maurice E. Barker, at large.

Philip Edwin Hulburd, of Massachusetts.

John Hancock LaFitte, of Virginia.

Leon Chapman Dennis, of New York.

Clarence Lee Stevens, of Vermont.

Caruthers Askew Coleman, of Mississippi.

William Fred Lafrenz, of California.

Carson Gary Jennings, of Illinois.

Charles Joseph Collins, of Florida.

Richard Gascoigne Lyne, of Virginia.

James Black Muir, jr., of California.

Edmund Hathaway Stillman, of California.

Robert Chapman Snidow, of Virginia.

John Frederick Loomis, of Missouri.

Charles H. Keck, of Ohio.

#### INFANTRY.

Second Lieut. Henry Pascale, Infantry Section, Officers' Reserve Corps

First Lieut. Frank Rutherford Marstop, Ordnance Section, Officers' Reserve Corps.

George Warner Swift, of New York.

Lorraine Douglas Fields, of Maryland.

Remington Orsinger, of Minnesota.

William Stewart Morris, of Maryland.

Joseph W. Bollenbeck, of Wisconsin.

Kenneth Corwin Bell, of Illinois.

Arnold Michelson, of Minnesota.

Thomas Frank Keasler, of Texas.

Monroe Mark Friedman, of California.

Lee Clare Lewis, of Washington.

Cyrus Joseph Rounds, of Wisconsin.

John Dean Forsythe, of Ohio.

Marcus Brenneman Bell, of Missouri.

Samuel Louis Alexander, of Missouri.

Albert Denarvous Johnson, of Texas.

Roger William Morse, of Washington.

Leslie T. Lathrop, of Minnesota.

Andrew Annan Cook, of Florida.

Lewis Augustine Maury, of Texas.

David W. Flickinger, of Indiana.

Robert Duncan Porter, of South Carolina.

Ralph Edwin Richards, of Minnesota.

Chester Gilbert Hadden, of Illinois.

Ralph Hudson Wooten, of Mississippi.

Kenneth Burman Bush, of Illinois.  
 Donald Clark Williams, of California.  
 Russell Daniel Barnes, of Illinois.  
 Victor Patterson, of Vermont.  
 Thorgny Cedric Carlson, of Arkansas.  
 Lyman Case Ward, of New York.  
 James David Brown, of Texas.  
 Harold Clark McClelland, of Kansas.  
 Robert Cummings Brunson, of South Carolina.  
 Capt. Earl Elliott Major, Fourth Infantry, Missouri National Guard.  
 Capt. Lloyd Chandler Parsons, Second Infantry, Arkansas National Guard.  
 First Lieut. Claudius Miller Easley, Second Infantry, Texas National Guard.  
 Corpl. Henry Vaughn Dexter, Company B, Thirty-eighth Infantry.  
 Corpl. Ted H. Cawthorne, Company L, Fourteenth Infantry.  
 Pvt. Edward Harrah, Company I, Seventh Infantry, New York National Guard.  
 Battalion Sergt. Maj. Nelson Hill, Fourth Infantry, Missouri National Guard.  
 Pvt. Robert William Corrigan, Company L, Seventh Infantry, New York National Guard.  
 Corpl. Richard Hammond Elliott, Company M, First Infantry, Maryland National Guard.  
 Pvt. Peter Fries Connor, Troop A, First Squadron, Cavalry, Ohio National Guard.  
 Pvt. Robert Hughes Lord, Company K, Fourth Infantry, Ohio National Guard.  
 Corpl. Mose Kent Pigman, First Company, Coast Artillery Corps.  
 Sergt. Otto John Endres, Company M, Third Infantry, Wisconsin National Guard.  
 Corpl. John Joseph Hannigan, United States Military Academy, Detachment Engineers.  
 Pvt. (First Class) Ruthford L. Herr, Company M, Thirty-second Infantry.  
 Pvt. Herbert Gray Esden, Company B, Fourth Infantry, Nebraska National Guard.  
 Pvt. (First Class) Norman Spencer, General Service Infantry.  
 Corpl. Hunter Louis Girault, Company H, Seventh Infantry.  
 Radio Sergt. Rex Walter Minckler, Coast Artillery Corps.  
 First Sergt. George Albert Jackson, Company M, Fifty-fifth Infantry.  
 Sergt. Roy F. Lynd, Medical Department.  
 Sergt. Hugo John Endres, Company M, Third Infantry, Wisconsin National Guard.  
 Pvt. (First Class) Wade Hampton Johnson, Medical Department.  
 Sergt. Robert Charles Patterson, Quartermaster Corps.  
 Sergt. (First Class) Hoke Smith, jr., Quartermaster Corps.  
 Sergt. Francis Ward Kernan, Company F, Sixth Engineers.  
 Quartermaster Sergt. John Nicol McNaughton, Quartermaster Corps.  
 Pvt. Samuel Isaac Speevack, Company H, Seventh Infantry.  
 Sergt. Maximilian Clay, Company H, Third Infantry, Tennessee National Guard.  
 Pvt. Frederick Sandrus Schmitt, Company H, Tenth Infantry, Pennsylvania National Guard.  
 Corpl. Calvert Hinton Arnold, Machine Gun Company, Second Infantry, Georgia National Guard.  
 Pvt. (First Class) Clarence Littleton Morton, Fourth Company, Coast Artillery Corps.  
 Sergt. George Shipley Prugh, First Field Hospital Company, Ohio National Guard.  
 Regimental Supply Sergt. Homer Franklin Tate, Fifth Infantry, California National Guard.  
 Sergt. Harold Montague, Army Service Schools Detachment.  
 Corpl. Kenyon Harrington Clark, Company E, Seventh United States Engineers.  
 Corpl. Cyril M. Stillson, Company H, Forty-first Infantry.  
 Corpl. Richard Hutchings Johnston, Machine Gun Company, Second Infantry, Georgia National Guard.  
 Pvt. John Blakeway Cockburn, Third Company, Coast Artillery Corps.  
 Corpl. George Thurman Fleet, Company A, Eighteenth Infantry.  
 Sergt. Clifton Martin Brown, Company G, First Infantry, Wisconsin National Guard.  
 Sergt. Arthur Bloch, Company D, Seventh Engineers.  
 Sergt. Edward John Rasch, Quartermaster Corps, Motor Truck Company Twenty-eight.  
 Sergt. Walter Valentine Flynn, Company E, Seventh Infantry, New York National Guard.

Pvt. Otto Walter Neidert, Company H, Third Infantry, Missouri National Guard.  
 Sergt. Edwin Showalter Beall, Machine Gun Company, Thirty-fourth Infantry.  
 Regimental Supply Sergt. Ralph Emerson Bower, Ohio National Guard Reserve.  
 Sergt. Charles Weiley Ogden, Company C, Second Infantry, Texas National Guard.  
 Sergt. Peter William Ebbert, Company L, Fifth Infantry, New Jersey National Guard.  
 Sergt. George Leland Eberle, Company K, First Infantry, Arizona National Guard.  
 Walter Ebsworth Wynne, of New York.  
 Norman Lee Baldwin, of Illinois.  
 Roger Howell, of Maryland.  
 Kenneth McIntosh, of New York.  
 Fred Reginald Wolff, of New York.  
 Arthur Clifford Carlton, of Maryland.  
 Robert Vansant Finney, of Pennsylvania.  
 Philip Daniels Wessen, of Massachusetts.  
 Clement Dixon Johnston, of Kentucky.  
 Edward John Hardin, of Georgia.  
 Harman Paul Agnew, of Pennsylvania.  
 Floyd Lyle, of Minnesota.  
 Francis Wayland Stone, jr., of Maryland.  
 Don Carlos Faith, of Indiana.  
 Charles Barrett Herrick, of Washington.  
 Raymond Orr, of Texas.  
 Thomas A. Austin, jr., of Texas.  
 James William Anderson, of North Carolina.  
 Edgar Tremlett Fell, of Maryland.  
 Archibald Ross MacKechnie, of Washington.  
 Joseph Benedict Kilbride, of Connecticut.  
 Francis Howard Wilson, of Maryland.  
 Walter Adams Mack, of Massachusetts.  
 Arthur Franklin Williams, of Massachusetts.  
 William Hamilton Ponder, of Louisiana.  
 John Cleary Kernan, of the District of Columbia.  
 Maxton Hale Flint, of Massachusetts.  
 Edward Monroe Bates, of Massachusetts.  
 Howard Jennings Gorman, of Maryland.  
 Charles Swett Pettee, of New Hampshire.  
 Elmer E. Hagler, jr., of Illinois.  
 Sidney Hamlet Negrotto, of Louisiana.  
 Gustav Joseph Braun, of Indiana.  
 Frederick Vaughan Burgess, of Vermont.  
 Everett Langdon Upson, of Connecticut.  
 Walter Russell Curfman, of Maryland.  
 Don Forrester Pratt, of Missouri.  
 Ralph Edgerton Mooney, of Missouri.  
 Willard Allen Reddish, of Indiana.  
 Ernest Ransome Percy, of California.  
 Marcellus L. Countryman, jr., of Minnesota.  
 John Corwin Shaw, of Kansas.  
 Harry L. Stoner, of Minnesota.  
 James Merritt Arthur, of Indiana.  
 Donovan Paul Yeuell, of Illinois.  
 Asa Fitch Coleman, of Indiana.  
 Charles Joseph McIntyre, of Pennsylvania.  
 Phillip M. Oviatt, of Minnesota.  
 Edwin Hubert Randle, of Indiana.  
 Francis Marion Rich, of Georgia.  
 Edwin Gowdy Watson, of Indiana.  
 George Lutz Hornbrook, of West Virginia.  
 Leon Franklin Sullivan, of Delaware.  
 Walter Clark Armstrong, of Illinois.  
 William B. Townsend, at large.  
 Hunter McGuire, of New York.  
 Andrew Lewis Tucker, of Oklahoma.  
 Steven Bavard Wilson, of Massachusetts.  
 Edwin Ralph Rinker, of Washington.  
 John Henry Gibson, of Washington.  
 George Washington Gering, of Maryland.  
 Cecil Maurice Neal, of New Hampshire.  
 Jay Williams Sechler, of Pennsylvania.  
 Walter Earl Ditmars, of New York.  
 Paul Newman Darrington, of Maryland.  
 John William Spaulding, of Maryland.  
 Sydney Buford Scott, of Virginia.  
 Ralph Harrison Countryman, of California.  
 Edwin Ernest Aldridge, of Texas.  
 Edwin Blake Crabill, of Virginia.  
 Reade Mulkey Ireland, of Indiana.  
 Edmund Walton Hill, of Connecticut.  
 Alfred Marston Shearer, of Michigan.

