

## HOUSE OF REPRESENTATIVES.

MONDAY, *January 16, 1911.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of Saturday, January 14, 1911, was read and approved.

## APPORTIONMENT OF REPRESENTATIVES.

Mr. CRUMPACKER. Mr. Speaker, I ask unanimous consent to have printed in the RECORD, for the information of the House, two important amendments to the bill for the apportionment of Representatives under the Thirteenth Decennial Census (H. R. 30566) authorized by the Committee on the Census.

The SPEAKER. The gentleman from Indiana asks unanimous consent to print in the RECORD two amendments which are proposed to be made to the bill stated by him, on the consideration of that bill, for the information of the House. Is there objection?

Mr. HARDWICK. I do not want to object—

Mr. MANN. Reserving the right to object, I would like to ask the gentleman if he will not also ask unanimous consent to have those amendments printed in bill form, so that they will be accessible to Members. This is a very important matter.

Mr. CRUMPACKER. I have no objection to incorporating the request of the gentleman from Illinois, that the proposed amendment be also printed in bill form.

The SPEAKER. Is there objection to the request as modified?

There was no objection.

The proposed amendments are as follows:

Strike out section 2 of H. R. 30566 and substitute the following:

"Sec. 2. That if the Territories of Arizona and New Mexico shall become States in the Union before the apportionment of Representatives under the next decennial census, they shall have one Representative each; and if one of such Territories shall so become a State, such State shall have one Representative, which Representative or Representatives shall be in addition to the number 433, as provided in section 1 of this act; and all laws and parts of laws in conflict with this section are to that extent hereby repealed."

Insert after section 2 the following as a new section:

"That as soon as the fourteenth and each subsequent decennial census of the population of the several States, as required by the Constitution, shall have been completed and returned to the Department of Commerce and Labor, it shall be the duty of the Secretary of said department to ascertain the aggregate population of all the States and of each State separately, excluding Indians not taxed, which aggregate population he shall divide by the number 430, and the product of such division, excluding any fraction of a unit that may happen to remain, shall be the ratio of apportionment of Representatives among the several States under such census; and the Secretary of said department shall then proceed to divide the total representative population of each State by the ratio so determined, and each State shall be assigned one Representative for each full ratio of population therein and an additional Representative for any fraction equal to or greater than a moiety of such ratio, but in no case shall a Representative be assigned for a fraction less than a moiety of such ratio, and each State shall have at least one Representative; and the aggregate number of Representatives so assigned to the States shall constitute the total membership of the House of Representatives under such census; and as soon as practicable after the Secretary of said department shall have ascertained the number of Representatives to which each State is entitled under any decennial census, in the manner herein provided, he shall make out and transmit to the House of Representatives a certificate of the number of Representatives so apportioned to each State, and he shall likewise make out and transmit without delay to the executive of each State a certificate of the number of Representatives apportioned to such State."

LEAVE TO PRINT.

**THE SPEAKER.** Is there objection to the request as modified?

There was no objection.

The proposed amendments are as follows:

Strike out section 2 of H. R. 30566 and substitute the following:

"Sec. 2. That if the Territories of Arizona and New Mexico shall become States in the Union before the apportionment of Representatives under the next decennial census, they shall have one Representative each; and if one of such Territories shall so become a State, such State shall have one Representative, which Representative or Representatives shall be in addition to the number 433, as provided in section 1 of this act; and all laws and parts of laws in conflict with this section are to that extent hereby repealed."

Insert after section 2 the following as a new section:

"That as soon as the fourteenth and each subsequent decennial census of the population of the several States, as required by the Constitution, shall have been completed and returned to the Department of Commerce and Labor, it shall be the duty of the Secretary of said department to ascertain the aggregate population of all the States and of each State separately, excluding Indians not taxed, which aggregate population he shall divide by the number 430, and the product of such division, excluding any fraction of a unit that may happen to remain, shall be the ratio of apportionment of Representatives among the several States under such census; and the Secretary of said department shall then proceed to divide the total representative population of each State by the ratio so determined, and each State shall be assigned one Representative for each full ratio of population therein and an additional Representative for any fraction equal to or greater than a moiety of such ratio, but in no case shall a Representative be assigned for a fraction less than a moiety of such ratio, and each State shall have at least one Representative; and the aggregate number of Representatives so assigned to the States shall constitute the total membership of the House of Representatives under such census; and as soon as practicable after the Secretary of said department shall have ascertained the number of Representatives to which each State is entitled under any decennial census, in the manner herein provided, he shall make out and transmit to the House of Representatives a certificate of the number of Representatives so apportioned to each State, and he shall likewise make out and transmit without delay to the executive of each State a certificate of the number of Representatives apportioned to such State."

LEAVE TO PRINT.

**Mr. HARDWICK.** I ask unanimous consent that there be printed in the RECORD, but not read, a memorial that I hold in my hand from the Farmers' Union of America in favor of the election of United States Senators by direct vote of the people.

**Mr. DWIGHT.** Mr. Speaker, I make the point of order that there is no quorum present.

**Mr. PAYNE.** I hope the gentleman from Georgia will understand that there is nothing personal in my objection, because I have objected heretofore to the printing of any memorial whatever in the RECORD. There is no use of printing this memorial in the RECORD, because the House has already three or four times by almost unanimous vote passed the proposition to which it refers. Therefore I object to printing it in the RECORD.

**Mr. HARDWICK.** I ask unanimous consent to extend my remarks in the RECORD.

**Mr. PAYNE.** I will object to that.

**THE SPEAKER.** Objection is heard.

**Mr. HARDWICK.** I hope the gentleman will not insist on that.

**Mr. PAYNE.** Not to include the memorial.

**Mr. HARDWICK.** I want to extend my remarks in the RECORD on this subject.

**Mr. PAYNE.** If the gentleman will leave out the memorial.

**Mr. HARDWICK.** Oh, no; that is an unreasonable limitation. I hope the gentleman will not insist on that.