James Reid Campbell, jr., of Alabama.  
 Edward Albert Mullan, of Washington.  
 James Obadiah Tarbox, of Maine.  
 Harry Frederick Rusch, of North Dakota.  
 Raymond Frank Edwards, of Kansas.  
 Oren Anelen Mulkey, of Oregon.  
 Charles Chester Bond, of New Hampshire.  
 Francis Robbins McCook, of Ohio.  
 Byron Clark Brown, of Massachusetts.  
 Forrest Marshall Harmon, of Missouri.  
 Ralph Carlin Flewelling, of Massachusetts.  
 Frank Hixon Terrell, of Kansas.  
 Harold Ragan Priest, of Washington.  
 Jabez Gideon Gholston, of Nebraska.  
 Robert A. McClure, at large.  
 Frederick Meyer Vinson, of Pennsylvania.  
 Francis Brown McCollom, of California.  
 Reginald David Pappé, of Utah.  
 Joseph Benton Wirt, of Massachusetts.  
 Graham Roscoe Schweickert, of Virginia.  
 Norman Paul Williams, of New York.  
 Claude G. Hammond, of South Carolina.  
 Charles Holland Riggan, of New Jersey.  
 Winfield Wegg Smith, of Washington.  
 Milton Russell Barclay, of Pennsylvania.  
 Harold Clinton Wasgatt, of Massachusetts.  
 Wannie Lee Bartley, of Arizona.  
 Norman John McMahon, of Connecticut.  
 Donald Morris Bartow, of Washington.  
 Hilbert Alexander Canfield Jensen, of California.  
 Frank Allen Pattillo, of Georgia.  
 Paul Louis Singer, of Arizona.  
 Joseph Louis Ready, of Massachusetts.  
 James Bernard Scarr, of New Jersey.  
 Lloyd Russell Rogers, of Maryland.  
 Charles Carter Ritcor, of Georgia.  
 Earl Coulson Flegel, of Oregon.  
 Abner Wisdom Goree, of Georgia.  
 Herbert Blish Wheeler, of Massachusetts.  
 Charles Carroll Nathan, of Maryland.  
 Crittenden Anderson Coe Tolman, of Alaska.  
 William Edward Tidwell, of Texas.  
 James Kerr Cubbison, of Kansas.  
 Howard Foster Ross, of Ohio.  
 Arthur Joseph Lacouture, of Massachusetts.  
 Clifford Michael Olivetti, of New York.  
 Josiah Bowler Mudge, jr., of Kansas.  
 Hugh Shaw Lee, of North Carolina.  
 Wilbur Storm Elliott, of Texas.  
 Kirke Brooks Lawton, of Massachusetts.  
 Neil Smith Edmond, of Texas.  
 Harold Haney, of Indiana.  
 Tully Charles Garner, of Texas.  
 Wilmer Brinton, jr., of Maryland.  
 Forrest Meade Record, of Kansas.  
 Luther Wesley Dear, of Virginia.  
 Frederick Charles Shantz, of Washington.  
 Martin DeWitt McAllister, of Oklahoma.  
 George Washington Booth, of Maryland.  
 William R. Colbern, of Missouri.  
 Marcel Alfred Gillis, of Louisiana.  
 John William Carroll, of Wisconsin.  
 Joshua Shelton Bowen, of Maryland.

#### PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Lieut. Commander Frederick J. Horne to be a commander in the Navy from the 1st day of January, 1917.

Lieut. Walter E. Reno to be a lieutenant commander in the Navy from the 23d day of May, 1917.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 5th day of June, 1917:

Frank D. Manock, and  
 Penn L. Carroll.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 6th day of June, 1917:

Theodore W. Sterling,  
 Thomas L. Nash, and  
 Thomas C. Slingsluff.

George S. Rentz, a citizen of Pennsylvania, to be an acting chaplain in the Navy for temporary service from the 3d day of July, 1917.

Pay Clerk Frank R. Tuck to be a chief pay clerk in the Navy from the 30th day of April, 1916.

Pay Clerk Theodore S. Coulbourn to be a chief pay clerk in the Navy, from the 4th day of August, 1916.

Pay Clerk Fred A. Abbott to be a chief pay clerk in the Navy from the 5th day of September, 1916.

Machinist James M. Berlin to be a chief machinist in the Navy from the 31st day of December, 1916.

Chief Gunner Michael W. Gilmartin to be an ensign in the Navy for temporary service from the 1st day of July, 1917.

Chief Machinist James M. Berlin to be an ensign in the Navy for temporary service from the 1st day of July, 1917.

The following-named chief pay clerks to be assistant paymasters in the Navy, for temporary service, from the 1st day of July, 1917:

John E. Bibb,  
 Frank R. Tuck,  
 Theodore S. Coulbourn,  
 Fred A. Abbott,  
 Frank D. Hathaway, and  
 Frank Lewis.

The following-named citizens to be assistant surgeons in the Navy from the 19th day of July, 1917:

William H. H. Turville, a citizen of Pennsylvania,  
 Francis E. Locy, a citizen of Illinois,  
 Clarence J. Brown, a citizen of Wisconsin,  
 Ely L. Whitehead, a citizen of Virginia,  
 Daniel B. Kirby, a citizen of Ohio,  
 William J. Corcoran, a citizen of Oregon,  
 Thomas J. Kennedy, a citizen of Massachusetts,  
 Howard P. Griffin, a citizen of New York,  
 Abraham S. Isaacson, a citizen of Rhode Island,  
 Charles W. Barrier, jr., a citizen of Texas,  
 Robert W. Belknap, a citizen of Maine,  
 Maurice A. Berge, a citizen of Illinois,  
 Benjamin H. Hager, a citizen of California,  
 Frank A. Williams, a citizen of Illinois,  
 Gilbert H. Mankin, a citizen of the District of Columbia,  
 William T. McClure, a citizen of West Virginia,  
 William W. Behlow, a citizen of California,  
 Spencer A. Folsom, a citizen of Georgia,  
 Ben F. Norwood, a citizen of Tennessee,  
 Leland L. Bull, a citizen of Illinois,  
 Frank L. Kelly, a citizen of Missouri,  
 Arthur H. Dearing, a citizen of Maine,  
 Reuben A. Barker, a citizen of Arkansas,  
 Robert N. Hedges, a citizen of Illinois,  
 Marshall G. Williamson, a citizen of California,  
 John W. S. Brady, a citizen of Massachusetts,  
 Gerald Selby, a citizen of Georgia,  
 Frank J. Anderson, a citizen of Minnesota,  
 Harry L. Brockmann, a citizen of North Carolina,  
 Charles G. Terrell, a citizen of Mississippi,  
 Robert P. Henderson, a citizen of Florida,  
 George A. Gray, a citizen of Illinois,  
 Charles K. Reinke, a citizen of Pennsylvania,  
 Robert B. Miller, a citizen of the District of Columbia,  
 William E. Morse, a citizen of Illinois,  
 Robert H. McMeans, a citizen of Texas,  
 Joseph A. Mangiaracina, a citizen of New York,  
 Herbert van Thatcher, a citizen of Washington,  
 Hayes E. Martin, a citizen of Iowa,  
 Guy D. Callaway, a citizen of Missouri,  
 Frank R. Bealer, a citizen of Georgia,  
 Eben E. Smith, a citizen of Indiana,  
 William T. Gill, jr., a citizen of the District of Columbia,  
 George B. Dowling, a citizen of the District of Columbia,  
 Paul M. Albright, a citizen of Pennsylvania,  
 Edwin D. McMorries, a citizen of Mississippi,  
 James W. Ellis, a citizen of Colorado,  
 Burton E. Belcher, a citizen of Florida,  
 John J. Freymann, a citizen of Nebraska,  
 Frank W. Hartman, a citizen of Iowa,  
 Einar C. Andreassen, a citizen of Minnesota,  
 James E. Houghton, a citizen of Pennsylvania,  
 John M. McCants, a citizen of South Carolina,  
 Preston A. McLendon, a citizen of New York,  
 Charles H. Savage, a citizen of Alabama,  
 Roger M. Choisser, a citizen of Illinois,  
 Myron G. Wright, a citizen of Colorado,  
 Silas B. Hull, a citizen of New York,  
 George P. Carr, a citizen of New York,  
 Walter A. Fort, a citizen of Michigan,  
 Erastus M. Hudson, a citizen of New York,  
 Robert Mueller, a citizen of Missouri,  
 William R. Jepson, a citizen of Minnesota,  
 Lewis W. Johnson, a citizen of Massachusetts,  
 Charles A. Ainslie, a citizen of California,  
 Robert E. Watkins, a citizen of Pennsylvania,

Harry C. Gebhart, a citizen of Illinois,  
 Felix P. Kearney, a citizen of Missouri,  
 David R. Higbee, a citizen of New York,  
 Norman King, a citizen of Texas,  
 Harold S. Sumerlin, a citizen of Indiana,  
 Glen M. Kennedy, a citizen of California,  
 James R. Thomas, a citizen of Illinois,  
 Edward R. Guinan, a citizen of California,  
 John L. Shipley, a citizen of Missouri,  
 Walter J. Pennell, a citizen of Maine,  
 Archibald C. Pfeiffer, a citizen of Michigan,  
 Allen T. Agnew, a citizen of Minnesota,  
 Benjamin H. Carroll, a citizen of Virginia,  
 Frank W. Ryan, a citizen of South Carolina,  
 Louis Iverson, a citizen of Illinois,  
 Roy J. Heffernan, a citizen of Massachusetts,  
 Robert L. Schaefer, a citizen of Michigan,  
 John M. Huff, a citizen of North Carolina,  
 Nathan C. Rubinsky, a citizen of Connecticut,  
 Elmer R. Hancock, a citizen of Illinois,  
 Victor S. Armstrong, a citizen of Illinois,  
 Robert B. Team, a citizen of New York,  
 Charles J. Hutchinson, a citizen of Minnesota,  
 Cecil M. Burchfiel, a citizen of Missouri,  
 William T. McAlonan, a citizen of Michigan,  
 Loren W. Shaffer, a citizen of Pennsylvania,  
 Morris S. Bender, a citizen of New York,  
 Thomas P. Brennan, a citizen of Missouri,  
 Eugene D. Hardin, a citizen of Mississippi,  
 Boles A. Rosenthal, a citizen of Minnesota,  
 Romeo W. Auerbach, a citizen of New York,  
 Paul V. Greedy, a citizen of Colorado,  
 Wallace B. Dukeshire, a citizen of New York,  
 Edwin P. Bugbee, a citizen of Massachusetts,  
 Robert M. Furlong, a citizen of California,  
 Herbert S. Chapman, a citizen of California,  
 Francis C. Evers, a citizen of New York,  
 Walter M. Anderson, a citizen of Ohio,  
 Leslie B. Marshall, a citizen of Tennessee,  
 Robert T. Canon, a citizen of Texas,  
 William A. Neill, a citizen of Washington,  
 Frank J. Carroll, a citizen of Connecticut,  
 John W. Vann, a citizen of Virginia,  
 Toson O. Summers, a citizen of Virginia,  
 William W. Russell, a citizen of Missouri,  
 William E. Bryan, a citizen of Tennessee,  
 Joseph I. Callanan, a citizen of California,  
 Edward P. Ryan, a citizen of Wisconsin,  
 Robert P. Parsons, a citizen of Illinois,  
 John A. McCormick, a citizen of Pennsylvania,  
 John C. Adams, a citizen of Alabama,  
 Chester B. Van Gaasbeek, a citizen of New York,  
 Raymond J. Bower, a citizen of Pennsylvania,  
 Guy B. McArthur, a citizen of New York,  
 Jesse J. Hendren, a citizen of Kentucky,  
 Benjamin S. Davis, a citizen of Pennsylvania,  
 William C. Becker, a citizen of Wisconsin,  
 John C. Taylor, a citizen of North Carolina,  
 DeForest T. Layton, a citizen of New York,  
 Francis J. McCauley, a citizen of New Jersey,  
 Raymond M. Krepps, a citizen of Pennsylvania,  
 Thomas F. J. Hanlon, a citizen of Pennsylvania,  
 George O. Hartman, a citizen of Ohio,  
 Francis D. Gibbs, a citizen of the District of Columbia,  
 Henry N. Winn, a citizen of Illinois,  
 Charles E. Morse, jr., a citizen of Vermont,  
 Joseph W. White, a citizen of Massachusetts,  
 Paul M. Drake, a citizen of Kansas,  
 Edward C. Meggers, a citizen of Illinois,  
 Sterling S. Cook, a citizen of Virginia,  
 John G. Powell, a citizen of Pennsylvania,  
 Bertram Groesbeck, jr., a citizen of the District of Columbia,  
 Earl Richison, a citizen of Illinois,  
 Francis C. Hertzog, a citizen of Virginia,  
 Deane H. Vance, a citizen of Colorado,  
 James F. Bell, jr., a citizen of Oregon,  
 William H. Frampton, a citizen of South Carolina,  
 Waddie P. Jackson, a citizen of Virginia,  
 James R. Allison, a citizen of Pennsylvania,  
 Galen E. Moyer, a citizen of Pennsylvania,  
 John F. Pruett, a citizen of California,  
 Tracy T. Gately, a citizen of Louisiana,  
 Harry B. LaFavre, a citizen of Ohio,  
 John J. Sale, a citizen of Virginia,  
 Ernest A. Daus, a citizen of Idaho,

Travis S. Moring, a citizen of Alabama,  
 Henry L. Bockus, a citizen of Pennsylvania,  
 James H. Royster, a citizen of North Carolina,  
 William P. Williams, a citizen of New York,  
 Lloyd B. Greene, a citizen of Georgia,  
 Raymond B. Storch, a citizen of the District of Columbia,  
 Francis G. Spedel, a citizen of the District of Columbia,  
 Gustav J. Hildebrand, a citizen of Wisconsin,  
 Boyd Gilbert, a citizen of Alabama,  
 Hubert W. Harris, a citizen of Tennessee,  
 William W. Holley, a citizen of Minnesota,  
 Louis E. Mueller, a citizen of Wisconsin,  
 Lynn N. Hart, a citizen of California,  
 Robert S. G. Welch, a citizen of Maryland,  
 George W. Lewis, a citizen of Pennsylvania,  
 Edward A. Mullen, a citizen of Pennsylvania,  
 Frederick G. Spedel, a citizen of Kentucky,  
 Jesse B. Naive, a citizen of Tennessee,  
 Thomas V. Murto, a citizen of New York,  
 Wilber E. Thomson, a citizen of Ohio,  
 Robert Lorentz, jr., a citizen of California,  
 Richard C. Satterlee, a citizen of Illinois,  
 Frank B. Wallace, a citizen of Missouri,  
 Herman C. Petterson, a citizen of Illinois,  
 Frank M. Heacock, a citizen of Nebraska,  
 Francis J. McCarthy, a citizen of California,  
 Francis P. Dolan, a citizen of Virginia,  
 Henry L. Franklin, a citizen of Texas,  
 Edwin H. Lorentzen, a citizen of Michigan,  
 Lloyd E. Smith, a citizen of Illinois,  
 Otto W. Grisler, a citizen of Indiana,  
 Wilbourn E. Greenwood, a citizen of Rhode Island,  
 Mathison J. Montgomery, a citizen of Virginia,  
 Lyman E. Dockery, a citizen of Wisconsin,  
 Harry B. Lehmborg, a citizen of Texas,  
 George L. White, a citizen of Maryland,  
 Carl B. Campbell, a citizen of Pennsylvania,  
 Samuel W. Tretheway, a citizen of Pennsylvania,  
 Lawrence G. Beisler, a citizen of New Jersey,  
 Ernest W. Larkin, a citizen of Virginia,  
 Winfield B. Anderson, a citizen of New York,  
 Robert H. Collins, a citizen of Virginia,  
 Otis Wildman, a citizen of Indiana,  
 Leonard H. Denny, a citizen of Illinois,  
 William R. Taylor, a citizen of Pennsylvania,  
 Marion E. Brown, a citizen of Louisiana,  
 Robert W. Winberly, a citizen of Georgia,  
 Cyrus E. Bush, a citizen of Colorado,  
 Page O. Northington, a citizen of Virginia,  
 Russel D. Bussdicker, a citizen of Ohio,  
 James R. Jeffrey, a citizen of Illinois,  
 Harold L. Kennedy, a citizen of Washington,  
 Martin L. Marquette, a citizen of Indiana,  
 Edward P. Whistler, a citizen of Kentucky,  
 James O. Fields, a citizen of Virginia,  
 Carl A. Broadus, a citizen of Virginia,  
 Joseph E. Malcomson, a citizen of Michigan,  
 Fairley P. James, a citizen of North Carolina,  
 Donald R. Davidson, a citizen of New York,  
 Charles L. Olphant, a citizen of Kansas,  
 James F. Hooker, a citizen of Kentucky,  
 Lester D. Huffman, a citizen of Indiana,  
 Samuel C. Ketchin, a citizen of South Carolina,  
 Benjamin G. Holtom, a citizen of Michigan,  
 Hutchens C. Bishop, jr., a citizen of New York,  
 Stanley L. Scott, a citizen of Pennsylvania,  
 John E. Porter, a citizen of Virginia,  
 William A. Byrnes, a citizen of Illinois,  
 Joseph A. Owen, jr., a citizen of California,  
 George D. Thompson, a citizen of Indiana,  
 Claude R. Riney, a citizen of Kansas,  
 Guy B. Taylor, a citizen of South Carolina,  
 Robert L. Christie, a citizen of Minnesota,  
 Ramon A. Gilbert, a citizen of California,  
 William E. Beatty, a citizen of Michigan,  
 Leslie R. Lingeman, a citizen of Indiana,  
 William T. Oppenheimer, jr., a citizen of Virginia,  
 Andrew Sinamark, a citizen of Nebraska,  
 Rushmer C. Christiansen, a citizen of California,  
 Claude W. Colonna, a citizen of Virginia,  
 Bruce F. Holding, a citizen of North Carolina,  
 Gilbert B. Meyers, a citizen of Pennsylvania,  
 Waldo E. Golden, a citizen of Illinois,  
 Wilfred M. Peberdy, a citizen of Connecticut,  
 Jay Jacobs, a citizen of California,

Francis E. O'Brien, a citizen of Massachusetts,  
 Wylie C. Mason, a citizen of New York,  
 Raymond H. Leu, a citizen of West Virginia,  
 Watie M. Alberty, a citizen of Oklahoma,  
 Dozier H. Gibbs, a citizen of Alabama,  
 John F. Hart, a citizen of Oregon,  
 Dwight H. Murray, a citizen of Indiana,  
 Kirk C. Brown, a citizen of Washington,  
 Marvin C. Johns, a citizen of Pennsylvania,  
 Pliny B. Fiske, a citizen of New York,  
 Jack W. Jones, a citizen of Georgia,  
 Herbert L. Shinn, a citizen of the District of Columbia,  
 Mathew L. Carr, a citizen of North Carolina,  
 Charles S. Norburn, a citizen of North Carolina,  
 Everett B. Taylor, a citizen of South Carolina,  
 Paul Keller, a citizen of Pennsylvania,  
 Wilburn E. Saye, a citizen of Georgia,  
 Burchard A. Winne, a citizen of New York,  
 Samuel Segal, jr., a citizen of Massachusetts,  
 Herbert R. Coleman, a citizen of Kansas,  
 Claude E. Brown, a citizen of California,  
 Horace R. Boone, a citizen of Kansas,  
 Samuel A. Fuqua, a citizen of Illinois,  
 Robert E. S. Kelly, a citizen of Massachusetts,  
 Fenimore S. Johnson, a citizen of New Jersey,  
 Clarence N. Meador, a citizen of Virginia,  
 Albert D. Huffman, a citizen of Indiana,  
 Hugo F. A. Baske, a citizen of Virginia,  
 Lionel L. Lapointe, a citizen of Connecticut,  
 William E. Crooks, a citizen of Virginia,  
 Victor H. Shields, a citizen of Maine,  
 Max M. Braff, a citizen of Massachusetts,  
 Clayton W. Eley, a citizen of Pennsylvania, and  
 Wilbur O. Manning, a citizen of Pennsylvania.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate August 1 (legislative day of July 31), 1917.*

##### AMBASSADOR TO JAPAN.

Roland S. Morris to be ambassador extraordinary and plenipotentiary to Japan.

##### RECEIVERS OF PUBLIC MONEYS.

John T. Hamilton to be receiver of public moneys at Miles City, Mont.

Edward C. Hargadine to be receiver of public moneys at Glasgow, Mont.

Edward J. McLean to be receiver of public moneys at Billings, Mont.

Mrs. Annie G. Rogers to be receiver of public moneys at Leadville, Colo.

##### REGISTERS OF THE LAND OFFICE.

Fletcher W. Appleton to be register of the land office at Bozeman, Mont.

Albert F. Browns to be register of the land office at Sterling, Colo.

Fred H. Foster to be register of the land office at Billings, Mont.

Thomas R. Jones to be register of the land office at Glasgow, Mont.

##### PROMOTIONS IN THE ARMY.

###### COAST ARTILLERY CORPS.

###### To be colonels.

Lieut. Col. Henry H. Whitney.

Lieut. Col. Arthur W. Chase.

###### To be lieutenant colonels.

Maj. George A. Nugent.

Maj. William E. Cole.

###### To be majors.

Capt. Jacob M. Coward.

Capt. John L. Roberts, jr.

Capt. Frederick L. Buck.

Capt. Jay P. Hopkins.

Capt. Leroy T. Hillman.

Capt. Archibald H. Sunderland.

Capt. Arthur P. S. Hyde.

###### To be captains.

First Lieut. Augustus Norton.

First Lieut. Thomas J. Cecil.

First Lieut. Ralph C. Harrison.

First Lieut. Francis P. Hardaway.

First Lieut. Clement C. Heth.

First Lieut. John W. Wallis.

First Lieut. Frederic A. Price, jr.

First Lieut. Charles E. Ide.

First Lieut. William D. Frazer.

First Lieut. George F. Moore.

First Lieut. Roy R. Lyon.

First Lieut. Virginus E. Clark.

First Lieut. Thomas I. Steere.

First Lieut. William N. Porter.

First Lieut. Maurice B. Willett.

First Lieut. George L. Van Deusen.

First Lieut. Cary R. Wilson.

First Lieut. John H. Hood.

First Lieut. Richard S. Dodson.

First Lieut. Christopher D. Peirce.

First Lieut. Philip M. Ljungstedt.

First Lieut. Joseph F. Cottrell.

First Lieut. Edward L. Dyer.

First Lieut. Wallace L. Clay.

First Lieut. Walter L. Clark.

First Lieut. Simon W. Sperry.

First Lieut. Daniel N. Swan, jr.

First Lieut. Charles M. Steese.

First Lieut. Harry W. Stovall.

First Lieut. Fenelon Cannon.

First Lieut. Richard F. Cox.

First Lieut. John P. McCaskey, jr.

First Lieut. Edward S. Harrison.

First Lieut. Harry T. Pillans.

First Lieut. Reginald B. Cocroft.

First Lieut. Kenneth B. Harmon.

First Lieut. Elmore B. Gray.

First Lieut. Herbert O'Leary.

First Lieut. Willard K. Richards.

First Lieut. Frank Drake.

First Lieut. Meade Wildrick.

First Lieut. Frederick A. Holmer.

First Lieut. Fred Seydel.

First Lieut. Charles A. Chapman.

First Lieut. Charles Hines.

First Lieut. Walter K. Dunn.

First Lieut. Allen R. Edwards.

First Lieut. John T. H. O'Rear.

First Lieut. Ralph E. Haines.

First Lieut. Thomas H. Jones.

First Lieut. Laurence Watts.

First Lieut. Henry N. Sumner.

First Lieut. Edward Roth, jr.

First Lieut. George W. Easterday.

First Lieut. George B. Gorham.

First Lieut. Charles N. Wilson.

First Lieut. Austin G. Frick.

First Lieut. Sydney S. Winslow.

First Lieut. Wilmot A. Danielson.

First Lieut. Francis J. Torney.

First Lieut. Edgar B. Colladay.

First Lieut. Frederick R. Garcin.

First Lieut. Douglas C. Cordiner.

First Lieut. Julian S. Hatcher.

First Lieut. Ralph W. Wilson.

First Lieut. Fred M. Green.

First Lieut. Delmar S. Lenzner.

First Lieut. Roland W. Pinger.

First Lieut. Donald Armstrong.

First Lieut. Franklin Babcock.

First Lieut. Hermann H. Zornib.

First Lieut. Gladeon M. Barnes.

First Lieut. Earl J. W. Ragsdale.

First Lieut. Raycroft Walsh.

First Lieut. Harvey C. Allen.

First Lieut. Edward B. Dennis.

First Lieut. Roger B. Colton.

First Lieut. Oliver L. Spiller.

First Lieut. Ruskin P. Hall.

First Lieut. Walter W. Vautsmeier.

First Lieut. John E. Sloan.

First Lieut. William B. Hardigg.

First Lieut. Charles A. Schimelfenig.

First Lieut. Charles R. Baxter.

First Lieut. Harold F. Nichols.

First Lieut. Franklin Kemble.

First Lieut. John G. Booton.

First Lieut. James B. Crawford.

First Lieut. Robert W. Clark, jr.

First Lieut. John L. Homer.

First Lieut. Robert C. Gildart.  
 First Lieut. George D. Holland.  
 First Lieut. Douglas B. Netherwood.  
 First Lieut. Arnold Heinrich.  
 First Lieut. Roy T. Cunningham.  
 First Lieut. Felix E. Gross.  
 First Lieut. William T. Boyd, jr.  
 First Lieut. Lawrence A. McLaughlin.  
 First Lieut. George R. Meyer.  
 First Lieut. Homer A. Bagg.  
 First Lieut. Andrew L. Pendleton, jr.  
 First Lieut. Cherubusco Newton, jr.  
 First Lieut. Walter Smith.  
 First Lieut. Hugh J. Knerr.  
 First Lieut. George F. Humbert.  
 First Lieut. Arthur W. Ford.  
 First Lieut. Reuben N. Perley.  
 First Lieut. Joseph R. Cygon.  
 First Lieut. John H. Birdsall.  
 First Lieut. Levin H. Campbell, jr.  
 First Lieut. Harold De F. Burdick.  
 First Lieut. John A. Baird.  
 First Lieut. Phillip G. Blackmore.  
 First Lieut. Henry C. Davis, jr.  
 First Lieut. Benjamin N. Booth.  
 First Lieut. George I. Thatcher.  
 First Lieut. Edwin F. Silkman.  
 First Lieut. Octave De Carré.  
 First Lieut. Claude M. Thiele.  
 First Lieut. Cedric M. S. Skene.  
 First Lieut. Edward Montgomery.  
 First Lieut. Robert Edes Kimball.  
 First Lieut. Shepler W. FitzGerald.  
 First Lieut. Leigh F. J. Zerbee.  
 First Lieut. Carleton U. Edwards.  
 First Lieut. Coleman W. Jenkins.  
 First Lieut. Wilmer T. Scott.  
 First Lieut. Herbert E. Ellis.  
 First Lieut. Randolph T. Pendleton.  
 First Lieut. Stewart W. Stanley.  
 First Lieut. Kenneth T. Blood.  
 First Lieut. Roy S. Atwood.  
 First Lieut. Samuel F. Hawkins.  
 First Lieut. Jesse L. Sinclair.  
 First Lieut. Oscar Krupp.  
 First Lieut. Charles Thomas-Stahle.  
 First Lieut. Charles M. Wood.  
 First Lieut. Edwin J. O'Hara.  
 First Lieut. Alden G. Strong.  
 First Lieut. Rudolf W. Riefkohl.  
 First Lieut. John P. Leavenworth.  
 First Lieut. Alexander C. Sullivan.  
 First Lieut. Harold B. Sampson.  
 First Lieut. Clarence L. Gilbert.  
 First Lieut. Arthur E. Rowland.  
 First Lieut. Lee R. Watrous, jr.  
 First Lieut. Joseph D. Brown.  
 First Lieut. Spencer B. Lane.  
 First Lieut. Leslie MacDill.  
 First Lieut. Charles A. French.  
 First Lieut. John A. Hoag.  
 First Lieut. Oscar A. Eastwood.  
 First Lieut. Earl H. Metzger.  
 First Lieut. Lee O. Wright.  
 First Lieut. Lewis A. Nickerson.  
 First Lieut. Phillip R. Faymonville.  
 First Lieut. John S. Wood.  
 First Lieut. Robert H. Lee.  
 First Lieut. David McL. Crawford.  
 First Lieut. Oscar J. Gatchell.  
 First Lieut. Cris M. Burlingame.  
 First Lieut. Raymond V. Cramer.  
 First Lieut. Sidney P. Spalding.  
 First Lieut. Leonard L. Barrett.  
 First Lieut. Stephen H. MacGregor.  
 First Lieut. James Kirk.  
 First Lieut. James H. Johnson.  
 First Lieut. John H. Lindt.  
 First Lieut. Bird S. DuBois.  
 First Lieut. Cyril A. Phelan.  
 First Lieut. Harry W. Stark.  
 First Lieut. Stiles M. Decker.  
 First Lieut. Raymond G. Payne.  
 First Lieut. Archie S. Buyers.  
 First Lieut. William A. Borden.  
 First Lieut. Edwin B. Spiller.

## CAVALRY ARM.

Capt. Grayson V. Heidt, retired, with his present date of rank.

*To be colonels.*

Lieut. Col. George T. Langhorne.  
 Lieut. Col. Charles Young.

*To be lieutenant colonels.*

Maj. Cornelius C. Smith.  
 Maj. Howard R. Hickok.  
 Maj. Samuel B. Arnold.  
 Maj. Samuel McP. Rutherford.  
 Maj. George W. Kirkpatrick.  
 Maj. Cornelius C. Smith.  
 Maj. Joseph E. Cusack.  
 Maj. Walter M. Whitman.  
 Maj. Lincoln C. Andrews.  
 Maj. William R. Smedberg, jr.  
 Maj. John M. Morgan.  
 Maj. Andrew E. Williams.  
 Maj. Walter C. Babcock.  
 Maj. Herbert B. Crosby.

*To be majors.*

Capt. Guy S. Norvell.  
 Capt. Paul T. Hayne, jr.  
 Capt. Fred E. Buchan.  
 Capt. Edward A. Sturges.  
 Capt. William L. Luhn.  
 Capt. Hu B. Myers.  
 Capt. Henry R. Richmond.  
 Capt. John J. Ryan.  
 Capt. Osmun Latrobe, jr.  
 Capt. William M. Connell.  
 Capt. Theodore B. Taylor.  
 Capt. James Longstreet.  
 Capt. Theodore Schultz.

*To be captains.*

First Lieut. Richard E. Cummins.  
 First Lieut. Alexander L. James, jr.  
 First Lieut. Robert C. Rogers.  
 First Lieut. Phillip Gordon.  
 First Lieut. Horace M. Hickam.  
 First Lieut. Homer M. Groninger.  
 First Lieut. Stewart O. Elting.  
 First Lieut. John K. Brown.  
 First Lieut. Richard D. Newman.  
 First Lieut. William H. Garrison, jr.  
 First Lieut. Sumner M. Williams.  
 First Lieut. Henry W. Hall.  
 First Lieut. Edwin V. Sumner, jr.  
 First Lieut. Arthur E. Wilbourn.  
 First Lieut. Ernest G. Cullum.  
 First Lieut. William W. Erwin.  
 First Lieut. Herbert H. White.  
 First Lieut. Chauncey St. C. McNeill.  
 First Lieut. Frank K. Ross.  
 First Lieut. Herman Kobbé.  
 First Lieut. John A. Warden.  
 First Lieut. John B. Johnson.  
 First Lieut. Victor M. Whitside.  
 First Lieut. Harold L. Gardiner.  
 First Lieut. Claude De B. Hunt.  
 First Lieut. N. Butler Briscoe.  
 First Lieut. Elbert E. Farman, jr.  
 First Lieut. George S. Patton, jr.  
 First Lieut. Cuthbert P. Stearns.  
 First Lieut. James R. Hill.  
 First Lieut. Thomas De W. Milling.  
 First Lieut. Henry D. F. Munnikhuysen.  
 First Lieut. Archibald T. Colley.  
 First Lieut. Hugh H. McGee.  
 First Lieut. Carleton G. Chapman.  
 First Lieut. Joseph Plassmeyer.  
 First Lieut. Chester P. Mills.  
 First Lieut. Edwin R. Van Deusen.  
 First Lieut. Francis R. Hunter.  
 First Lieut. Guy W. McClelland.  
 First Lieut. John C. F. Tillson, jr.  
 First Lieut. Paul C. Raborg.  
 First Lieut. Edgar W. Taulbee.  
 First Lieut. Dwight K. Shurtleff.  
 First Lieut. Harry D. Chamberlin.  
 First Lieut. John J. Waterman.  
 First Lieut. John Millikin.



First Lieut. Jack W. Heard.  
 First Lieut. Charles M. Haverkamp.  
 First Lieut. Guy W. Chipman.  
 First Lieut. Edgar W. Burr.  
 First Lieut. Don A. Robenson.  
 First Lieut. Joseph P. Aleshire.  
 First Lieut. Harding Polk.  
 First Lieut. Claude K. Rhinehardt.  
 First Lieut. Everett Collins.  
 First Lieut. Leon M. Logan.  
 First Lieut. Cushman Hartwell.  
 First Lieut. Horace T. Aplington.  
 First Lieut. Alexander D. Surlis.  
 First Lieut. Phillip J. Kieffer.  
 First Lieut. Karl S. Bradford.  
 First Lieut. Frederick Gilbreath.  
 First Lieut. Harrison H. C. Richards.  
 First Lieut. Arthur B. Conard.  
 First Lieut. John P. Lucas.  
 First Lieut. Wilfrid M. Blunt.  
 First Lieut. James C. R. Schwenk.  
 First Lieut. William P. J. O'Neill.  
 First Lieut. Thomas J. J. Christian.  
 First Lieut. Frank L. Van Horn.  
 First Lieut. Howell M. Estes.  
 First Lieut. William B. McLaurin.  
 First Lieut. John F. Wall.  
 First Lieut. Leo G. Heffernan.  
 First Lieut. Edwin N. Hardy.  
 First Lieut. George H. Brett.  
 First Lieut. Robert C. Brady.  
 First Lieut. Herbert E. Taylor.  
 First Lieut. William M. Grimes.  
 First Lieut. Henry J. M. Smith.  
 First Lieut. Malcolm Wheeler-Nicholson.  
 First Lieut. Alexander R. Cocke.  
 First Lieut. Alexander L. P. Johnson.  
 First Lieut. Dexter C. Rumsey.  
 First Lieut. Henry L. C. Jones.  
 First Lieut. Edwin O'Connor.  
 First Lieut. Eugene A. Lohman.  
 First Lieut. Kenneth P. Lord.  
 First Lieut. Harold C. Lutz.  
 First Lieut. John M. Thompson.  
 First Lieut. Daniel E. Murphy.  
 First Lieut. Kenna G. Eastham.  
 First Lieut. James P. Yancey.  
 First Lieut. Leopold J. H. Herwig.  
 First Lieut. Raymond E. McQuillin.  
 First Lieut. De Forest W. Morton.  
 First Lieut. Francis C. V. Crowley.  
 First Lieut. George E. A. Reinburg.  
 First Lieut. William H. W. Youngs.  
 First Lieut. Robert McG. Littlejohn.  
 First Lieut. Harry A. Flint.  
 First Lieut. Pearl L. Thomas.  
 First Lieut. Sidney V. Bingham.

## CORPS OF ENGINEERS.

Lieut. Col. William W. Harts to be colonel.  
 Maj. William Kelly to be lieutenant colonel.  
 Capt. Virgil L. Peterson to be major.

*To be captains.*

First Lieut. Ernest L. Osborne.  
 First Lieut. Harold W. Sibert.  
 First Lieut. Howard G. Borden.  
 First Lieut. Thomas F. Farrell.  
 First Lieut. Kenneth S. Jones.  
 First Lieut. Harris Jones.  
 First Lieut. Francis L. Palmer.  
 First Lieut. William F. Heavey.  
 First Lieut. Harold R. Richards.  
 First Lieut. John J. F. Steiner.  
 First Lieut. Daniel Noce.  
 First Lieut. Willis E. Teale.  
 First Lieut. Clark Kittrell.  
 First Lieut. Samuel R. Irwin.  
 First Lieut. Henry Hutchings, jr.

## INFANTRY ARM.

*To be lieutenant colonels.*

Maj. Paul B. Malone.  
 Maj. S. J. Bayard Schindel.  
 Capt. Joseph W. Beacham, jr.

*To be majors.*

Capt. Francis J. McConnell.  
 Capt. Robert H. Wescott.  
 Capt. Paul Hurst.  
 Capt. Allen Parker.  
 Capt. Allen Smith, jr.  
 Capt. John B. Sanford.

*To be captains.*

First Lieut. Jeus A. Doe.  
 First Lieut. Lester L. Lampert.  
 First Lieut. John W. Hyatt.  
 First Lieut. Parley D. Parkinson.  
 First Lieut. Charles W. Ryder.  
 First Lieut. Joseph T. McNarney.  
 First Lieut. Omar N. Bradley.  
 First Lieut. Paul J. Mueller.  
 First Lieut. Leland S. Hobbs.  
 First Lieut. Charles C. Benedict.  
 First Lieut. Vernon Evans.  
 First Lieut. Roscoe B. Woodruff.  
 First Lieut. Lewis C. Davidson.  
 First Lieut. Dwight D. Eisenhower.  
 First Lieut. Harold W. James.  
 First Lieut. James B. Ord.  
 First Lieut. John E. Rossell.  
 First Lieut. Whitten J. East.  
 First Lieut. Sidney C. Graves.  
 First Lieut. Jo H. Reaney.  
 First Lieut. John W. Leonard.  
 First Lieut. John A. McDermott.  
 First Lieut. Clyde R. Eisenschmidt.  
 First Lieut. James A. Van Fleet.  
 First Lieut. Louis A. Merillat, jr.  
 First Lieut. Edward G. Sherburne.  
 First Lieut. Michael F. Davis.  
 First Lieut. Luis R. Esteves.  
 First Lieut. Stuart C. MacDonald.  
 First Lieut. Metcalfe Reed.  
 First Lieut. Benjamin G. Ferris.  
 First Lieut. Charles S. Ritchell.  
 First Lieut. Thomas G. Hearn.  
 First Lieut. Donald Henley.  
 First Lieut. Alfred S. Balsam.  
 First Lieut. George Pulsifer, jr.  
 First Lieut. Otto A. B. Hooper.  
 First Lieut. Howard Donnelly.  
 First Lieut. John N. Robinson.  
 First Lieut. Tom Fox.  
 First Lieut. Thomas J. Hanley, jr.  
 First Lieut. Jacob J. Gerhardt.  
 First Lieut. Vernon E. Prichard.  
 First Lieut. Robert B. Lorch.  
 First Lieut. Adlai H. Gilkeson.  
 First Lieut. Gilbert S. Brownell.  
 First Lieut. Richard C. Stickney.  
 First Lieut. Phillip K. McNair.  
 First Lieut. Jesse B. Hunt.  
 First Lieut. John B. Duckstad.  
 First Lieut. John R. Mendenhall.  
 First Lieut. Norman Randolph.  
 First Lieut. Joseph M. Murphy.  
 First Lieut. George E. Stratemeyer.  
 First Lieut. Leroy H. Watson.  
 First Lieut. Henry H. Dabney.  
 First Lieut. John H. C. Williams.  
 First Lieut. Oscar A. Straub.  
 First Lieut. John Keliher.  
 First Lieut. Benjamin W. Mills.  
 First Lieut. Thomas F. Taylor.  
 First Lieut. Marshall H. Quesenberry.  
 First Lieut. Robert L. Williams.  
 First Lieut. Charles C. Herrick.  
 First Lieut. Latham L. Brundred.  
 First Lieut. Leslie T. Saul.  
 First Lieut. Charles A. Bayler, jr.  
 First Lieut. Fred B. Inglis.  
 First Lieut. Richard P. Kuhn.  
 First Lieut. John A. Street.  
 First Lieut. Sidney Herkness.  
 First Lieut. William E. Chambers.  
 First Lieut. Warner W. Carr.  
 First Lieut. Thomas L. Martin.  
 First Lieut. Geoffrey P. Baldwin.  
 First Lieut. John-B. Bennet.

First Lieut. Kenneth M. Halpine.  
 First Lieut. William R. Wilson.  
 First Lieut. R. Potter Campbell.  
 First Lieut. Richard C. Birmingham.  
 First Lieut. Felix R. McLean.  
 First Lieut. John E. Martin.  
 First Lieut. Paul B. Parker.  
 First Lieut. William E. Morehouse, jr.  
 First Lieut. Joseph H. Grant.  
 First Lieut. Arthur M. Ellis.  
 First Lieut. Maurice L. Miller.  
 First Lieut. Abram V. Rinearson, jr.  
 First Lieut. Benjamin A. Yancey.  
 First Lieut. George J. Newgarden, jr.  
 First Lieut. John D. Miley.  
 First Lieut. William E. Coffin, jr.  
 First Lieut. Spencer A. Merrell.  
 First Lieut. Robert K. Whitson.  
 First Lieut. Otto F. Lange.  
 First Lieut. Harlan L. Mumma.  
 First Lieut. George H. Blankenship.  
 First Lieut. Alexander M. Weyand.  
 First Lieut. Walter D. Mangan.  
 First Lieut. Elon A. Abernethy.  
 First Lieut. Nelson B. Russell.  
 First Lieut. Henry P. Blanks.  
 First Lieut. Bartlett James.

*To be first lieutenants.*

Second Lieut. Francis E. Dougherty.  
 Second Lieut. Lyman L. Parks.  
 Second Lieut. John T. Murray.  
 Second Lieut. Warfield M. Lewis.  
 Second Lieut. Joseph L. Collins.  
 Second Lieut. James O. Green, jr.  
 Second Lieut. Daves Rossell.  
 Second Lieut. Harold McC. White.  
 Second Lieut. Lincoln F. Daniels.  
 Second Lieut. Frederick A. Irving.  
 Second Lieut. Matthew B. Ridgway.  
 Second Lieut. Richard M. Wightman.  
 Second Lieut. Charles W. Yuill.  
 Second Lieut. William W. Eagles.  
 Second Lieut. Francis A. Markoe.  
 Second Lieut. John J. McEwan.  
 Second Lieut. John A. Stewart.  
 Second Lieut. George W. Sackett.  
 Second Lieut. Francis G. Bonham.  
 Second Lieut. Norman D. Cota.  
 Second Lieut. Robert B. Ransom.  
 Second Lieut. Carleton Coulter, jr.  
 Second Lieut. James H. Frier, jr.  
 Second Lieut. Leo J. Erler.  
 Second Lieut. Robert D. Newton.  
 Second Lieut. Willis R. Slaughter.  
 Second Lieut. George H. Weems.  
 Second Lieut. Roy L. Bowlin.  
 Second Lieut. William C. McMahon.  
 Second Lieut. William M. Brennan.  
 Second Lieut. Milton B. Halsey.  
 Second Lieut. Charles L. Mullins, jr.  
 Second Lieut. Thomas S. Sinkler, jr.  
 Second Lieut. George F. Wooley, jr.  
 Second Lieut. Sterling A. Wood, jr.  
 Second Lieut. William F. Redfield.  
 Second Lieut. Mark W. Clark.  
 Second Lieut. Stewart W. Hoover.  
 Second Lieut. David S. Rumbough.  
 Second Lieut. Francis J. Heraty.  
 Second Lieut. Donovan Swanton.  
 Second Lieut. Francis A. Macon, jr.  
 Second Lieut. Laurence B. Keiser.  
 Second Lieut. Homer C. Brown.  
 Second Lieut. Clare H. Armstrong.  
 Second Lieut. Harris M. Melasky.  
 Second Lieut. Sidney H. Young.  
 Second Lieut. John C. Whitcomb.  
 Second Lieut. Wallace J. Redner.  
 Second Lieut. Charles D. Lewis.  
 Second Lieut. Edward W. Leonard.  
 Second Lieut. Paul H. Brown.  
 Second Lieut. William S. Eley.  
 Second Lieut. Paul W. York.  
 Second Lieut. Ferdinand G. von Kummer, jr.  
 Second Lieut. Joseph P. Sullivan.

Second Lieut. Henry H. Chapman.  
 Second Lieut. Asa P. Pope.  
 Second Lieut. Edwin H. Clark.  
 Second Lieut. Lewis Perrine.  
 Second Lieut. Clarke K. Fales.  
 Second Lieut. John A. Weishampel.  
 Second Lieut. Malcolm B. Helm.

## FIELD ARTILLERY ARM.

*To be major.*

Capt. William F. Morrison.

*To be captains.*

First Lieut. Donald M. Beere.  
 First Lieut. Herman Erlenkotter.  
 First Lieut. Claude B. Thummel.  
 First Lieut. Edwin M. Watson.  
 First Lieut. Harold E. Miner.  
 First Lieut. Joseph A. Rogers.  
 First Lieut. Charles T. Griffith.  
 First Lieut. Jacob L. Devers.  
 First Lieut. Lucien H. Taliaferro.  
 First Lieut. Harold H. Bateman.  
 First Lieut. Frank A. Turner.  
 First Lieut. George G. Seaman.  
 First Lieut. Charles C. Reynolds.  
 First Lieut. George S. Gay.  
 First Lieut. Fred C. Wallace.  
 First Lieut. Philip Hayes.  
 First Lieut. Franz A. Doniat.  
 First Lieut. Carl A. Baehr.  
 First Lieut. John M. McDowell.  
 First Lieut. Raymond E. Lee.  
 First Lieut. Jason McV. Austin.  
 First Lieut. Burton O. Lewis.  
 First Lieut. Herbert R. Odell.  
 First Lieut. Clyde A. Selleck.  
 First Lieut. Ernest J. Dawley.  
 First Lieut. Louie A. Beard.  
 First Lieut. Ivens Jones.  
 First Lieut. William A. Pendleton, jr.  
 First Lieut. Robert C. F. Goetz.  
 First Lieut. Bernard R. Peyton.  
 First Lieut. John Magruder.  
 First Lieut. Whitmon R. Conolly.  
 First Lieut. E. Francis Riggs.  
 First Lieut. Curtis H. Nance.  
 First Lieut. Freeman W. Bowley.  
 First Lieut. Gustav H. Franke.  
 First Lieut. John C. Beatty.  
 First Lieut. Hubert G. Stanton.  
 First Lieut. John E. Hatch.  
 First Lieut. Charles A. Walker, jr.  
 First Lieut. Bethel W. Simpson.  
 First Lieut. Neil G. Finch.  
 First Lieut. William E. Larned.  
 First Lieut. Charles L. Byrne.  
 First Lieut. Roscoe C. Batson.  
 First Lieut. Alvan C. Sandeford.  
 First Lieut. Ira T. Wyche.  
 First Lieut. Harvey M. Hobbs.  
 First Lieut. Joseph Andrews.  
 First Lieut. Thomas G. M. Oliphant.  
 First Lieut. Mert Proctor.  
 First Lieut. William J. Wrona.  
 First Lieut. Lewis H. Brereton.  
 First Lieut. Vincent P. Erwin.  
 First Lieut. Frank Bloom.  
 First Lieut. Vincent Meyer.  
 First Lieut. Edward H. Hicks.  
 First Lieut. Norman P. Morrow.  
 First Lieut. Lloyd E. Jones.  
 First Lieut. Newton N. Polk.  
 First Lieut. Edward A. Millar, jr.  
 First Lieut. Clyde J. McConkey.  
 First Lieut. Follette Bradley.  
 First Lieut. Jonathan W. Anderson.  
 First Lieut. Robert S. Oberly.  
 First Lieut. Leon R. Cole.  
 First Lieut. Paul L. Ferron.  
 First Lieut. Percy Deshon.  
 First Lieut. Julian F. Barnes.  
 First Lieut. Harold C. Vanderveer.  
 First Lieut. Clift Andrus.  
 First Lieut. George E. Arnemann.  
 First Lieut. Clarence D. Lang.

First Lieut. Russell L. Maxwell.  
 First Lieut. Charles J. Browne.  
 First Lieut. John N. Hauser.  
 First Lieut. Karl C. Greenwald.  
 First Lieut. Richard E. Anderson.  
 First Lieut. James A. Gillespie.  
 First Lieut. Wesley M. Bailey.  
 First Lieut. Isaac Spalding.  
 First Lieut. Harry J. Malony.  
 First Lieut. Robert F. Hyatt.  
 First Lieut. Archibald V. Arnold.  
 First Lieut. Earl B. Hochwalt.  
 First Lieut. John D. von Holtzendorff.  
 First Lieut. Walter F. Winton.  
 First Lieut. Francis T. Armstrong.  
 First Lieut. Hamilton Templeton.  
 First Lieut. Bertram Frankenberger.  
 First Lieut. Raymond B. Austin.  
 First Lieut. Joseph O. Daly.  
 First Lieut. Edwin P. Parker, jr.  
 First Lieut. John M. Eager.  
 First Lieut. William R. Gruber.  
 First Lieut. Richard C. Scott.  
 First Lieut. Howard Eager.  
 First Lieut. William C. Young.  
 First Lieut. William C. Crane, jr.  
 First Lieut. Carlos Brewer.  
 First Lieut. David E. Cain.  
 First Lieut. John E. McMahon, jr.  
 First Lieut. Eugene T. Spencer.  
 First Lieut. Falkner Heard.  
 First Lieut. Herbert S. Clarkson.  
 First Lieut. Louis A. Craig.  
 First Lieut. Charles G. Helmick.  
 First Lieut. Ernst Sedlacek.  
 First Lieut. Philip L. Thurber.  
 First Lieut. William C. Houghton.  
 First Lieut. John C. Wyeth.  
 First Lieut. Arthur R. Harris.  
 First Lieut. John G. Burr.  
 First Lieut. John B. Anderson.  
 First Lieut. William E. Burr.  
 First Lieut. James A. Lester.  
 First Lieut. Herman Beukema.  
 First Lieut. Herbert S. Struble.  
 First Lieut. Francis J. Dunigan.  
 First Lieut. Edwin A. Zundel.  
 First Lieut. Clinton W. Howard.  
 First Lieut. Charles M. Busbee.  
 First Lieut. Albert W. Waldron.  
 First Lieut. John H. Wallace.  
 First Lieut. Raymond Marsh.  
 First Lieut. Joseph M. Swing.  
 First Lieut. Stanley E. Reinhart.  
 First Lieut. Dean Hudnutt.  
 First Lieut. Louis E. Hibbs.  
 First Lieut. Jesse F. Tarpley, jr.  
 First Lieut. Horace L. McBride.  
 First Lieut. Hamilton E. Maguire.  
 First Lieut. Ray C. Rutherford.  
 First Lieut. William R. Woodward.  
 First Lieut. Alfred K. King.  
 First Lieut. Henry C. Jones.

## MEDICAL CORPS.

*To be colonels.*

Lieut. Col. Henry D. Snyder.  
 Lieut. Col. Allen M. Smith.  
 Lieut. Col. Joseph T. Clarke.  
 Lieut. Col. Merritte W. Ireland.  
 Lieut. Col. Henry C. Fisher.  
 Lieut. Col. Henry A. Shaw.  
 Lieut. Col. Francis A. Winter.  
 Lieut. Col. Champe C. McCulloch, jr.  
 Lieut. Col. Frederick P. Reynolds.  
 Lieut. Col. Paul F. Straub.  
 Lieut. Col. Alexander N. Stark.  
 Lieut. Col. Charles Lynch.  
 Lieut. Col. Edward L. Munson.  
 Lieut. Col. James M. Kennedy.  
 Lieut. Col. Deane C. Howard.  
 Lieut. Col. William H. Wilson.  
 Lieut. Col. William F. Lewis.  
 Lieut. Col. Thomas S. Bratton.  
 Lieut. Col. Thomas J. Kirkpatrick.

Lieut. Col. Irving W. Rand.  
 Lieut. Col. Powell C. Fauntleroy.  
 Lieut. Col. James S. Wilson.  
 Lieut. Col. Basil H. Dutcher.  
 Lieut. Col. Leigh A. Fuller.  
 Lieut. Col. George A. Skinner.  
 Lieut. Col. Carl R. Darnall.  
 Lieut. Col. Henry Page.  
 Lieut. Col. Bailey K. Ashford.  
 Lieut. Col. Henry A. Webber.  
 Lieut. Col. Jere B. Clayton.  
 Lieut. Col. Weston P. Chamberlain.  
 Lieut. Col. Edward R. Schreiner.  
 Lieut. Col. Frederick M. Hartsock.  
 Lieut. Col. Douglas F. Duval.  
 Lieut. Col. Clarence J. Manly.

*To be lieutenant colonels.*

Maj. David Baker.  
 Maj. Albert E. Truby.  
 Maj. James R. Church.  
 Maj. Joseph H. Ford.  
 Maj. Percy M. Ashburn.  
 Maj. Elmer A. Dean.  
 Maj. Francis M. C. Usher.  
 Maj. Willard F. Truby.  
 Maj. Frederick F. Russell.  
 Maj. Edwin P. Wolfe.  
 Maj. Henry S. Greenleaf.  
 Maj. Louis T. Hess.  
 Maj. Christopher C. Collins.  
 Maj. Benjamin J. Edger, jr.  
 Maj. Samuel M. Waterhouse.  
 Maj. Eugene H. Hartnett.  
 Maj. Clyde S. Ford.  
 Maj. Charles E. Marrow.  
 Maj. M. A. W. Shockley.  
 Maj. Theodore C. Lyster.  
 Maj. Sanford H. Wadhams.  
 Maj. Chandler P. Robbins.  
 Maj. Thomas L. Rhoads.  
 Maj. Harry L. Gilchrist.  
 Maj. William J. L. Lyster.  
 Maj. Elbert E. Persons.  
 Maj. William N. Bispham.  
 Maj. Edward F. Geddings.  
 Maj. Arthur W. Morse.  
 Maj. Frank C. Baker.  
 Maj. Charles R. Reynolds.  
 Maj. Paul C. Hutton.  
 Maj. Frederick A. Dale.  
 Maj. Jay Ralph Shook.  
 Maj. William E. Vose.  
 Maj. Frank T. Woodbury.  
 Maj. Henry H. Rutherford.  
 Maj. Ernest L. Ruffner.  
 Maj. Eugene R. Whitmore.  
 Maj. Patrick H. McAndrew.  
 Maj. Charles Y. Brownlee.  
 Maj. John A. Murtagh.  
 Maj. George M. Ekwurzel.  
 Maj. Gideon McD. Van Poole.  
 Maj. William W. Reno.  
 Maj. Carroll D. Buck.  
 Maj. George H. R. Gosman.  
 Maj. Conrad E. Koerper.  
 Maj. John H. Allen.  
 Maj. Robert U. Patterson.  
 Maj. Robert E. Noble.  
 Maj. James W. Van Dusen.  
 Maj. Roger Brooke.  
 Maj. Wallace De Witt.  
 Maj. Robert M. Thornburgh.  
 Maj. Robert B. Grubbs.  
 Maj. Matthew A. De Laney.  
 Maj. Horace D. Bloombergh.  
 Maj. Paul S. Halloran.  
 Maj. Kent Nelson.  
 Maj. Peter C. Field.  
 Maj. Herbert G. Shaw.  
 Maj. Louis Brechemin, jr.  
 Maj. Clement C. Whitcomb.  
 Maj. Wilson T. Davidson.  
 Maj. Cosam J. Bartlett.  
 Maj. Reuben B. Miller.  
 Maj. Charles A. Ragan.

Maj. William R. Eastman.  
 Maj. James F. Hall.  
 Maj. Raymond F. Metcalfe.  
 Maj. Edwin W. Rich.  
 Maj. Perry L. Boyer.  
 Maj. James M. Phalen.  
 Maj. James L. Bevans.  
 Maj. William L. Little.  
 Maj. Allie W. Williams.  
 Maj. John L. Shepard.  
 Maj. William L. Keller.  
 Maj. Charles C. Billingslea.  
 Maj. William H. Moncrief.  
 Maj. Nelson Gapen.  
 Maj. Charles F. Morse.  
 Maj. Haywood S. Hansell.  
 Maj. Junius C. Gregory.  
 Maj. Clarence H. Connor.  
 Maj. Jay W. Grissinger.  
 Maj. Will L. Pyles.  
 Maj. William M. Smart.  
 Maj. Robert M. Blanchard.  
 Maj. Samuel M. De Loffre.  
 Maj. Louis C. Duncan.  
 Maj. Edward M. Talbott.  
 Maj. John A. Clark.  
 Maj. Samuel J. Morris.  
 Maj. Jacob M. Coffin.  
 Maj. John W. Hanner.  
 Maj. Levy M. Hathaway.  
 Maj. Alexander Murray.  
 Maj. Phillip W. Huntington.  
 Maj. James D. Fife.  
 Maj. William A. Powell.  
 Maj. George H. Scott.  
 Maj. Robert L. Carswell.  
 Maj. Charles F. Craig.  
 Maj. William P. Banta.  
 Maj. Robert H. Pierson.  
 Maj. James I. Mabee.  
 Maj. George P. Peed.  
 Maj. Ralph S. Porter.  
 Maj. Henry D. Thomason.  
 Maj. Percy L. Jones.  
 Maj. Fred W. Palmer.  
 Maj. Edward B. Vedder.

*To be major.*

Capt. Ray W. Bryan.  
 Capt. William H. Richardson.  
 Capt. William K. Bartlett.  
 Capt. John R. Barber.  
 Capt. Joseph A. Worthington.  
 Capt. Mahlon Ashford.  
 Capt. Edward G. Huber.  
 Capt. John S. Lambie, jr.  
 Capt. Arthur N. Tasker.  
 Capt. Howard McC. Snyder.  
 Capt. Calvin D. Cowles, jr.  
 Capt. Garfield L. McKinney.  
 Capt. Hiram A. Phillips.  
 Capt. William L. Hart.  
 Capt. Henry C. Coburn, jr.  
 Capt. Arnold D. Tuttle.  
 Capt. William R. Dear.  
 Capt. Charles E. Doerr.  
 Capt. Daniel P. Card.  
 Capt. Ralph H. Golithwaite.  
 Capt. Edgar W. Miller.  
 Capt. Frederick S. Wright.  
 Capt. Daniel W. Harmon.  
 Capt. James C. Magee.  
 Capt. Corydon G. Snow.  
 Capt. Norman L. McDiarmid.  
 Capt. George H. McLellan.  
 Capt. Alexander D. Parce.  
 Capt. James A. Wilson.  
 Capt. Morrison C. Stayer.  
 Capt. Robert W. Kerr.  
 Capt. Lee R. Dunbar.  
 Capt. Leon C. Garcia.  
 Capt. William S. Shields.  
 Capt. Addison D. Davis.  
 Capt. William H. Smith.

Capt. Clarence E. Fronk.  
 Capt. Thomas J. Leary.  
 Capt. Albert S. Bowen.  
 Capt. Ernest R. Gentry.  
 Capt. Roy C. Heflebower.

*To be first lieutenants.*

First Lieut. Frank C. Griffis.  
 First Lieut. Frederick H. Mills.  
 First Lieut. Henry C. Bierbower.  
 First Lieut. Val E. Miltenberger.  
 First Lieut. Edgar F. Haines.

## APPOINTMENT, BY TRANSFER, IN THE ARMY.

## FIELD ARTILLERY ARM.

First Lieut. Ray W. Barker.

## PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

## INFANTRY ARM.

*To be first lieutenants.*

Second Lieut. Kirke B. Everson.  
 Second Lieut. John C. Daly.  
 Second Lieut. Paul E. Peabody.  
 Second Lieut. Albert F. Christensen.  
 Second Lieut. William S. Maxwell.  
 Second Lieut. Ernest H. Burt.  
 Second Lieut. Frederick R. Baker.  
 Second Lieut. James D. Basey.  
 Second Lieut. Ray M. O'Day.  
 Second Lieut. Alan Pendleton.  
 Second Lieut. Merritt E. Olmstead.  
 Second Lieut. Benjamin F. Caffey, jr.  
 Second Lieut. Hadyn P. Mayers.  
 Second Lieut. Rogers M. Wilson.  
 Second Lieut. Henry E. Mosher.  
 Second Lieut. Albin K. Kupfer.  
 Second Lieut. Augustine J. Zerbe.  
 Second Lieut. Frank A. Helleman.  
 Second Lieut. Arthur B. Hutchinson.  
 Second Lieut. Lauritz D. Simonson.  
 Second Lieut. Carl R. Perkins.  
 Second Lieut. Franklin W. Cheney.  
 Second Lieut. George F. Wellage.  
 Second Lieut. Alfred F. Biles, jr.  
 Second Lieut. Charles T. Hearin.  
 Second Lieut. Hugh M. Davis.  
 Second Lieut. John F. Fredin, jr.  
 Second Lieut. James B. Wise, jr.  
 Second Lieut. Harry L. Kimmel.  
 Second Lieut. Clarence M. Culp.  
 Second Lieut. Robert D. Horton.  
 Second Lieut. Charles B. Kehoe.  
 Second Lieut. Philip S. Wood.  
 Second Lieut. Harvey C. Kearney.  
 Second Lieut. Arthur W. Stedman, jr.  
 Second Lieut. Arthur P. Jervy.  
 Second Lieut. Starr S. Eaton.  
 Second Lieut. Oliver F. Holden.  
 Second Lieut. Maurice P. Walker.  
 Second Lieut. Thomas L. Lamoreux.  
 Second Lieut. Daniel N. Murphy.  
 Second Lieut. Adlai C. Young.  
 Second Lieut. Alexander N. Stark, jr.  
 Second Lieut. Clinton I. McClure.  
 Second Lieut. Roy C. L. Graham.  
 Second Lieut. Arthur F. J. Holben.  
 Second Lieut. Lloyd B. Russell.  
 Second Lieut. George R. Barker.  
 Second Lieut. John E. Gough.  
 Second Lieut. Leonard A. Smith.  
 Second Lieut. John W. Thompson.  
 Second Lieut. Philip Overstreet.  
 Second Lieut. Lara P. Good.  
 Second Lieut. George A. McDonald.  
 Second Lieut. George M. Wright, jr.  
 Second Lieut. Archie A. Farmer.  
 Second Lieut. John T. Fisher.  
 Second Lieut. Edwin E. Elliott.  
 Second Lieut. Charles S. Ferrin.  
 Second Lieut. George W. Titus.  
 Second Lieut. Samuel D. Mann.  
 Second Lieut. John C. Adams.  
 Second Lieut. Robert G. Ervin.  
 Second Lieut. Edward L. McKee, jr.  
 Second Lieut. Robert W. Nix, jr.

## PROVISIONAL APPOINTMENTS BY PROMOTION IN THE ARMY.

## INFANTRY ARM.

*To be first lieutenants.*

Second Lieut. Carl J. Lambeth.  
 Second Lieut. William F. Donnelly.  
 Second Lieut. George L. Pepin.  
 Second Lieut. Lloyd N. Keesling.  
 Second Lieut. Lawrence B. Glasgow.  
 Second Lieut. Charles Poterfield, jr.  
 Second Lieut. Beverly G. Chew.  
 Second Lieut. Sevier R. Tupper.  
 Second Lieut. Frank E. Royse.  
 Second Lieut. Lawrence F. Stone.  
 Second Lieut. Irving C. Avery.  
 Second Lieut. Aaron J. Becker.  
 Second Lieut. Wilson M. Spann.  
 Second Lieut. James V. Ware.  
 Second Lieut. Robert W. Brown.  
 Second Lieut. James R. Manning.  
 Second Lieut. Charles L. Steele.  
 Second Lieut. Stuart R. Carswell.  
 Second Lieut. Gilbert S. Harter.  
 Second Lieut. John W. Cotton.  
 Second Lieut. Ralph E. Wallace.  
 Second Lieut. Lawrence W. Fagg.  
 Second Lieut. Maury Mann.  
 Second Lieut. Rupert L. Purdon.  
 Second Lieut. Richard S. Jones.  
 Second Lieut. William C. Hanna.  
 Second Lieut. Leon G. Harer.  
 Second Lieut. Edwin M. Scott.  
 Second Lieut. Paul J. Dowling.  
 Second Lieut. John H. Jones.  
 Second Lieut. Rufus E. Wicker.  
 Second Lieut. Charles L. Briscoe.  
 Second Lieut. Roy O. Wren.  
 Second Lieut. Hermann C. Dempewolf.  
 Second Lieut. Paul I. Jones.  
 Second Lieut. Frank E. Hinton.  
 Second Lieut. Frank P. Tuohy.  
 Second Lieut. John R. Hermann.  
 Second Lieut. Louis T. Roberts.  
 Second Lieut. James M. Palmer.  
 Second Lieut. Ralph A. W. Pearson.  
 Second Lieut. Alfred Millard.  
 Second Lieut. Harry H. Ambs.  
 Second Lieut. William H. Bittenbender.  
 Second Lieut. Raymond H. Bishop.  
 Second Lieut. Henry D. Mitchell.  
 Second Lieut. James A. Summersett, jr.  
 Second Lieut. Hugh C. Gilchrist.  
 Second Lieut. Allen T. Veach.  
 Second Lieut. Sigurd J. Simonsen.  
 Second Lieut. Thomas G. Bond.  
 Second Lieut. John E. Haywood.  
 Second Lieut. Willis H. Hale.  
 Second Lieut. Noe C. Killian.  
 Second Lieut. Lindsay P. Johns.  
 Second Lieut. Walter R. Mann.  
 Second Lieut. Henry W. Lee.  
 Second Lieut. Charles A. Shamotulski.  
 Second Lieut. Sidney F. Mashbir.  
 Second Lieut. William P. Scobey.  
 Second Lieut. William C. Moore.  
 Second Lieut. Albion Smith.  
 Second Lieut. Le Roy Lutes.  
 Second Lieut. Edwin D. Patrick.  
 Second Lieut. Herman F. Kramer.  
 Second Lieut. Clarence P. Evers.  
 Second Lieut. William H. Coacher.  
 Second Lieut. Edward S. Johnston.  
 Second Lieut. John T. Henderson.  
 Second Lieut. Ray P. Harrison.

## APPOINTMENTS IN THE ARMY.

## MEDICAL CORPS.

*To be first lieutenants.*

Walter James Bristow.  
 Elias Earle Cooley.  
 Thomas Dreux Hurley.  
 Emanuel Kline.  
 Josiah Baker Henneberger.  
 Paul Miller Crawford.

George Sawyer Woodard.  
 John Howard Sturgeon.  
 Fred Grey Benton.  
 Abram Lee Van Meter.  
 Alexander Eugene Listoe.  
 Raymond Wright Whittier.  
 Wood Sue Woolford.  
 Herbert Clarence Neblett.  
 Lemam Dow Cruice.  
 Charles Benjamin Kendall.  
 Cadmus James Baker.  
 Francis Emil Gessner.  
 James Walter Bunce.  
 Herbert Lee Quickel.  
 Chester Dye Allen.  
 David English Smith.  
 Leon Alexander Fox.  
 Charles Marion Hunter.  
 Rossner Enders Graham.  
 Joseph Haines Francis.  
 Charles Kettig Berle.  
 George Charles Henry Franklin.  
 William Thomas Weissinger.  
 Samuel McPherson Browne.  
 Frank Lamont Cole.  
 Gerald D. France.  
 Miner Frank Felch.  
 Rowland Daniel Wolfe.  
 Bascom Franklin Morris.  
 Clarke Blance.  
 William Adolphus Foertmeyer.  
 Cornelius Oliver Bailey.  
 Max Rievenack Stockton.

## VETERINARY CORPS.

*To be assistant veterinarians.*

Harold Clarke.  
 Daniel Henry Mallan.  
 Louis Goldman Weisman.  
 Everett Cooper Conant.  
 James Alexander McCallan.  
 Harry John Juzek.  
 George Stutsman.  
 Raymond Le Roy Conklin.  
 William Alexander Aitken.  
 William Henry Dean.  
 Solon B. Renshaw.  
 John von Henry Schantz.  
 Horace Zenas Homer.  
 Joseph Walter Hastings.  
 Owen Howells.  
 Clarence William Mould.  
 Lewis Lathrop Shook.  
 Oscar Edward Gladfelder.  
 Charles Van Wil Morris.  
 Frank Holmes Woodruff.  
 George Philip Bard.  
 John James Connolly.  
 John Dudley Moore.  
 Will Charles Griffin.  
 George Webster Derrick.  
 Calvin Forrest Bennett.  
 Lloyd Clifford Ewen.  
 Charles Oliver Grace.  
 Alfred Gustav Gierke.  
 Edward Michael Curley.  
 Robert Miles Sarde.  
 Nathan Menzo Neate.  
 Joseph Napoleon Graves.  
 James Russell Sperry.  
 Charles Edward Fanslau.  
 Floyd Chauncey Sager.  
 Henry Emil Hess.  
 Robert Payne McComb.  
 Frank Columbus Meisner.  
 William De Vane Faison.  
 Vincent Brown Wright.  
 Curtice Christopher Bourland.  
 Charles Brenton Dunphy.  
 Paul Roberts King.  
 Forest Lee Holycross.  
 Daniel Sommer Robertson.  
 George Leander Richards.  
 Jerry Lewis Ruble.

## CHAPLAIN.

Rev. Francis F. Donnelly, to be chaplain, with the rank of first lieutenant.

## PROMOTIONS IN THE NAVY.

Axel Lindblad to be an ensign.  
Philip A. Caro to be an assistant paymaster.

## POSTMASTERS.

## FLORIDA.

John W. Alvarez, Starke.  
Joseph B. Bower, Rockledge.  
Marcy B. Darnall, Key West.  
Florida E. Gay, Lynn Haven.  
Samuel J. Giles, Carrabelle.  
Crawford I. Henry, Apalachicola.  
W. H. Hoffman, Dunnellon.  
Lewis L. Kenny, Fruitland Park.  
Charles E. Kettle, Hastings.  
George G. Langston, Haines City.  
Edward C. Lewis, Marianna.  
Lula Newton, Winter Garden.  
Elmer J. Roux, Fernandina.  
Bessie Bryan Simpson, Kissimmee.  
Addison L. Smith, Groveland.  
Clarence C. Thullbery, Lake Wales.  
Eva R. Vaughn, Century.  
J. N. Willis, Williston.  
J. A. Williams, Alachua.

## ILLINOIS.

E. F. Bieser, Nashville.  
William B. Davis, Mount Sterling.  
Daniel DuRussell, Trenton.  
E. P. Kimball, Virden.  
C. M. Lewis, Bridgeport.  
F. Marion Martin, Noble.  
George Petertil, Berwyn.  
O. Cammie Seeders, Palestine.  
Porter B. Simcox, Patoka.  
William Twohig, Galesburg.  
Edgar F. Voshall, Pleasant Hill.

## TENNESSEE.

William J. Allen, Wartrace.  
Alvin L. Billbrey, Cumberland City.  
Adam S. Nichols, Dandridge.

## HOUSE OF REPRESENTATIVES.

WEDNESDAY, August 1, 1917.

The House met at 12 o'clock noon.

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

O Lord God, Almighty, creator, upholder, and sustainer of all, rich are the endowments of life, strange are its vicissitudes. We know not how or whither; but we pray for faith to uphold us, light to guide us, and the willingness to do the right, as it is given us to see the right, that we may go about our Father's business this day and all subsequent days in the spirit of the Lord Jesus Christ. Amen.

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

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had insisted upon its amendments to the bill (H. R. 4285) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. FLETCHER, Mr. RANDELL, and Mr. NELSON as the conferees on the part of the Senate.

## ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 2695. An act to authorize the construction, maintenance, and operation of a bridge across Little River, at or near the foot of the gar hole about one-half mile south of the Jonesboro, Lake City & Eastern Railway bridge across Little River, Ark.

## ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

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

H. R. 3331. An act for the protection of desert-land entrymen who enter the military or naval service of the United States in time of war.

## LEAVE OF ABSENCE.

The SPEAKER. The Chair lays before the House the following personal request, which the Clerk will report.

The Clerk read as follows:

JULY 30, 1917.

Hon. CHAMP CLARK,  
Speaker of the House of Representatives.

DEAR MR. SPEAKER: I hereby request an indefinite leave of absence on account of sickness in my family.

Your friend,

CLARENCE F. LEA.

The SPEAKER. Without objection, the request will be granted.

There was no objection.

## ENLISTMENT OF ALIENS.

Mr. EMERSON. Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER. The gentleman from Ohio asks unanimous consent to address the House. Is there objection?

There was no objection.

Mr. EMERSON. Mr. Speaker, I have introduced in the House, the Chamberlain bill to conscript aliens, and at this time I desire to submit a few reasons why this bill should be immediately passed.

In the first place, the alien who comes to this country comes here for the purpose of improving his condition, and if he did not improve it he would not stay, but would return to his native land. He enjoys the privilege of our high wages, the protection of our laws, the freedom of all our institutions, and all the liberties of an American citizen, save only the right to vote. This right is not exercised by many native-born citizens. He owes an obligation to the Government that extends to him this privilege. He owes the Government the obligation to protect it in the hour of danger. If he came here with good intentions he should apply for citizenship and should be willing to protect the Government that gave him an asylum.

It is the unanimous sentiment of every American citizen in this country that if we gain nothing else from this war we should Americanize America.

In New York the registered aliens are over 20 per cent of the registration, in Pennsylvania it is 25 per cent of the registration, in New Jersey it is about 35 per cent of the registration, in Massachusetts it is over 30 per cent of the registration, in Connecticut it is 30 per cent, and in Arizona it is about 40 per cent of the registration. Just think of it, these States have to furnish their quota in accordance with the registration, and the loyal citizen must do the fighting for these aliens, while the alien is sitting around waiting for the loyal American to go to the front and he will take his job. It is up to this Congress to stop this farce, and make Mr. Alien come to the rescue of this country that has been his benefactor and protector.

This country must do something to make these aliens either become American citizens or else after a reasonable time return to their native land.

This registration indicates that this has become a serious problem. We must Americanize these aliens or they will un-Americanize us.

There are in this country 1,275,902 aliens who are not alien enemies, and only 80,538 who registered as alien enemies. Of course, we must consider the treaty rights of these aliens, but I believe we should make it for their interests to become citizens. Under this conscription law we encourage aliens not to become citizens. We place a premium upon noncitizenship and a penalty upon citizenship. I believe, on the other hand, that every alien who enlists in the United States Army should become a citizen when honorably discharged without any other formality. We must encourage aliens to become citizens in every way possible. We could forbid the employment of aliens in certain occupations, and I believe we should do it during this war. There is one thing sure, we must either draft these aliens or else not figure them in making up the quota of the different districts.

The people of this country do not take kindly to the exemption of these aliens, and I want to give you some figures from a few precincts in my own city of Cleveland, Ohio.

Ward 7, precinct E, American 125, alien 379.

Ward 9, precinct H, American 65, alien 262.

Ward 10, precinct A, American 194, alien 431.

Ward 12, precinct E, American 162, alien 313.

Ward 12, precinct F, American 59, alien 272.

Ward 23, precinct A, American 73, alien 342.

Ward 26, precinct H, American 148, alien 333.

These are appalling figures and show the actual conditions. Some of these precincts are 3 to 1 alien, and the American boy